

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE COUNCIL
FIFTY-SIXTH PARLIAMENT
FIRST SESSION**

**Tuesday, 10 August 2010
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Select Committee on Train Services — Mr Atkinson, Mr Barber, Mr Drum, Ms Huppert, Mr Leane, Mr O'Donohue and Mr Viney.

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Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vogels, Mr John Adrian	Western Victoria	LP

¹ Appointed 3 February 2009

² Appointed 9 March 2010

³ Resigned 1 March 2010

⁴ Resigned 9 January 2009

CONTENTS

TUESDAY, 10 AUGUST 2010

ROYAL ASSENT.....	3785
QUESTIONS WITHOUT NOTICE	
<i>Schools: building program</i>	3785, 3786
<i>Bushfires: royal commission final report</i>	3786, 3792, 3793
<i>Bushfires: powerlines</i>	3788, 3789
<i>Bushfires: preparedness</i>	3790
<i>Bushfires: fuel reduction</i>	3791
<i>Bushfires: seasonal firefighters</i>	3791
<i>Bushfires: rebuilding</i>	3794
<i>Economy: performance</i>	3794, 3795
<i>Planning: ministerial intervention</i>	3796
QUESTIONS ON NOTICE	
<i>Answers</i>	3797
PETITIONS	
<i>Kilmore: link road proposal</i>	3797
<i>Planning: amendment VC67</i>	3797
<i>Police: Bentleigh</i>	3797
<i>Electricity: smart meters</i>	3797
PLANNING: MINISTERIAL INTERVENTION	
<i>May 2009–April 2010</i>	3798
2009 VICTORIAN BUSHFIRES ROYAL COMMISSION	
<i>Final report</i>	3798
PAPERS	3798
DEPARTMENT OF HUMAN SERVICES:	
PRODUCTION OF DOCUMENTS.....	3798
YARRA PARK: PRODUCTION OF DOCUMENTS	3799
POLICE STAFF ROSTERS AND BAY OF ISLANDS	
COASTAL PARK: PRODUCTION OF DOCUMENTS	3799
BUSINESS OF THE HOUSE	
<i>General business</i>	3799
2009 VICTORIAN BUSHFIRES ROYAL COMMISSION: FINAL REPORT.....	3800
RULINGS BY THE CHAIR	
<i>Member for Derrimut: allegations</i>	3841
ADJOURNMENT	
<i>Police: northern Victoria</i>	3841
<i>Rail: St Albans level crossing</i>	3842
<i>Locusts: control</i>	3842
<i>Geelong Ring Road: lighting</i>	3843
<i>Students: curriculum days</i>	3843
<i>McCabes Bridge, Darraweit Guim: closure</i>	3844
<i>Rail: Geelong line</i>	3844
<i>Bushfires: powerlines</i>	3844
<i>Road safety: school crossing supervisors</i>	3845
<i>Country Fire Authority: Warburton station</i>	3845
<i>Small business: government policies</i>	3846
<i>Police: Craigieburn</i>	3847
<i>Transport Accident Commission: claims management</i>	3847
<i>Grand Ridge Road, Gippsland: signage</i>	3848
<i>Responses</i>	3848

Tuesday, 10 August 2010

The PRESIDENT (Hon. R. F. Smith) took the chair at 2.05 p.m. and read the prayer.

Mr Kavanagh — On a point of order, President, on 28 July the house debated my motion to refer the deaths of babies to a parliamentary committee for investigation. It appears that the *Hansard* report of that debate has been falsified to give the impression that Ms Hartland had read the motion before the debate. In fact Ms Hartland's actual contribution made it perfectly clear at the time that, like Ms Tierney and Mr Tee, she had not read the actual motion that was before the house. In Ms Hartland's case *Hansard* appears to have been deliberately falsified to disguise this fact. This act itself, I submit, amounts to a contempt for truth, for the parliamentary process and for the house itself. Surely it also amounts to misleading Parliament.

Hansard now records Ms Hartland as referring to 'the original motion'. My firm belief and recollection is that Ms Hartland actually referred not to the original motion but simply to 'the motion' during the actual debate. Clearly a member may wish the official record to show what he or she had wanted to say or had wished he or she had said — —

The PRESIDENT — Order! I remind Mr Kavanagh and all members of the house that it is not in order to debate their point of order. I think Mr Kavanagh is getting to that stage now — he is starting to stray a little bit. I would like him to concentrate on the specific point or points he wants to make rather than emphasise or arguably debate them.

Mr Kavanagh — The point is that *Hansard* has been altered to show something that did not happen in debate to misrepresent the content of the debate, and I submit it is not for us here to use *Hansard* as an Orwellian exercise in falsifying history retrospectively but to actually record what was said. I ask you, President, to investigate this matter: to listen to the recording, to find out whether the record has been changed, as I suggest, and if so, who did that and to report back to the house.

The PRESIDENT — Order! I have Mr Kavanagh's point. Mr Kavanagh's request that I investigate is quite in order, and I will certainly do that. The reason I will do that is that Mr Kavanagh's very serious accusation that *Hansard* has been deliberately altered is, I would argue, almost unprecedented. It would certainly be serious and of concern to all of us were that to be the case. I make no comment on it other than that. I will investigate it and report back to the house.

ROYAL ASSENT

Message read advising royal assent to:

3 August

Electoral Amendment (Electoral Participation) Act

10 August

**Control of Weapons Amendment Act
Severe Substance Dependence Treatment Act.**

QUESTIONS WITHOUT NOTICE

Schools: building program

Mr D. DAVIS (Southern Metropolitan) — My question is to the Treasurer. The Premier yesterday refused point-blank to release full details of the cost overruns and rorts under the BER (Building the Education Revolution) school building program and the Treasurer has been asked in this house on several occasions to release the full details of the implementation of this commonwealth program in Victoria, yet he has refused. I therefore ask: in light of the recommendation of Mr Orgill, Julia Gillard's chosen reviewer of the implementation of BER, and his statement that each educational authority should publish immediately cost details for individual schools in the interests of transparency and public accountability, will the Treasurer now publish in full the costs and details of each Victorian BER school project today, or will he continue to cover them up?

The PRESIDENT — Order! As a matter of procedural etiquette I think it is appropriate — and, more importantly, proper — to refer to the Prime Minister correctly.

Mr LENDERS (Treasurer) — I note Mr David Davis's question, and in answering it I will first point out that we saw a press release three weeks ago saying the Parliament should come back early because the most urgent thing for this Parliament to discuss is the bushfire royal commission, yet the first question we get is related to the federal election. I wish there could be some consistency and also perhaps even some remorse at that press release going out in the Victorian community saying that that is the most urgent thing to be considered, given that at the first opportunity the Leader of the Opposition has had to get to his feet in this house he has not talked of the royal commission.

He called for a special sitting of Parliament because that issue is so important, but he has now decided that the federal election and point-scoring is a higher priority. That is an interesting reflection. I also reflect that he does not have confidence in the shadow parliamentary secretary and has asked the question himself.

Regarding the question that he has asked, it is one regarding a report by the commonwealth where the commonwealth has put a view that information should be presented, which is the commonwealth's right and entitlement to do. If Mr Davis had actually listened to the Premier, he would have heard that the state of Victoria is in commercial negotiations with individual builders during a tendering process whereby the state of Victoria is seeking to get value for money for the taxpayer in relation to hundreds of schools in the BER round 3 negotiations.

If Mr Davis actually believes that in the middle of commercial negotiations with builders to build projects — some of which are federal, some of which are state, some of which are mixed and some of which go into the future — we should disclose the price of similar ventures that have been negotiated with other companies, then we might as well put up the white flag and say, 'Come on down, everybody. The government will empty its pockets. The government has got deep pockets. Name your price, and we will pay it'.

Perhaps the answer is that the shadow parliamentary secretary wrote the question and that is why it is so clunky. If Mr Davis actually believes that trying to score some political points two weeks out from a federal election is a higher imperative than having several hundred schools built where you negotiate the price with builders without saying what your price is for the template so you can have a bit of strong commercial negotiation and save the taxpayer some money, then I think Mr Davis is truly in la-la land.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — Talking about people in la-la land, even the New South Wales government was able to release this information, Treasurer. What a pathetic sham of a secret state! Will the Treasurer confirm that only 4 of the 1200 projects are yet to be tendered and that the government's failure to release these damaging documents is a further step in the long-running cover-up that involves the Treasurer, the Premier and the Minister for Education?

Mr LENDERS (Treasurer) — Let it be noted for the record that Mr David Davis prefers the New South Wales form of educational procurement to the

Victorian form and is holding New South Wales up as a model for Victoria to follow. Let it be noted for the record that Mr Davis is actually advocating in this house that we should follow the New South Wales form of procurement for education over Victoria's. I rest my case; the member is in la-la land.

Bushfires: royal commission final report

Mr VINEY (Eastern Victoria) — My question is to the Minister for Environment and Climate Change, Gavin Jennings. Can the minister advise the house how the Brumby Labor government is taking action to respond to the royal commission's recommendations after its inquiry into the 2009 Victorian bushfires?

Mr JENNINGS (Minister for Environment and Climate Change) — I thank Mr Viney for his question and the opportunity to respond very quickly in the Parliament — as I would anticipate we will be doing during later discussion in the Parliament today — about the importance of the report that was commissioned by the Victorian government, in providing the terms of reference to the 2009 Victorian Bushfires Royal Commission on 16 February 2009, and the great work that has been carried out on behalf of the community by Commissioners Bernard Teague, Ron McLeod and Susan Pascoe in undertaking the extensive and very moving process of gathering information and assessing the relevant evidence about the circumstances that led to the bushfires of early 2009, the tragic consequences of those fires and the lessons that should be learnt.

Indeed the commission held hearings over 155 days, including 23 days when evidence was taken about the tragic loss of life. There were 86 hearings relating to individual deaths that occurred in those fires. There were 434 witnesses, 2 expert panels, 100 lay witnesses, more than 990 exhibits and over 20 000 pages of transcript. There were nearly 1700 submissions, and the commission has done an almighty job on behalf of the Victorian people and for their future in assessing that evidence and providing recommendations to the Parliament, the government and the people of Victoria.

Along the journey of consideration undertaken by the commission there has been significant investment through the budget. For example, in the 2009 state budget more than \$986 million was allocated to a range of projects designed to enhance our emergency response to deal with the technology and information systems that provide warnings, to the better integration of information systems and, in particular, to support enhanced capability in relation to appliances, aircraft and services that are available to our community.

There were significant recommendations made by the commission in its interim reports in August 2009 and November 2009. The recommendations of those interim reports were subsequently assessed by a former Victorian Chief Commissioner of Police, Neil Comrie, who was commissioned by the government to independently assess the effectiveness of the implementation of those recommendations.

Honourable members interjecting.

Mr JENNINGS — President, it is pretty poor to hear the level of interest demonstrated by the chamber at this point in time in relation to this matter, given the gravity of the situation and what I would anticipate being robust contributions to be made by members subsequently in the discussion in the chamber. The concentration span of members of this chamber is pretty ordinary, as is being demonstrated at this point in time.

I wanted to outline to the chamber that former Chief Commissioner of Police Neil Comrie, who has undertaken the role of the implementation monitor and prepared the delivery report, recognised the short time available to implement the policies and practices that had been recommended by the commission. Notwithstanding the acute time lines, Neil Comrie said on page 6 of his report:

... the state's response to the commission's recommendations has involved a very large commitment of resources that has resulted in a substantial number of positive outcomes with regard to the protection of human lives. There has been a considerable investment in infrastructure, technological enhancements and wide-ranging amendments to policies and procedures to address some of the matters raised by the commission. In addition to activities related to the commission's recommendations, a number of other measures have been taken to improve the state's capacity to deal with bushfires. The overall outcome of this investment and activity is that Victoria is now significantly better prepared to respond to bushfires than it was in February 2009.

Indeed in the introductory comments in the final report handed down by the commission on 31 July the commission commended the government for appointing Mr Comrie as the independent monitor and noted the success of the implementation of many of those recommendations.

The extraordinary depth and coverage of the commission's report that was tabled in the Parliament and then released immediately for public scrutiny on 31 July is reflected in its including 67 recommendations. Of those recommendations, 6 relate to bushfire safety policies and programs, 12 specifically deal with emergency and incident management, 7 relate to fire ground response, including

the commitment to amend Country Fire Authority and Department of Sustainability and Environment policies in relation to aerial preparedness and stand-by arrangements, 8 relate to improving the safety of electricity assets, 2 address the ability to enforce the law in relation to arson, 14 relate to planning and building approvals and 7 relate to land and fuel management. There are also recommendations about ongoing research, evaluation and monitoring, a recommendation about the organisational structure in relation to fire agencies, including the appointment of a fire commissioner as an independent statutory officer, and a recommendation about the future of public inquiries and the scrutiny of the implementation of recommendations and policies.

The government, in the interim response that was issued two days subsequently by the Premier, the Minister for Police and Emergency Services and me on behalf of the government, indicated that it fully intended to support in principle the implementation of 59 of those 67 recommendations, with a number of them subject to further implementation or consideration by the Victorian community. There were 8 matters that the government chose to further consider in consultation with the Victorian community.

Since that time a little over a week ago there has been a program of consultations with members of the Victorian community to discuss issues which include the implementation of the establishment of refuges, policies relating to planning considerations of local government, policies relating to evacuations and the way in which they should be implemented, issues that relate to powerlines and the safety of the electricity system, the desirability of an acquisition program to provide compensation for the relocation of residents in bushfire-prone areas, and matters dealing with the scale, intensity, scoping and community and economic impacts of the fuel reduction burning program. Those community consultations have been well attended and have involved members of the community and a wide cross-section of the cabinet. In fact the government has been represented in those discussions by a broad range of ministers who have attended them.

We will continue to work with our community, agencies and major stakeholders, whether they are in the local government sector, industry or are community-based organisations. A range of stakeholder conversations are currently taking place. The government will digest the input of that extensive consultation and very shortly respond to the remaining items and make a complete response to the recommendations of the commission.

As I have indicated in my answer, the government has already acknowledged this in its response to the interim recommendations made by the commission by providing resources and through its programmatic response following the fires in 2009. We have undertaken an extensive journey in terms of providing resources and programs to respond to these issues and the policies that make up the statutory underpinnings of these matters into the future, and we will continue to do that. We will do it in a way which engages with and includes members of the community, and we will respond in full to the commission's recommendations in the near future, following the digestion and the policy considerations of the input of the Victorian people to the recommendations of the commission.

Bushfires: powerlines

Mr D. DAVIS (Southern Metropolitan) — My question is to the Treasurer, as the representative of the Premier in this chamber. I refer to claims in today's press by the Minister for Energy and Resources that the royal commission's recommendations for undergrounding SWER (single wire earth return) lines would cost \$60 billion and lead to enormous and prohibitive increases in household electricity bills. The treasurer is, of course, the custodian of the state's finances. I ask, therefore: given that the government's own report in August 2009 estimates the cost of undergrounding every SWER line across Victoria, not just in high-risk areas, at \$4.7 billion, does the Treasurer stand by the claims made by the Minister for Energy and Resources, or is this just a false and wildly exaggerated scare campaign orchestrated by the government to undermine the royal commission's recommendations?

Mr LENDERS (Treasurer) — I note again that Mr David Davis is too afraid to ask my friend the Minister for Public Transport, Mr Pakula, any questions as the minister representing the Minister for Energy and Resources, Mr Batchelor. He asks them of me, and I am delighted to take them, but I note again that he is afraid of Mr Pakula.

Hon. M. P. Pakula — I wish you'd stop saying that.

Mr LENDERS — That is the truth, Mr Pakula. He is too gutless to ask you a question on any detail.

I think Mr David Davis has partly listened to the radio interview that Mr Batchelor had given.

The PRESIDENT — Order! I note at the start that the Treasurer said Mr Davis was 'too afraid', but then I

think he said he was 'too gutless', and if that is the case I ask the Treasurer to withdraw the word 'gutless'.

Mr LENDERS — I withdraw.

Mr Drum — On a point of order, President, the Treasurer has been using the term 'gutless' for the last two years. Why did you suddenly decide today to call it out of order?

The PRESIDENT — Order! Mr Drum, sit down! I have made my ruling. If Mr Drum wants to dispute it, there is a way and means to do that. If not, I suggest he stay sitting down.

Mr LENDERS — The Minister for Energy and Resources, Mr Batchelor, was directly commenting on the cost factors that come from some of the recommendations of the royal commission. This government is, correctly, looking at the recommendations. As my colleague Mr Jennings said, the government has accepted 59 of the 67 recommendations and is looking at the remaining 8 to get a detailed analysis of them and, most importantly, to engage the Victorian community now that there are specific recommendations from the royal commission on those matters.

I have had the privilege — and I use the word 'privilege' deliberately — of now having been part of four consultations with different parts of the Victorian community on the response to these recommendations. I think it is fair to say that our citizens see it as a sign of respect from the government that it is prepared to engage with them on some of these issues before it makes a final decision on the remaining eight recommendations, one of which is the undergrounding of powerlines.

Again the issue that Mr David Davis misses is that Mr Batchelor has obviously been talking about the recommendation dealing with the undergrounding of lines, and there is a series of parts to this: there are the SWER lines that are in the public domain, there are the SWER lines that are in the private domain and there are the 22-kilovolt lines. All of them are part of that. There are the subsets of what is in high-risk areas and what is not high risk and there are subsets depending on how you define high risk.

There are a range of these areas, which means it is very difficult to quantify the amount exactly. I would think it is absolutely reasonable for Mr Batchelor to say that these are figures that need quantification and to have that as part of a public debate. If Mr Davis wants or chooses to draw from that selectively, he will. It is interesting that sight unseen he says he is going to adopt

everything coming forward. I think that verges on an abdication of responsibility to say you will do something sight unseen, without costing, without negotiating, without discussing and without consulting the community, and then selectively using figures; it is unorthodox public policy. I guess it helps explain his Pakula-phobia.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — That was very unconvincing. I refer to the Treasurer's previous answer and a report in the *Australian* newspaper of 7 August regarding the implementation of the recommendations of the bushfires royal commission, which states:

Government advisers have been on the phones to media warning the commissioners' plan would include vast numbers of homes and billions of dollars.

I ask: is it not a fact that the government is waging a false and wildly exaggerated scare campaign to deliberately undermine the royal commission's final report and cynically avoid implementing its recommendations?

Mr LENDERS (Treasurer) — As so often is the case, Mr David Davis is totally wrong. He is totally, absolutely and completely wrong. If you start breaking down and analysing his emotive conspiracy theories, if you start trying to break through them, you find that he says the government is trying to undermine the report of the royal commission. It is a very unusual way to undermine to accept 59 of the 67 recommendations up-front and then say there are 8 more on which further work is being done. That is a strange way of undermining. Perhaps that is the loyalty Mr Davis would expect from his side, but I would have thought that was an analytical, rational and respectful way of dealing with these profound recommendations. Secondly, for the government of a state not to do an analysis of recommendations such as these would be quite extraordinary.

Mr D. Davis interjected.

Mr LENDERS — I note for the record that not a single member of the opposition is backing their leader in his interjections. This is a serious issue we have before us. If we are to analytically go through the issue before us, I would suggest that Mr Davis consult with some of the distribution companies, the generating companies, the energy users associations, the Victorian Council of Social Service, the Victorian Farmers Federation and a range of other bodies. I suggest he consults them and gets a reasonable understanding of

what these recommendations mean before he signs up to them.

If Mr Davis is quoting from the *Australian* and is quoting from the figures out there, I advise him that they are not government figures. They are industry figures that say this could be between \$20 billion and \$60 billion. You would want to get an understanding of that before you moved down a path of public policy, rather than ruling things in or out based on an inexact figure — and these are not insubstantial figures. When talking about the costs in bushfire-affected communities and everywhere else, these figures reveal that if you carried it out to the full, by one analysis it would mean that every Victorian electricity consumer would see their prices go up by 20 per cent a year for the next 10 years. You would want to at least get that quantified before you made the public policy decision.

We commissioned the royal commission because we wanted it to give free, fearless and frank advice to government. We wanted it to put recommendations to government. We wanted it to listen to the community. We wanted it to deal with the fact that a lot of Victorians lost their lives and that our community was severely dislocated and to come up with a series of recommendations for the government to work with. We accepted 59 of the 67 recommendations instantly. There are still 8 more which we think we should discuss in a responsible fashion with the communities that these recommendations are seeking to protect.

Mr D. Davis — We know what kind of consultation you are running.

Mr LENDERS — Mr David Davis says he knows of the consultation. I would invite him to come to some of these consultations. I will outline one of the four I have been to. I was at a community consultation in a hall at Labertouche on Friday night — —

Mr D. Davis — Who was running that one?

Mr LENDERS — President, I was in a consultation meeting at Labertouche on Friday night. Essentially there was a group of approximately 100, predominantly farmers. These were people who came forward and wanted information on the 67 recommendations and on the report as a whole. In fact, if anything, they were critical of the government for moving too quickly through this report. They said, 'There is a 900-page report from the royal commission. We need time to see what this means to our community', whether it is a long debate on the burn-offs and whether or not they are achievable — a whole lot of policies — or a long debate on evacuations or a long debate on the

undergrounding of powerlines. In a community where fortunately nobody died — many people were traumatised in Labertouche, but nobody died, which is fantastic — but where people were traumatised, there were victims of the fire everywhere. This community was saying, ‘We want to be part of this decision. We want a chance to talk’. Mr Scheffer was with me. This was a respectful community meeting.

What the government is seeking to do here is not to rush through; we are seeking to engage with communities. What I would say to Mr Davis is that he should embrace these communities. They want to be part of this decision. People want closure; people want things finished, but people also want a chance to be a part of it, and all these things conflict. Some people want closure now, and I can understand that, but other people want to be a part of the government making a decision.

We will continue to do this. We have a series of consultations going forward right through this week, and the government will proceed with them. We are not going to go down the path of a simplistic solution saying, ‘Yes, no, yes, no’ to everything. We will try to do as many as possible for closure, and we will deal respectfully, responsibly and promptly with the remaining eight recommendations. But we do not want this to be part of a political debate. We want it to be solution focused and to include communities, and that is what this process is about.

Bushfires: preparedness

Ms BROAD (Northern Victoria) — My question is to the Minister for Environment and Climate Change. Can the minister update the house on how the Brumby Labor government is taking action to prepare Victorian communities, including communities in Northern Victoria Region, for the upcoming fire season?

Mr JENNINGS (Minister for Environment and Climate Change) — I thank Ms Broad for her question. Obviously my last answer was a fairly long one. This one might be a little shorter. The reason I want to get straight to the point in this regard is that while the government is actively considering, in consultation with the Victorian community and relevant stakeholders, the full basket of recommendations of the royal commission, we are preparing for the next fire season.

Last week the Premier, the Minister for Police and Emergency Services and I visited Gippsland to see the preparation of the fuel reduction burning program for the Gippsland region for the next three years. The following day, with the Department of Sustainability

and Environment’s chief fire officer, Ewan Waller, I travelled to Sebastopol near Ballarat to evaluate the fuel reduction burning program for the region. Right across northern Victoria and in other parts of the state at the moment there are fuel reduction programs that identify the potential for strategic burning to take place not only this year in the spring but also next autumn and then for the two following years.

In terms of the lengthy preparation of our fuel reduction burning program, one of the important elements is to identify the environmental values, the topography and the vegetation types to make sure we are aware of the scale and intensity of the program.

Honourable members interjecting.

Mr JENNINGS — President, at the moment I am being baited by people on the other side of the chamber who have no idea about these matters. They do not know that this is an ongoing program that has been going for many years. Their interjections demonstrate their ignorance in relation to the subject matter.

It is quite extraordinary, because this degree of preparation has been an essential component of the fuel reduction burning program, and the next essential element of the fuel reduction burning program is community education, engagement and involvement in that process. That is clearly something the people who have been interjecting have never involved themselves in. But in the future, hopefully, they and other members of the community will involve themselves and become aware of what they so conveniently jump in to criticise without having any appreciation of. That is the opportunity that is now available to the community during the month of August — to assess — —

Mr Guy interjected.

Mr JENNINGS — There might be one or two interjectors who have discovered this issue, but they may not have taken much notice previously about the importance of this program.

We will continue to work with the community and to work through communities across Northern Victoria Region and other parts of the state to evaluate the effectiveness of this program. In accordance with the consideration of the resource allocation and the emphasis that has been recommended by the commission, I anticipate that the program will continue to be enhanced and supported by a broader cross-section of the community who appreciate the need to protect strategic assets, communities and life through this program into the future. That is what we are moving on at this moment.

Bushfires: fuel reduction

Ms LOVELL (Northern Victoria) — In light of the minister's answer I refer to the royal commission recommendation that a 5 per cent annual target be set for prescribed burning, and I ask: what targets has he, as minister, set for prescribed burning before the forthcoming fire season?

Mr JENNINGS (Minister for Environment and Climate Change) — That is not a bad question from Ms Lovell. At least it demonstrates that she has read the Environment and Natural Resources Committee report; she has read the commission's report; she knows what the figure is that is referred to in the commentary of the report, and she has a sense of the importance of growing the program, of trying to achieve a —

Honourable members interjecting.

Mr JENNINGS — I can give any answer I like, President, can't I? You would defend my right to give an answer so long as it is apposite, so long as it is with the program and on message — and that is what I am doing, because I recognise the direction the commission has set for the fuel reduction burning program.

The government has supported that direction in principle. At the moment we are having conversations with the Victorian community about the scale-up of our existing program and the way we would achieve a greater delivery of fuel reduction across the Victorian landscape that is mindful of the science of protecting environmental values in line with a number of other recommendations that the commission makes. It has a very high expectation, not only in terms of the size and scale of the program but also in terms of the acute expectations that relate to the scientific rigour that underpins it and the degree of community support that goes hand in hand with scaling up the program.

They are the basket of issues we are currently talking to communities about — the way in which they can have confidence that we can acquit the scientific rigour, the appropriateness of the intensity and the timing of those burns and the community inclusion in the decision-making framework to scale up that program. That is the reason I am not going to give a definitive answer about the number today. That is a process of conversation that the Victorian government is having with the Victorian people at this moment.

I go back to my previous answer, for all of those who were listening as distinct from interjecting. What I talked about was the scale of a three-year program to identify the sites and locations within regions that may

be available for a burning program. Subject to the conclusion of this consultation and the consideration of local communities about the appropriateness of the fuel reduction burning program that was envisaged on a three-year time frame, some elements of it may be able to be brought forward so that we can have a larger program this year and in subsequent years. That is the process by which we are undertaking analysis at this moment.

Supplementary question

Ms LOVELL (Northern Victoria) — I thank the minister for his answer. Given the royal commission's report and also given that over the past 10 years this government has failed to meet targets for prescribed burning, resulting in a 200 000-hectare backlog, I ask: will the minister be setting any target for prescribed burning before the forthcoming fire season?

Mr JENNINGS (Minister for Environment and Climate Change) — I thought I was actually generous in my answer to Ms Lovell's substantive question. I do not think she has been generous in her supplementary question, because in fact we have exceeded our targets. If she has a look at the last three budget papers, she will see that in each of the last three budget papers our target has been 130 000 hectares, and every year we have exceeded the target. The premise of the question is wrong. We have exceeded the target that was allocated in the budget papers. We have exceeded it each year for the last three years. Despite the nature of the supplementary question, we have exceeded what was committed to in the budget papers. Have no doubt about that. That is absolutely clear. In each of the last three years 130 000 hectares was the target, and we have exceeded it in each of those years.

In relation to the cumulative burn that has occurred in the state of Victoria over the last decade, there has been somewhere in the order of 2.5 million hectares burnt through the accumulation of bushfires and the fuel reduction burning program, so the notion that a very small proportion of the Victorian landscape has been burnt is incorrect. One-third of all public land in Victoria has been burnt during the course of the last decade, so the construction of this type of question and this type of analysis, and the hysteria associated with it, is in fact fundamentally mischievous.

Bushfires: seasonal firefighters

Mr ELASMAR (Northern Metropolitan) — My question is also to the Minister for Environment and Climate Change, Mr Jennings. Can the minister inform the house of any recent announcements that will

provide additional strength to Victoria's firefighting effort ahead of this year's fire season?

Mr JENNINGS (Minister for Environment and Climate Change) — I thank Mr Elasmr for his question. This will be a quick one. I tried to be quick with the last one, but I was not successful because of the interjections. We are opening up opportunities for firefighters to actually join our ranks over the coming fire season. Those applications open today.

Mrs Peulich — Why weren't you talking about this two years ago — three years ago?

Mr JENNINGS — We talk about it every year. Good listening from the other side of the chamber! In fact we do it every year. We recruit seasonal firefighters, and we are currently advertising for 700 of those firefighters. Applications close on 5 September, and we will be recruiting soon thereafter for people to join the ranks to undertake the burning program and the clearing program that will be occurring during spring, to be well in place prior to the emergency, should the emergency come, during the summer months. Many of these firefighters will stay on and be available to assist us in our fuel reduction burning program during the autumn of 2011. Applications open today.

Bushfires: royal commission final report

Mr D. DAVIS (Southern Metropolitan) — My question is for the Treasurer in his role as representative of the Premier in this place. I refer the Treasurer to comments in the *Weekend Australian* newspaper of 7–8 August by Mr Michael Buxton, a respected member of the expert panel advising the bushfires royal commission, who stated:

I have been appalled by the government's reaction, which amounts to a gross exaggeration of the scale and the cost of what the commission was proposing ...

I ask: when will the government stop deliberately waging a false and wildly exaggerated scare campaign to undermine the royal commission's final report, and when will it commit to implementing the 67 recommendations?

Mr LENDERS (Treasurer) — I note Mr David Davis's question, and again the assumption on all of this is a very politicised assumption that somehow or other the government is seeking to discredit a royal commission that the government actually established. The government established the royal commission and welcomed the report.

Fifty-nine of the 67 recommendations the government has announced it will support in full or in principle, and

it is working on 8 more. The government is actually engaging with regional Victoria. We are not a city-centric government that basically decides here in Spring Street what it will and will not do and ignores engaging with bushfire communities in country Victoria. We are actually engaging in this discussion.

If Mr Davis has difficulty with the government engaging with communities on things that affect their lives — we are going back with the royal commission's report to the people who are most affected by what happened in 2009 and saying, 'How will it work?' — and he thinks that discussion is in some way undermining the royal commission, he is entitled to that view, but I think his view is wrong. The government will proceed with the 59 recommendations it has supported. We will proceed with them promptly, as we did last year. With the bushfire season coming along, we will proceed with that. We will do it as fast and as expeditiously as we can.

I also invite Mr Davis to acknowledge that if the government proceeds promptly with this, he will in any case come back later on and say the government proceeded too promptly. We see that all the time; that is standard form from members of the opposition. They will do what they choose to do, but the government will be engaging with the communities most affected before it comes to a final conclusion on the last eight recommendations.

For that matter, with these community consultations there is a lot of discussion on the 59 recommendations that the government accepted in principle, which I might add many of these communities are not completely happy with — they think the government acted too quickly. There are also issues that communities think were not addressed by the royal commission. We will continue our discussion with these communities. We are not going to be city-centric and assume that all wisdom is in Spring Street — that before you see a report you can decide what you are going to do with it without even engaging with the communities.

We will continue to engage with them, and we think that approach will be the best way to get us through what is still a very difficult decision-making time for communities. In the end, if those opposite think there is an easy way that you can underground tens of thousands of kilometres of either 16-kilovolt or SWER (single wire earth return) powerlines and you can do it in a particular time and it is all so obvious, they should actually come up with their plan on how they are going to do it.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — Disappointing again! Given the government's promise that the Premier would personally embark on an exhaustive program of consultation on the bushfires royal commission across Victoria, why is the government now spending tens of thousands of dollars of taxpayers money employing private consultants to do this consulting in the Premier's place?

Mr LENDERS (Treasurer) — Firstly, the government is in this incredibly difficult situation. The opposition is saying on the one hand, 'Accept everything sight unseen. Regardless of the costs and regardless of what bushfire communities think, accept it sight unseen'. If we were to do that we would be acting irresponsibly, because we have not looked at the consequences and we have not negotiated, discussed or consulted with affected communities. Members of the opposition are saying that somehow or other that is wrong. I guess if you have got a city-centric view and have no regard for bushfire-affected communities, that makes sense, but we have regard for them.

Secondly, we have set up a structure to help formulate this. There are dozens of meetings. I have been to four, and I am going to more meetings, as are many other ministers and most of my parliamentary colleagues. When I look around the government benches I see that most people here have actually been to meetings. Ms Broad and Mr Pakula were telling me of ones they have been to, as has Ms Pulford. They have all been telling me this morning of how profoundly they were affected. Mr Scheffer was with me at the one I mentioned before in Labertouche. Mr Viney was telling me about one he was at in Churchill and Mr Scheffer was with me at meetings in Traralgon and Morwell. What we have seen is that government members are consulting.

If Mr Davis thinks there is something wrong with logistically organising to hire some halls and something is wrong with providing tea, coffee and sandwiches for the community —

Honourable members interjecting.

Mr LENDERS — I went to my Labertouche meeting the other day. We hired the hall at Labertouche. The Department of Premier and Cabinet organised —

Honourable members interjecting.

Mr LENDERS — Mr David Davis has said that we are wasting money on consultation. Mr Davis thinks we

are wasting money consulting communities. I refer to our meeting at Labertouche, and I will tell the house what money we wasted. At Labertouche we hired a hall. We hired a person to facilitate the meeting so the government was not lecturing people, so communities in groups could go through —

Mr D. Davis — Who was it?

Mr LENDERS — Now Mr Davis asks, 'Who was it?'. This is quite extraordinary. Let us go through his supplementary question, in which he asked why we are wasting money on consulting communities. I went to Labertouche. What we did was we hired a hall. We paid for sandwiches and coffee — wait for the FOI on that one — so the local community, who came out at 6.30 at night to a meeting for 2½ hours, could eat. I am sure there will be questions about waste next. Then we had a facilitator so that I, as a minister, or Mr Scheffer, as a member of Parliament, would not be out there giving a lecture to a community; we would be listening. We hired a facilitator so we would be listening. The facilitator took notes of what people said and then fed that back to the Department of Premier and Cabinet so that the cabinet can consider it.

If Mr Davis thinks that is in any way a waste of money, what I would suggest to him is that what I gained — I cannot speak for Mr Scheffer — from our meeting at Labertouche was a far richer understanding of how a bushfire-affected community is responding to the recommendations of the royal commission than I ever would have got from just reading the 900 pages or than I ever would have got from sitting in a room in Melbourne and talking to other people in government about the recommendations.

I completely and absolutely defend this kind of community engagement; I think it is a great model. This is not a consultation on the never-never. This is a formal consultation that ends during this week so that the government can then do anything further it needs to do and can analyse the material from those meetings so that people other than just Mr Scheffer and I can see what happened at Labertouche, so that people other than Mr Viney and a couple of others can analyse what happened at Churchill and so that people can actually share in this process of government.

This process has treated these communities with respect, and I think as a government we will make better decisions that are not city-centric and are more informed than they would have been if we had not done this.

Bushfires: rebuilding

Mr SCHEFFER (Eastern Victoria) — My question is to the Minister for Planning, Justin Madden. In light of the release of the final report of the 2009 Victorian Bushfires Royal Commission, can the minister update the house on how the planning and building system has facilitated rebuilding in bushfire areas since Black Saturday?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Scheffer's interest in these matters. I refer to the response from the Treasurer to the last question and note Mr Scheffer's keen involvement in the community consultation process and his interest in all matters around the government's bushfire response.

The chamber would be aware that on 31 July the bushfires royal commission released its final report. As my colleague Minister Lenders mentioned, the report contained 67 recommendations. Those recommendations were broadly grouped into themes, one of which was building and planning.

The government has already given in-principle support to 59 out of 67 of the recommendations. Out of the 67 recommendations, 19 relate to planning. Since the release of the report I have also been involved in a number of stakeholder consultations and round tables. Yesterday the Premier, the Minister for Regional and Rural Development, Ms Allan, and I conducted a specific round table with key stakeholders on the recommendation of retreat and resettlement to take time to understand their views on what is a particularly complex issue.

Since February 2009 the government has worked consistently to introduce new measures to improve preparation and response to future bushfires. Some of these measures were from the government's response to the bushfires royal commission interim recommendations and some of them were our own new measures. I would like to run through some of them.

The measures include a streamlined planning process for replacement buildings; strengthened new building standards for bushfire construction; a volunteer program to provide free bushfire attack level assessments; a national performance standard for private bushfire shelters; and a rebuilding advisory service and centres in bushfire-affected areas. We have also updated the existing wildfire management overlay coverage in eight planning schemes and applied wildfire management overlays to areas covered by 18 planning schemes.

The Building Commission is continuing to work with industry, suppliers and manufacturers to bring products onto the market that meet the requirements of the new building standard. As well as that, the Architects Bushfire Homes Service has been established to assist people who lost their homes. We have reimbursed councils for all planning and building fees they have waived in approving the rebuilding. We have put in place a course, which is under development, for building and planning in bushfire-prone areas. The first course is expected to be run in October 2010.

There have been a number of initiatives across a number of fronts over the past 18 months. We are also undertaking broad consultation, as the Treasurer mentioned, in relation to many issues, but of course among the most complex and controversial issues are those that relate to resettlement, particularly in the planning portfolio. These issues are not without significant views and also contention.

We will consult broadly with the community. This is likely to have significant impacts on rural Victoria. We are very keen to get a thorough understanding, through this consultation of not only local communities but also industry, that will allow us to respond in an appropriate way, on the basis of that input, to make Victoria as fire safe and as fire ready as possible into the future and to do justice to the needs of all Victorians in making these considerations.

Economy: performance

Mr DALLA-RIVA (Eastern Metropolitan) — My question is to the Treasurer. I refer to a recent letter signed by the Treasurer and the Labor state treasurers of New South Wales and Queensland which complained about the uncomplimentary assessment of the Victorian, New South Wales and Queensland economies by the chief economist of CommSec, Mr Craig James. Correspondingly the Premier was very willing to use remarks by Mr James in the Assembly on 9 December last year in answer to a Dorothy Dixier to illustrate supposedly just how well the Victorian economy was performing. I ask: is the Treasurer now trying to intimidate anyone who dares to offer an independent economic analysis of the Victorian economy that he does not like, or are he and the Premier merely being hypocrites?

The PRESIDENT — Order! I am in no doubt that Mr Dalla-Riva's question is at the very least argumentative, but in the spirit of conducting a well-run chamber I am going to give him the opportunity to rephrase it.

Mr DALLA-RIVA — Can the Treasurer now explain to the house why he wrote that letter in response to the issues raised by Mr Craig James in his assessment of the Victorian economy?

Mr LENDERS (Treasurer) — I thank Mr Dalla-Riva for his question, because it is a great opportunity to deal with this wonderful Dorothy. Firstly, President, it is quite unusual — —

Hon. M. P. Pakula — Dorothy Dalla-Riva!

Mr LENDERS — Yes, DDR! It is quite unusual for the treasurers of those three economies — states which form almost three-quarters of the nation's economy — to write a joint letter to an organisation. The reason for that is quite simple: the organisation's methodology is lazy. It is a methodology that is inaccurate. That is why in the letter we sent we used a few examples of the methodology. We can go to the three states — and the member asked me about this — in terms of why we said the CommSec methodology left a lot to be desired. We can use the example of Victoria. I quote from the letter from the three treasurers to CommSec:

Victoria had the strongest jobs growth in the nation over the last year, but is ranked last on unemployment.

Queensland had the strongest population growth in the nation over the last year, but is ranked last on population growth.

In New South Wales there is a similar issue. We decided to write about this because the methodology of CommSec favours states that exhibit more volatility in their economic performance.

This becomes problematic. It is nothing to do with consistency; it is volatility that the methodology ranks. Particularly with small samples, it is quite crazy. If you think it through logically, you see it is almost as if you are measuring for a school report. You get a mark for effort. When I went to secondary school you were marked relative to the rest of your class, and you got a mark on your personal best. Using this analogy on the CommSec analysis, Eric the Eel, who came last in a swimming race at the Sydney Olympic Games, would have come first, because it was a personal best. Though people from Australia, the US and other countries outpaced him about 15 to 1 — or whatever their times implied — Eric the Eel, according to CommSec's analysis, should have got the gold medal because it was a personal best with no correlation whatsoever to relative performance.

The reason the three state treasurers took exception to this report was that it is erratic; it is based on small samples; it is based on one quarter only, with no reflection of where things have been for the last

10 years; and if you use my Olympic analogy, Eric the Eel would have got the gold medal from CommSec.

Supplementary question

Mr DALLA-RIVA (Eastern Metropolitan) — I thank the glass-jawed Treasurer. The facts are that last year the government relied on Mr Craig James to prop things up and say how wonderfully the economy is going in Victoria, yet the latest CommSec *State of the States* report warns on page 2 that 'ideally gross state product would be used to assess broad economic growth. But the data isn't available quarterly'. This directly contradicts the government's use of the Australian Bureau of Statistics national quarterly account figures, which appears to be a misuse of final demand growth to represent economic growth. Will the Treasurer now cease to use the quarterly ABS national accounts data as a measure of economic growth as he has continually done?

Mr LENDERS (Treasurer) — I note Mr Dalla-Riva read the supplementary question — and for the benefit of Hansard I am making parentheses with my fingers — verbatim. I guess it has the initials 'KW' on the bottom, indicating who wrote it. Mr Rich-Phillips and even Mr David Davis would not ask this one. I think we have had five shadow Treasurers now, so I guess I should be flattered by having had five of them, seeing Mr Dalla-Riva has now joined the club of economic commentators.

Mr Dalla-Riva's substantive question referred to the *State of the States* report, and I have responded as to why three treasurers from states as disparate as Victoria, New South Wales and Queensland would write a letter to CommSec to say, 'Get your methodology right'. We used clear examples, and as is clear in my earlier indication, if you followed CommSec's analysis, Eric the Eel would have won the gold medal from the Sydney Olympics.

Mr Dalla-Riva read word for word a supplementary question, with the initials 'KW' on the bottom, I suspect. If you are looking at economic data and are looking at Victoria versus other states, you see that in some areas Victoria is strong and that in other areas it is less strong. It is less strong in the resources area, because we do not dig our wealth out of the ground. It is particularly strong in construction, service delivery, manufactured exports, financial services and information and communications technology, agricultural rebound and a range of other areas, which any amount of economic data will show.

The bottom line of that strength is a gross state product growing consistently in the order of 3 per cent over a long period — the strongest of any of the non-resource states. More important than using economic data is the real human data we use. We consistently have the strongest employment growth of any part of Australia, and within that employment growth we have the strongest full-time employment growth. That is across the entire state; not just in Melbourne but across the regions of Victoria.

I am delighted to have a fifth shadow Treasurer being part of the shadow Treasury team and asking me questions. However, can I suggest perhaps that if 'RDR' were written on the bottom rather than 'KW', it might be a more impressive question.

Planning: ministerial intervention

Ms HUPPERT (Southern Metropolitan) — My question is to the Minister for Planning, Justin Madden. Can the minister update the house on the Brumby Labor government's record in delivering an open, accountable and efficient planning system?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Ms Huppert's interest in these matters because I know she has a great interest in the planning field and matters of this type. Members opposite should be well aware that the Brumby Labor government is committed to an open, transparent and accountable planning system, so it is particularly important that I update the chamber on the relevant ministerial interventions that have taken place during the course of the 12 months leading up to April this year. It is important to note that this stands in stark contrast to previous governments, which did not report on their decisions and did not report on their reasons for intervention or their reasons for call-ins.

What is important in terms of what we have done as a government is that when we came to power in 1999 we introduced guidelines for the use of ministerial powers and in particular for planning powers of intervention. Since that time we have maintained an open, accountable and transparent system so that people know why we have called projects in. We also report to Parliament, and that is part of what I am doing today.

Today our annual report for the 12 months to April 2010 has been tabled in Parliament. In this time frame 220 interventions occurred, and I want to give the chamber a breakdown of what makes up those 220 interventions. Only 13 of the interventions were projects called in from the Victorian Civil and Administrative Tribunal. No projects were called in

from councils. The remaining interventions were all planning scheme amendments. I also point out that half of the planning scheme interventions I made were undertaken at the request of the local council. More than 30 per cent of the planning scheme interventions made corrections or technical changes. Nearly one-quarter of the planning scheme interventions put in place interim heritage, vegetation or building height controls, but most importantly 31 interventions — that is, 14 per cent — paved the way for the important changes to be made to the Victorian planning provisions and local planning schemes for bushfire recovery and prevention efforts.

The Brumby Labor government has changed planning schemes so that people who want to rebuild can rebuild without unnecessary red tape. We have also changed planning schemes to clarify when and where vegetation can be dealt with and how people may reduce fuel loads around their family homes. We have also assisted councils in implementing new overlays to identify areas that are potentially at risk of bushfire. As well as that we are working with councils more broadly to make sure the recovery, rebuilding and bushfire prevention efforts are efficient and effective. Most importantly, we will work with councils over time to make sure that we implement a number of the recommendations of the bushfires royal commission.

We are not afraid to make tough decisions in this space, but we will report on why and remain committed to that transparency. We will make the tough decisions when those decisions are the right thing to do — unlike others, who have never made a hard decision in their lives. That does not mean that we will throw out transparency or responsibility or accountability. We will continue to report on what we do in this space. We will continue to make decisions that support jobs and we will continue to make decisions that support bushfire-affected communities. We will continue to work with councils to implement the appropriate planning controls for their communities, and we will act fairly, transparently and openly in an accountable manner when it comes to ministerial interventions. Most importantly, we remain committed to ensuring that our planning system is transparent and that the planning system delivers livability across Victoria to make sure that Victoria is the best place to live, work and raise a family.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Treasurer) — I have answers to the following questions on notice: 3531, 9586, 9589, 9665, 9948, 9959, 10440–2, 10513, 10514, 10548, 10631, 10714, 10873, 10914, 10956, 10998, 11002, 11032, 11039, 11080, 11122, 11164, 11206, 11248, 11290, 11331, 11437, 11479, 11582, 11686, 11698–700, 11843, 11939, 11941, 11958, 11959, 11961–5, 11972–80, 12034, 12045–9, 12079–81.

PETITIONS

Following petitions presented to house:

Kilmore: link road proposal

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council that a ‘link’ road, containing three roundabouts, has been planned in Kilmore township to take through traffic, including heavy commercial vehicles, past three school precincts, a nursing home and residential areas without being subjected to public scrutiny and without any environmental impact study or the effects of noise, pollution, traffic volumes and dangerous goods on the schools and residents. This link will become the arterial road carrying the Northern Highway traffic in lieu of Sydney Street. This study does not include the detrimental impact of the proposed industrial developments south of Wallan and Kilmore or the unwanted Northern Highway duplication through Wallan to Kilmore.

Your petitioners therefore request that the minister for roads immediately abolishes this link road and the duplication and commences planning for a bypass of Wallan and Kilmore with the end to removing this traffic from these towns.

By Mrs PETROVICH (Northern Victoria)
(141 signatures).

Laid on table.

Planning: amendment VC67

To the Honourable the President and members of the Legislative Council assembled in Parliament:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the Brumby Labor government’s plan to ratify changes to the Victorian planning system via the VC67 amendment.

We call on the Legislative Council to reject the VC67 planning ratification in its current form and demand Premier John Brumby and planning minister Justin Madden undertake genuine and broad consultation with the Victorian community before seeking to make any further formal, systemic planning changes to the Melbourne metropolitan planning system that would lead to undemocratic increases in building height or

density along principal public transport routes as outlined in Victorian planning provisions amendment VC67 or that further fundamentally reduce democratic or local participation in planning.

By Mr D. DAVIS (Southern Metropolitan)
(317 signatures).

Laid on table.

Police: Bentleigh

To the Legislative Council of Victoria:

This petition from certain citizens of Victoria condemns the Brumby Labor government for its inability to prevent an increase in violent crime against the person.

The petition asks for the Premier, Mr Brumby, to establish foot patrol police in the major strip shopping centres of Bentleigh and a significant increase in the police presence in and around the train stations of the Bentleigh electorate.

By Mrs COOTE (Southern Metropolitan)
(17 signatures).

Laid on table.

Electricity: smart meters

To the Legislative Council of Victoria:

The petition of citizens of the state of Victoria draws to the Legislative Council’s attention the Brumby government’s mismanagement of smart meters, in particular:

the Auditor-General’s finding that the project cost has blown out from \$800 million to \$2.25 billion, all of which will be paid for in higher bills;

the Auditor-General’s finding that the electricity industry may benefit from smart meters at the expense of the consumers who pay for them;

the unfairness of many consumers and small businesses having to pay for smart meters before they are installed; and

findings by Melbourne University that many families will have to pay around \$300 per annum in higher electricity bills as a result of Labor’s smart meters.

The petitioners therefore request that the Legislative Council require the Brumby Labor government to immediately freeze the rollout of smart meters across Victoria until it can be independently demonstrated that consumers will not be forced to pay for the Brumby government mistakes in the smart meter project.

By Mrs COOTE (Southern Metropolitan)
(13 signatures).

Laid on table.

**PLANNING: MINISTERIAL
INTERVENTION**

May 2009–April 2010

**Hon. J. M. MADDEN (Minister for Planning), by
leave, presented statement.**

Laid on table.

**2009 VICTORIAN BUSHFIRES ROYAL
COMMISSION**

Final report

**The Clerk, pursuant to section 4(2)(b) of the
Bushfires Royal Commission (Report) Act 2009
presented report.**

PAPERS

Laid on table by Clerk:

Crown Land (Reserves) Act 1978 — Minister's Order of 21 July 2010 giving approval to the granting of a lease at Sandringham Beach Park Reserve.

Freedom of Information Act 1982 — Statement of reasons for seeking leave to appeal pursuant to section 65AB(2) of the Act.

Melbourne Cricket Ground Trust — Report for the year ended 31 March 2010.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

East Gippsland Planning Scheme — Amendments C68 and C85.

Horsham Planning Scheme — Amendment C50.

Hume Planning Scheme — Amendment C124.

Maroondah Planning Scheme — Amendment C105.

South Gippsland Planning Scheme — Amendment C46.

Victorian Planning Provisions — Amendments VC66 and VC69.

Wellington Planning Scheme — Amendments C53 Part 1 and C60.

Statutory Rules under the following Acts of Parliament:

Electronic Transactions (Victoria) Act 2000 — No. 70.

Victorian Civil and Administrative Tribunal Act 1998 — No. 73.

Water Act 1989 — Nos. 71 and 72.

Subordinate Legislation Act 1994 —

Minister's exception certificate under section 8(4) in respect of Statutory Rule No. 73.

Ministers' exemption certificates under section 9(6) in respect of Statutory Rule Nos. 62 and 69.

Water Act 1989 — Koo Wee Rup Water Supply Protection Area Groundwater Management Plan 2010.

**DEPARTMENT OF HUMAN SERVICES:
PRODUCTION OF DOCUMENTS**

The Clerk — I lay on the table the following documents received in accordance with the resolution of the Council of 5 May 2010:

- (1) Evaluation — quality-of-life outcomes following Kew Residential Services redevelopment;
- (2) Respite provision for people with disability in Southern Metropolitan Region;
- (3) Respite provision for people with disability in Gippsland region; and
- (4) Development of a strategic plan for respite services.

I have also received the following letter from the Attorney-General:

**ORDER FOR THE PRODUCTION OF DOCUMENTS —
REPORTS COMMISSIONED BY THE DEPARTMENT
OF HUMAN SERVICES**

I refer to the Legislative Council's (Council) order of 5 May 2010, seeking the production of:

... a copy of the following reports commissioned by the Department of Human Services:

- (1) Economic and social costs of out-of-home care in Victoria (Deloitte);
- (2) Evaluation of the implementation of the Disability Act 2006 (Plexus Consulting);
- (3) Evaluation — quality-of-life outcomes following Kew Residential Services redevelopment (La Trobe University);
- (4) Respite provision for people with disability in Southern Metropolitan Region (Nucleus Consulting Group);
- (5) Respite provision for people with disability in Gippsland region (Nucleus Consulting Group); and
- (6) Phase 1 of the statewide project to develop a strategic plan for respite services (Nucleus Consulting Group).

I refer also to my letter to you of 28 October 2008 noting the limits on the Council's power to order the production of documents. These limits centre on the protection of the public

interest. In my letter I set out factors which the executive government would consider when assessing whether the release of documents would be prejudicial to the public interest.

Item (2) of the Council's resolution seeks the production of a report titled 'Evaluation of the implementation of the Disability Act 2006', prepared for the Department of Human Services by Plexus Consulting. I am advised that the preparation of this report has been delayed, and it has not yet been provided to the department. As a consequence, the report has not been assessed as part of the government's response and the government is unable to produce it to the Council.

The executive government has assessed the remaining documents against the factors listed in my letter of 28 October 2008 and has determined that the release of the document described in item (1) of the Council's resolution, 'Economic and social costs of out-of-home care in Victoria' would reveal directly or indirectly the deliberative processes of cabinet. Accordingly, the executive government, on behalf of the Crown, makes a claim of executive privilege in relation to that document.

The remaining documents sought by the Council's resolution have been produced by the government today.

YARRA PARK: PRODUCTION OF DOCUMENTS

The Clerk — I have received the following letter from the Attorney-General:

ORDER FOR THE PRODUCTION OF DOCUMENTS — YARRA PARK

I refer to the order made by the Legislative Council (Council) on 28 July 2010 concerning the production of documents relating to Yarra Park. I refer also to my letter to you of 27 July 2010 regarding the government's response to the Council's order in respect of Yarra Park of 25 November 2009.

I confirm that the government has completed its response to the Council's order of 25 November 2009 and does not intend to consider this matter further. I confirm also the claim of executive privilege made in my letter of 27 July 2010.

POLICE STAFF ROSTERS AND BAY OF ISLANDS COASTAL PARK: PRODUCTION OF DOCUMENTS

The Clerk — I have received the following letter from the Attorney-General:

ORDERS FOR THE PRODUCTION OF DOCUMENTS

I refer to the following orders made by the Legislative Council (Council) on 28 July 2010:

- (a) That, in accordance with sessional order 21, there be tabled in the Council by 12 noon on 10 August 2010 a copy of all staff rosters produced by each police station,

criminal investigation unit, crime desk, sexual offences and child abuse unit and traffic management unit in Victoria for the pay periods ending in July 2009, including the rank of each member (with name and other personal details deleted).

- (b) That, in accordance with sessional order 21, there be tabled in the Council by 12 noon on Tuesday, 10 August 2010, a copy of all documents held by the government relating to Origin Energy's application and subsequent approval for exploration in the Bay of Islands Coastal Park under section 40 of the National Parks Act 1975.

I also refer to my letter to you of 28 October 2008 in which I explained the executive government's process for assessing documents for potential claims of executive privilege.

The Council's deadline of 10 August 2010 does not allow sufficient time for the government to identify and assess documents relevant to the Council's orders set out above. The government will respond to these orders as soon as possible.

BUSINESS OF THE HOUSE

General business

Mr D. DAVIS (Southern Metropolitan) — By leave, I move:

That precedence be given to the following general business on Wednesday, 11 August 2010:

- (1) the notice of motion given this day by Mr D. Davis relating to the production of certain national health-care agreement data documents;
- (2) the notice of motion given this day by Mr D. Davis relating to the production of certain health services integrated performance report documents;
- (3) notice of motion no. 71, standing in the name of Ms Hartland, relating to a reference to the Family and Community Development Committee;
- (4) the notice of motion given this day by Mr D. Davis relating to the recommendations of the 2009 Victorian Bushfires Royal Commission;
- (5) order of the day no. 16, resumption of debate on the motion moved by Ms Pennicuik relating to Peninsula Link;
- (6) the notice of motion given this day by Ms Pennicuik relating to human rights violations in Burma; and
- (7) order of the day no. 17, resumption of debate on the motion moved by Mr Dalla-Riva relating to violence on public transport.

Motion agreed to.

2009 VICTORIAN BUSHFIRES ROYAL COMMISSION: FINAL REPORT

Mr JENNINGS (Minister for Environment and Climate Change) — By leave, I move:

That the Council take note of the 2009 Victorian Bushfires Royal Commission final report.

A few minutes ago the Clerk formally tabled a copy of the final report of the 2009 Victorian Bushfires Royal Commission that was presented by the commission to the Governor on 31 July and subsequently tabled immediately by the Premier in the Parliament out of session on 31 July. Here we are 10 days later on the first parliamentary sitting day after that occasion considering the bushfires royal commission's report.

I would like to start by commending the commission for its extraordinary work ethic, the quality of its deliberations, the compassion it showed to all those who appeared before it, and the thoughtful approach shown in both the way it undertook that work and the way it has concluded that work by providing the state and its people with a well-considered, broad-ranging report that considers at great breadth and depth the issues surrounding the fires that occurred in Victoria in late January and February of 2009 and their consequences.

To quote from the first paragraph of the preface of the executive summary of the report of the 2009 Victorian Bushfires Royal Commission:

The bushfires of Black Saturday, 7 February 2009, caused the death of 173 people. Black Saturday wrote itself into Victoria's history with record-breaking weather conditions and bushfires of a scale and ferocity that tested human endurance. The lives of many Victorians were changed forever, and many showed they are capable of deeds of great courage and compassion. Although some communities were physically destroyed, their members also displayed ingenuity, strength and resolve in the face of this calamity. There was also widespread devastation of considerable areas of the scenic forests and woodlands that form part of Victoria's natural heritage.

The preface concludes by reminding us of the commission's intention:

The recommendations we make give priority to protecting human life, and they are designed to reflect the shared responsibility that governments, fire agencies, communities and individuals have for minimising the prospect of a tragedy of this scale ever happening again.

We offer this report to the Governor and the people of Victoria.

The Victorian government thanks the commission for the quality of the work and its consideration of the

work. The government is taking the recommendations of the commission extremely seriously and fulsomely, as members would expect is incumbent upon us to do. That is consistent with the establishment of the commission in the first instance. Within nine days of the events of the day that is now known as Black Saturday, 7 February 2009, the government of Victoria established the commission, and from that date the commission has worked assiduously in arriving at the final report it has now tabled.

Commissioners Bernie Teague, Ron McLeod and Susan Pascoe have undertaken their work with great determination and vigour and, as I indicated, with a great degree of compassion and consideration for all those who appeared before them. The commission's first hearing day was 20 April 2009, and from that time it had 155 days of hearings, including 23 days of hearings which were specifically devoted to hearing matters relating to the 173 fire-related deaths. During that period the commission took more than 1700 submissions, the transcript of evidence was more than 20 000 pages and the commission considered 990 exhibits. During the course of its deliberations 434 witnesses appeared before it, including two expert panels and more than 100 lay witnesses.

At every turn the commission demonstrated that it was absolutely determined to ensure that a well-rounded set of evidence was brought to bear, that it was rigorous in its determination to hear from those in the community who had something of substance to say on this matter: those who had the relevant knowledge and consideration both at a grassroots and community level, the associated relevant agencies and officers and the officials that were required at the time of an emergency to respond to coordinate those efforts. It was determined to rigorously test the effectiveness of those systems and those operations that were in place.

The commission recognised the nature of climatic conditions and the inherent dangers in south-eastern Australia that underpin the risk that our community confronts and will confront in the years to come. I quote from the introduction to the commission's report at page xvi:

Fires are part of the Australian environment, and the states in the south-east of the continent are most at risk. It is possible, too, that the risks associated with bushfires are increasing as a result of population changes at the rural-urban interface and the probable impacts of climate change.

It continues on the following page to recognise:

Since 1973 droughts have become more intense as a consequence of the warmer average temperatures and decreased rainfall ... An analysis of forest fire danger index

data for a range of sites in Victoria from 1974 to 2003 shows an upward trend in the rating associated with an increase in the number of days of very high and extreme fire danger.

Climate change is also likely to increase the risk of heatwaves, hot days and dry conditions in Victoria, contributing to increased fire risk with time.

It goes on in the following paragraphs to say:

The commission is aware of the debate in the scientific community about the causes of climate change, but it did not see value in entering this debate when the Bureau of Meteorology and CSIRO, as well as Victoria and the commonwealth, have concluded — as have the commissioners themselves — that climate change is affecting the Australian environment and its weather patterns.

Clearly the commission is indicating that notwithstanding the unique circumstances that were associated with the fires that were the subject of this inquiry, it would be prudent and appropriate to plan for future risk in accordance with climate change projections and the acuity of the incidence of low rainfall, the drying of the climate in south-eastern Australia and the ongoing prevailing weather pattern, which would indicate that we should plan and account for the best integration of preparation, community education, involvement and reduction of risk into the future.

In fact that is part of the commentary made by the commission itself in its introductory paragraph to its report, where it says:

It is imperative that the Victorian community learn from the experience of 7 February 2009. Government regulation, policies and procedures need to change so they better recognise the risk of death from ferocious bushfires and work to substantially mitigate that risk. Individuals and communities need to better understand bushfire and be more active in preparing for and responding to fire. It is only through a joint effort between government and citizens — an effort giving priority to saving lives — that the risk of repeating Black Saturday can be reduced.

On the way to providing the community with its final report, the commission issued two interim reports. The first was dated 17 August 2009, and it made 51 recommendations relating to preparation in terms of reducing fire risk, community education and emergency management.

It is important to note the coincidence of timing between the release of the commission's report and the government's response, that within two weeks the government had responded to the interim recommendations and accepted the scope of those 51 recommendations. It is important to recognise that when the second interim report was issued on 24 November the government's response was

instantaneous — we actually responded on 24 November to the second interim report.

At the moment there is some commentary in the public domain, which might have been generated for political purposes, that the government is sitting on its hands in relation to responding to the final report. The report was presented to the people 10 days ago. Whilst we want to include community conversation and consideration with relevant stakeholders about the commission's recommendations, the government has a track record of responding in an extremely timely and appropriate way — by the establishment of the commission within 9 days of the fires occurring in the first instance, and within 14 days to the recommendations in the first interim report and immediately to the second interim report. It is the government's intention to respond in a very short yet appropriate time frame to the final recommendations of the commission that have been formally tabled in the Parliament today.

The 59 recommendations that were made in the first interim report covered a range of matters. Some recommendations dealt with matters relating to the collection and distribution of information and the appropriate education of our community about that — for instance, there was the establishing of a new fire-risk index which was better understood by our community and better implemented by our agencies when responding to an emergency. This ensured that a better system of advice and warnings was provided in the case of an emergency. It included formally designating the responsibility of the chief fire officer of the Country Fire Authority (CFA) to issue those warnings, which was an area that was not clear in terms of the protocols, procedures and obligations of that office-holder.

Beyond that, the changes also related to adding a common alerting protocol, the combining of information sources to increase the availability of information that is usually available only through single sources of information, and combining the efforts of the CFA, the Department of Sustainability and Environment and other agencies. The commission recommended ensuring emergency response staffing and resource allocation was enhanced and appropriate. This required a higher degree of training, support and coordination of the effort to respond to an emergency.

There were also recommendations that the community be provided with better warning systems, including the limited application of the standard emergency warning system, the establishment of neighbourhood safer places in areas that required community members in the case of last resort to find a safer location, and the

provision of better arrangements in relation to evacuation access to enable people to travel to those locations safely. New police procedures support that.

Significant resources have been allocated by the Victorian government during the course of its consideration of the commission's recommendations to support that effort. In the first budget after the fires, which was in May 2009, a cumulative \$986 million was allocated to enhance the capability of our firefighting agencies and our emergency response in terms of communications technology and ways in which the emergency services could use their own resources to communicate with one another but also, very importantly, to provide more timely and appropriate advice to our community.

There was significant investment in resource allocation for new equipment — for instance, 87 new CFA appliances, heavy-duty rescue vehicles, four-wheel drive vehicles, rescue boats, other equipment for the State Emergency Service and light tankers to provide our firefighting effort with additional resources. There was a recognition by government of the need to implement a range of recommendations in terms of the systems approach and the resourcing approach — that is, through both adopting new practices and procedures and making new investments. The government demonstrated through its agencies and its efforts a desire to acquit its responsibility regarding the interim recommendations of the commission to enable our firefighting effort to be enhanced.

The approach to responding to the second interim report was consistent with that, given that it was appropriate for the government to make sure of standards for building approvals, particularly the standards that may apply to shelters and other forms of physical protection. There was a push towards national standards to implement those. The Victorian government accepted the need for national standards but has actually taken some interim measures to provide for state-based standards and approval processes on the way to setting a national program of standards.

In November 2009 the government appointed an independent monitor, Neil Comrie, a former Victorian Chief Commissioner of Police, to evaluate the implementation of the recommendations of the commission. Neil Comrie provided the government with that assessment earlier this year and provided us with some reassurance about the rigour of the implementation of the recommendations.

In the final report the commission gives due credit, not only noting the implementation of the interim recommendations but also noting the establishment of the independent monitor as a very effective mechanism. It says on page xviii of the introduction to volume II of the final report:

... the commission acknowledges that all governments, and particularly the state of Victoria, have made a considerable number of changes to bushfire policies and approaches since 7 February. The state's decision to have its response to the recommendations made in the commission's interim report independently reviewed by Mr Neil Comrie, former chief commissioner of Victoria Police, is commended.

It then goes on to say that it is very important and appropriate when the commission concludes its consideration and scrutiny of the fires and makes its final recommendations there be ongoing scrutiny and accountability mechanisms and monitoring of the effectiveness of the implementation of the recommendations and the effectiveness of the programs and regulatory and organisational structures that have been recommended. Indeed that is one of the recommendations of the commission, and the government accepts that approach.

Through its report the commission has made 67 recommendations about the way in which we should respond in the future as a community. Six of those recommendations relate to policies, procedures and programs that support the education and awareness of our communities and their ability to keep themselves safe, and to the need for our agencies to provide an appropriate emergency response to augment the safety plans that have been developed by individual members of the community either in their own fire plan or in conjunction with other communities in terms of community fire protection plans.

There are 12 recommendations relating to emergency and incident management, including recommendations relating specifically to the Emergency Management Act 1986 to introduce a graded scale of emergency declarations short of a disaster. There are seven recommendations relating to fire ground response and the coordination of firefighting efforts, particularly by the CFA and the DSE and, in relation to stand-by arrangements, the protocols and procedures that would lead to the appropriate timing of services to respond to an emergency and to the allocation of resources such as aerial support.

There are eight recommendations that relate to improving the safety of electricity assets. It is very timely for us to consider that a number of the fires on 7 February commenced because of failures in the

electricity system in terms of sparking. That created a risk and contributed to the start of a number of the fires that unfortunately caused a loss of property and life during the course of that day. A number of the fires on that day were deliberately lit, and two recommendations relate to augmenting the enforcement regime and the rigour of the law relating to arson in terms of both the investigation and enforcement provisions of the arson laws.

There are 14 recommendations that relate to planning and building approval considerations, which include reviewing the mapping mechanisms that relate to the establishment of wildfire management overlays and what it may mean for residents of those areas now and for people who may seek to move into those areas in the future.

There are seven recommendations relating to land and fuel management. There is a particularly high degree of aspiration in relation to the scale and density of that program in terms of the area of land the commission recommends should be subjected to a burning program annually. Simultaneously the commission expects there to be a high degree of community engagement and support for that program, a very high degree of scientific rigour to underpin the appropriateness of the scale and intensity of a burn, the appropriate evaluation of the environmental consequences of that burning program and the balance achieved between protecting human life, strategic assets and maintaining the ecological diversity of the Victorian landscape.

At every turn the commission has very high expectations of how this program could be delivered to acquit all those responsibilities. It acknowledges the challenge of achieving these outcomes, particularly in circumstances where because of climate change scenarios the window of opportunity to undertake that program is extremely limited in terms of the days when it would be appropriate to undertake it. The Victorian government has been engaging in conversations with the community about its knowledge, understanding and appreciation of the complexity of the basket of issues and the desirability of the rate of scaling up the fuel reduction burning program to acquit simultaneously all of those very high expectations that the commission has laid out for us.

The commission makes recommendations about the scientific rigour and the evaluation and monitoring of the effectiveness of all our programs, and indeed the government accepts those recommendations. In fact the government accepts a further recommendation that there needs to be ongoing public scrutiny of these

matters and an opportunity for the community to have an ongoing say about these matters into the future.

The government has already accepted in principle a recommendation to change some of the organisational structures relating to our fire agencies and the way in which they are integrated. It has accepted the recommendation that we establish a new statutory officer as a fire services commissioner in the future.

While the government has already accepted in principle 59 of the 67 recommendations, it believes it is important to engage in due consideration of the implementation issues, the community's views about the desirability of the implementation of these recommendations, the logistics and the technical issues relating to how and when they should be implemented, what degree of community input there should be to the decisions that underpin their implementation, and the appropriate mechanism by which these matters should be funded into the future.

One of the issues that has been subjected to quite some degree of public commentary has been the fire services levy. Currently it is a risk-based levy that is associated with household insurance, and some members of the community believe it is onerous yet not sufficiently comprehensive in terms of the coverage of people who may require that insurance. There have been arguments about the way in which the costs currently contributing to our emergency response effort should be augmented into the future and the way the pricing structure should be changed. It is a very complex issue, as is the issue of how we can account for some of the other very costly elements in the commission's proposals. As a government we think it is appropriate that the community has a say about matters relating to cost sharing and responsibility within the scope of the shared responsibility framework.

The commission has recommended, and the government has accepted in principle, that the best way to address these matters in the future is through a partnership community engagement model where all relevant stakeholders feel as if they are a part of our preparation and capability of responding to the risk of fires.

The government understands that this week the Parliament wants to have its say about these matters. It is appropriate for members of Parliament to make representations on behalf of their communities. They bring views from the perspective of those in their community who were subjected to the perils of the fires of January and February 2009. There are many lessons

that have been learnt by all parts of our community, including members of Parliament.

If their understanding and appreciation of the depth and gravity of these issues and their insights can be shared in the chamber this week, then perhaps the people of Victoria will be well served by that, in terms of the distillation of policies going forward to respond appropriately and fulsomely to the quality of the commission's considerations but also to make sure that the community moves ahead with a high degree of cooperation and agreement about the implementation of these issues. That would be the government's preference; that would be our approach and, we hope, the tone and nature of the contributions made by members of Parliament this week. That is something we would invite.

We are open to positive and constructive criticism and advice from any section of the community, including the Parliament; in fact we welcome it. We hope that will be the spirit of the contributions made by members of Parliament this week, and we hope that will be the tone and nature of the considerations. It has certainly been the spirit and the method of the royal commission, and we thank members of the royal commission for the outstanding contribution and effort they have demonstrated on behalf of the people of Victoria. The government of Victoria thanks the commission for the quality and depth of that work, and the thoughtful and considered approach it has undertaken. We will respond in accordance with that work to do justice to the breadth of issues that demand attention following the tragic fires of 2009.

Mr D. DAVIS (Southern Metropolitan) — I am pleased to rise and make a contribution to debate on this take-note motion on the 2009 Victorian Bushfires Royal Commission report. I begin by paying tribute, as we did in an earlier debate in this chamber, to those who suffered, to those 173 people who died and to the enormous number of people who contributed to trying to save lives and ensure the best outcome for Victorians in what was a tremendously difficult day. We cannot but start by acknowledging the terrible loss of life and the amazing contribution of so many people — fire officers, ambulance officers, police, local communities and individuals across the state — who did so much to try to get an outcome for Victorians.

I want to begin by paying tribute also to the work of the commissioners. Former Supreme Court Justice, Bernard Teague, Ronald McLeod and Susan Pascoe have done an enormously difficult job. The evidence they heard must have been harrowing, and they were clearly moved by much of the evidence put to them.

Not only the report itself but the series of interviews they have done since the tabling of the report gives you some sense of what they have had to confront, the decisions they have had to make, the complexity of those decisions and the integrity with which they have gone about that process. I pay tribute to them, to the witnesses who appeared before their inquiry, sitting on 155 days, and to the lay witnesses in particular who contributed a great deal to the understanding of the evidence. Some of the occasions on which witnesses gave evidence were also harrowing. The position of people who had to give difficult evidence and confront in that way the terrible happenings of the day is something that all Victorians would appreciate, and our hearts go out to each and every one of those people and their families.

I note also the medical and health workers — the burns unit people, the doctors and nurses — who contributed a great deal both at the time and since. It is important to put on record the contributions they have made as well.

I have talked to a range of people in the country and in the city over the last many months as the commission has progressed and it is important to note that the connections of the country to the city should not be trivialised. Many city people have family and community links in country Victoria and many city people feel enormous support for victims and would seek to make a genuine contribution. A clear indication of that was the enormous contribution people made through their donations to the bushfire appeal. That was an outpouring of genuine empathy and goodwill, of a desire to help and be part of assisting Victorians. I also pay tribute to the contributions of many Australians and internationally from a broader field and the goodwill that was generated through that process.

The healing process for many of the bushfire victims is a very difficult one. It is something that will in some cases not finish quickly. It is important to put on record that there will be an ongoing need for the support of the community, through health workers and others, as they progress. It is interesting to talk to psychiatrists, as I have done on a number of occasions, about the process of adjustment and closure. The ability of people to accept and to move on with their lives as best they can is important in viewing this tragedy. There are some people who, naturally enough, will never be the same again. It is something that I think will resonate for a long time in our community.

The 1939 bushfire inquiry and the happenings of 1939 were very much the same. Stories of the terrible things that happened on that day were handed down by my grandparents, who were closely involved, by other

family members and by the extended friendship network of the town — which is in the foothills of the Dandenongs in this case — and they have resonated over many decades. As a young boy I was told many of the stories. That will certainly be the case, I think, with these terrible bushfires. There will be communication of the happenings and the tragedy of the day and I hope of the lessons of the day, because there are many lessons. I pay tribute to the royal commissioners for their preparedness to put down many of those lessons in black and white.

The decision by the royal commissioners to make recommendations — we can palpably feel this — was not something that was taken lightly in each case. They make reference at several points — and I implore the house and the community to think about this — to the recommendations not being read in isolation; they are to be read closely with the text and the findings of each of the sections of the report, where the greater complexity and issues surrounding each of those recommendations are fleshed out in great detail and the steps for implementing them are presented with some clarity for legislators, for policy-makers and for communities.

There is so much in this report. Some would say there should be more in certain areas, but this is the judgement that has been made by the royal commissioners. I am very much prepared to accept the generosity, the knowledge and the integrity behind that set of judgements. The desire to pay tribute to that integrity and to the contribution of the bushfire victims, who put much of the evidence before the commissioners, is an important part of the opposition's decision to accept in principle the recommendations. Our in-principle decision is about that integrity; it is about a preparedness to embrace what the commissioners have put forward and to work through the implementation of each of the recommendations. No-one should pretend that that will be easy, no-one should pretend that there will not be sacrifices by the community and nobody should pretend that this will be a straightforward process, but the roadmap that has been laid out by the commissioners is the right process. The sets of steps that have been laid out are ones that we should be prepared to follow.

It is not my intention today to go through every single recommendation in detail. I know many of my colleagues, country members, will have particular experiences to relate in terms of their electorates, and I believe that is a very important aspect of the debate. They also have understandings of the implementation and of the practical aspects of many of these recommendations in the context of their electorates and

their communities. I pay tribute to the knowledge that each and every one of them has.

An important issue is the background to Black Saturday and what has gone before: 1939, 1983, 2003, and 2006. It is important to put on record today that these fires were not unique in Victoria's history. We were treated to repeated statements by the Premier and others that these Black Saturday fires were unprecedented. That is not true, and the commission says so at section 1.2 at page 17, for those who would like to read it. I do not intend to quote large sections, although I could justifiably do so. The commission went out of its way to make it clear that these fires were not unprecedented. Whilst it was an extremely hot day and the particular conditions were extreme in every way, the warnings were not adequate, the preparation was not adequate and lives were lost that in some cases would not have been lost if the preparation, warnings and systems to help the community had been in place.

It is important to note here that the Brumby government had many warnings and that the need for preparation in terms of back-burning and prescribed burning of various types was something that was laid out from 1939 onwards, including in recommendations made by the committee on which Mrs Petrovich and others served, the Environment and Natural Resources Committee. That committee recommended an increase in prescribed burning and a focus on lowering fuel loads. I think it is important to put on record that the government over its 10 years, nearly 11 years, in power has not done sufficient preventive burning and that that has left the state at greater risk.

We heard in question time today the Minister for Environment and Climate Change — who is a person for whom I have some considerable respect; I do respect his knowledge — answer questions about back-burning. He was not in my view as clear about that back-burning as he should have been, particularly in response to Ms Lovell's question. There is no doubt that this government has not done enough back-burning. There has been a slight increase in the last couple of years, but it has been slight. It goes nowhere near the threefold increase recommended by the Environment and Natural Resources Committee, it goes nowhere near the scale that was recommended by the Stretton royal commission and it goes nowhere near the scale that was recommended after 2006. Nor does it go anywhere near the scale that would be required to reduce the fuel load and manage our forests in a sustainable way, as has been laid out by this royal commission.

Again, it is not my intention to quote large slabs of the findings, but it is clear that the commission is convinced by the argument that increased burning is required; it refers to 5 per cent. When you read deeper into the report, the suggestions are that in many cases it should be much greater than that. I think the 5 per cent target is simply a minimum, but it closely parallels recommendations made by the Environment and Natural Resources Committee a little while ago.

At this point I will directly comment on the government's response to this royal commission. In my view it is important to note that the government has begun to play a political game with the royal commission's report and its response to that. My view is that the government should have accepted the integrity of the commission and should have indicated, as the opposition did, that there would be in-principle support and that there would be a process of working through the implementation of each of these recommendations constructively in the long term. The government has sought to upset communities and not be completely frank with them about the implementation of the recommendations of this report. That is unfortunate, because the lessons are not being learnt.

Cost has been invoked. Let me make this point: of course there are costs in implementing the recommendations of an inquiry of this nature; that is normal and what we would expect. Recommending that there be no action in some areas should not be seen as a cost-neutral or cost-free option. One of the things the royal commission has done very well is to say that there are two major costs from these fires — an economic cost and a social cost. The terrible impact of the social cost on its own is sufficient reason for action. It is absolutely sufficient reason for action. Even if you were a little hard-hearted about this issue and looked at it in a strictly economic way, you would see that the commissioners costed the economic impact of these fires at more than \$4 billion. Not taking action to prevent bushfires has a huge economic cost in and of itself — replacement of assets, the disruption to lives and the disruption to businesses. The commission has done a good job of compiling a long list of the cost of the bushfires. It is not my task to quote large slabs from the commission's report — people can read the report themselves, and I urge them to do so — but the decisions to accept the recommendations in principle need to be seen in the light that there are costs in doing so, and the costs need to be borne by the community. The costs need to be scheduled, and we need to work our way through each and every one of the recommendations in a constructive and engaged way to

achieve the best outcome for communities now and into the future.

The government has dithered on its response to earlier warnings. The government delayed its response to the royal commission's interim report, and it is for that reason that the commission has specifically tackled the issue of monitoring and has said there needs to be independent monitoring of the implementation of the recommendations. Opposition members agree with that. We see that is the right way to go. There must be monitoring of the implementation in a constructive, ongoing manner to make sure the outcomes are achieved. It is important that that monitoring be put in place. The commission has tackled previous failures to implement recommendations by making it clear that monitoring is required.

To get some feeling for the impact on the commissioners and how they worked through their decisions, I think the *Stateline* interview is a very good place to start. If they did not see that interview, I urge people in the community and members of this chamber to have a look at it, because the generosity, thoughtfulness and grounded nature of the decisions made by the commissioners comes through clearly and strongly. There will be costs, challenges and bumps along the way. Let me make it clear that opposition members want to adopt those recommendations in principle and work their way through them with each community. At the same time we need to be clear that lessons were not learnt from earlier occasions, and that has put the community in a weaker position. I hold the government responsible for its failure over a long period to put in place preparations. We know that warnings were not adequate, and we also know that the preparation for the near future as well as the long-term future is important.

The notice of a motion proposed for debate tomorrow on things that need to be done in the near term ahead of this fire season is important. We need refuges and safer places, and we need the government to act on that. Government members have not acted as fast as they ought to have. We need the government to begin acting in a strategic way on the need for prescribed burning in a number of dangerous areas. I know Mrs Petrovich will say much more about some areas in her electorate, but her electorate is just one example. We all know that independent monitoring must be put in place quickly, because we want that monitoring and the community and the bushfire victims deserve to have clarity on what is being done, not mumbo jumbo or spin.

In the last few days we have seen the government engage in a process of spin. In my view there has not

been genuine community engagement, and that is quite disappointing. The employment of specific consultants to achieve certain goals is disappointing, because that approach points to a less than genuine level of engagement. Notwithstanding that, the community has to focus in the first instance on starting the process of implementing the recommendations. The community also has to focus on the fire season ahead and on taking care of the bushfire victims. In many cases bushfire victims are still not properly housed and are still not able to put their lives back together again. Those things seem to be a very specific set of steps that have to be taken. That said, let me say that I commend the report to the house and to the community. I am impressed by the work that has been done and by the contribution that has been made by so many people to this report.

Mr BARBER (Northern Metropolitan) — The fires of Black Saturday were a tragedy, and there may be many who welcome the passage of time since that tragedy. Other may fear that with the passage of time we begin to forget. Nevertheless we should all understand that there are many who are still living in the tragedy in the sense that they still grieve for those they have lost and for what they have lost. There are those who still live with a sense of anxiety and with adrenaline running through their veins. There are also those who wake up to a devastated landscape every morning that is not the landscape and living environment they sought when they became familiar with the environment of our rural and regional areas. Therefore it is very important that we take our time to consider the findings of the royal commission.

In its final report the commission sets a direction for us that is about prevention and adaptation to a new way of living in a fire-prone environment. In a way the royal commission looks at the degree of risk management that as a society we are needing to take on to live with a fire-prone environment. Save for a few areas, the royal commission does not necessarily suggest what is an acceptable and unacceptable level of risk.

Clearly there will be many individual decisions and many governmental decisions — societal decisions — which, as we progress this issue, make those values-based choices on what is an acceptable level of risk. While some of the recommendations of the commission are very detailed, down to very specific measures the commission expects to be taken, there are others that are quite sweeping and would require detailed implementation plans before we could even begin to debate the question of whether they would be appropriate. With the completion of the royal commission's work, in some areas we have created a new policy vacuum, and that is where we as MPs are

expected to pick up the task. In some cases there will be legislation associated with implementing the findings, and Parliament will have further debates. In other areas it will be a matter of administration, where the Parliament may be responsible for monitoring and overseeing the action.

In my view the recommendations of the commission represent an integrated whole. The commission had the unique perspective of hearing all the evidence on all the issues, and it would not surprise the house to expect that the recommendations, although they cover a broad range of areas, are in many ways integrated with each other. It would be a concern if the government were to start cherry picking individual recommendations and suggest that, somehow, we can implement some and if we do not implement others the overall picture will remain the same. I intend to go through each of the groups of recommendations, not necessarily in the order in which they are presented, to illustrate the assertion I have just made.

I want to say two fundamental things about the causes of the tragedy. Firstly, we have a growing population in our tree change and urban rural fringe areas, and for that matter we have a growing population in our rural areas, but I wish to talk about the interface between areas of high bushfire hazard and a growing population. I will come back to that. Secondly, there was a situation where we had extreme weather conditions that had not been seen before and where weather as a source of hazard overwhelmed the role of bushfire fuel in creating the danger. That is a simple matter of physics, as exemplified in the bushfire danger index, which puts a number of weather factors on an exponential curve and says that for every onefold increase in the elements of bushfire weather we get a twofold increase in the danger. It is not hard to see that as extreme weather events combine — long-term drought, high temperatures, low humidity and, most importantly, wind — we can very quickly find ourselves in conditions that have never before been experienced.

Most important is that those extreme weather conditions will come around again. We do not know where the ignition of a particular fire might leave us, but we can be guaranteed that, across the state, those weather conditions will arise again. If you are a climate change sceptic, you will probably believe they will happen some time in the next 100 years. After all, we had a big fire in 1939 and we had one in 2009, and by that logic we would have another one some time in the next 80 or 100 years. However, if you follow the logic of the climate change predictions, you will see that these events will come around with increasing frequency. It is that combination of growing

populations in bushfire hazard areas and the increasing frequency of extreme weather events that puts up a massive challenge to the established order of things. Therefore each and every one of the recommendations of the bushfires royal commission, as well as their totality, has to be considered extraordinarily seriously and, in my view, implemented to the fullest extent to which the commission recommended.

Another thing worth noting before I move on to discuss the report section by section is that a lot of expert opinion was provided to the commission, and those experts were under pressure to provide information and advice to the commission when, in the normal course of events, they may have taken more time to complete their research, publish it and have it peer reviewed. For example, in the area of building safety we understand that throughout the period of the bushfires royal commission the CSIRO and other experts were surveying and studying the available information about the survival of different types of building constructions, but I am not aware that they have managed to publish their data — and I would be surprised if they have managed to do so — in a format that scientists would normally find suitable.

I understand totally that the royal commission wanted answers from these experts and wanted them fast, but to fully address some of these recommendations we may be waiting for the fullest analysis, and that would also go for the benefits from fuel reduction. We have past studies that can start to put hard numbers on the benefits of fuel reduction to the spread of catastrophic wildfires, but we do not yet have that information in relation to this particular set of fires, so experts have been under pressure to provide the best guess.

As I said, I believe the recommendations form an integrated whole, and I was therefore surprised to hear, just before we started debating this motion, the Leader of the Opposition in this place give notice of a motion proposing that on a future day in Parliament we debate just three of the recommendations. If that is in fact his intention, I think our advice to him at the time might be that really this is the opportunity. The Parliament is making available this opportunity to debate any and all of the recommendations. I have no problem with future scrutiny of the progress of the recommendations down the track, but I do question why, even before we have had this debate, there is now a suggestion we debate just three particular recommendations.

It has also been noted that these sorts of inquiries have been held before and that similar recommendations have been put forward before. The Australian Greens can certainly point to our own recommendations in this

area. There was that inquiry into the 2003 alpine fires to which we wrote a submission. Our submission covered areas that have been picked up by the royal commission. We raised the role of arson in starting the fires that lead to these sorts of extreme events, because we know arsonists target extreme bushfire weather for the maximum effect. Recommendation 26 of this royal commission report picks up on our long-held view that we need to understand the profile of arsonists so as to catch them and prevent them from doing their work. You observe in high bushfire areas — and we certainly observed this in the Dandenongs over this last summer — that the police and the community are, to the best of their ability, very active and vigilant in patrolling on high fire-risk days.

Our 2003 submission also spoke particularly about the role of ember attack — rather than radiant heat — in terms of it being a critical factor in ensuring that buildings are better able to withstand the effects of fire. This royal commission spent considerable time on the question of ember attack and how our new building code is inadequate in relation to ember attack. A CSIRO expert in this area blew the whistle on the new bushfire building code — which I am sure others are going to comment on — saying that the standard for ember attack in that document made the new code to some extent weaker than the old one. We find some discussion of this in recommendations 48 and 49. Again going back through our 2003 submission, I note we said that:

Planning of land use adjacent to natural areas is critical to minimise conflict between fire and private property. Further, planning rules and building codes should be examined to reduce bushfire risk and to ensure that houses can better withstand bushfires.

Those are recommendations picked up by this royal commission from about recommendation 37 onwards.

I have to say I was surprised at the strength of the bushfire commission's recommendations in relation to planning and land-use controls. My observation of the commission was that that matter seemed to be dealt with fairly briefly, and yet the strongest and to my mind most surprising parts of the royal commission report are those recommendations on planning and land use that suggest restricting, halting or in some cases even rolling back development in bushfire-prone areas.

In our 2003 submission to the inquiry into that summer's wildfires we also said:

To achieve optimal working relationships in firefighting settings, there is a need for increased dialogue on fire suppression strategies to occur between (and within) agencies, and between professionals and volunteers. Prior to a fire

season, a series of potential fire scenarios and responses should be considered by all agencies ...

I think we can all say as we stand here today that a scenario like the one we are now discussing was probably not part of that summer's preparations. The scenario that has unfolded seems to have been unanticipated in relation to its scale, its intensity, its speed and its location.

Moving on to the findings of the commission, I would like to address first the planning and building recommendations — recommendations 37 through to 55. On Melbourne's urban fringe population growth has been quite notable, even in the period between the 2001 and 2006 censuses. My analysis shows that in towns we would now refer to as being on the metropolitan fringe, such as Kinglake West, Kinglake, Toolangi, Arthurs Creek, St Andrews, Dixons Creek, Flowerdale, Yarra Glen, Healesville, McMahons Creek and Warburton, we saw a 7 per cent increase in population in just that five-year period, with more than 1200 extra persons in that area.

Since they were probably not all babies who had been born, I suspect that a lot of them were people who found the resources and finally took the tree change that they had been thinking of for years and moved a bit further out from their suburban homes. I do not have any evidence for that latter assertion. I am just taking a guess based on what I know about the areas that would have been one of the major sources of population growth. It is possible that people from country areas further out may have moved in to be a bit closer to the sights of the city, but in either case we are talking about a large increase in population over a fairly short time, and quite possibly it was a group of people who were not familiar with these sorts of fire events. I therefore endorse the royal commission's recommendations, difficult as they are, in relation to planning, land use and building controls.

In terms of the difficulty that these issues pose I would like to spend some time talking about a recent, but post-February 2009, Victorian Civil and Administrative Tribunal (VCAT) case where a local planning authority had to grapple with these issues under the existing controls, which the royal commission now says are inadequate. This was an application to subdivide into 16 lots a property in the shire of Nillumbik behind St Andrews. Part of this property, I gather, and certainly its immediate surrounds, were burnt in February 2009, and therefore the proposal put forward represents a real test case for some of the measures the royal commission is proposing.

The royal commission is putting forward a proposal that the schedules to various zones, particularly rural conservation and green wedge zones, be amended so as to set minimum subdivision areas, with the aim of limiting future development and future population growth in this area. Of course those zones have those schedules now, and in this case the rural conservation zoning (RCZ) schedule 3 set a minimum subdivision area of 8 hectares. RCZ is the primary zone in the shire of Nillumbik, and according to the tribunal 55 per cent of the municipality is zoned that way and another 20 per cent is zoned green wedge, so any decision that the council might take in future to set subdivision limits for these zones would affect a large part of its shire.

Above and beyond the planning controls that were in place, which I will return to in a minute, the tribunal also noted the role of referral authorities, notably the Country Fire Authority (CFA) and the Department of Sustainability and Environment, in having input to these sorts of planning decisions, and that is something that the royal commission has also picked up on.

The VCAT case noted that by its estimate somewhere between 70 and 75 people lost their lives within 10 kilometres of the property in question, the subject of the subdivision application. The overall high-level objective of the state planning policy for protection from wildfire is to assist with the minimisation of risk to life, property, the natural environment and community infrastructure from wildfire. The objective is to be implemented in part by considering fire hazards to avoid intensifying the risk through inappropriately located or designed uses or developments. That is why planning permission is required under the wildfire management overlay (WMO) where that requirement exists.

The royal commission noted, as I think I did in one of my earlier contributions on the royal commission's work, that a number of municipalities do not have the wildfire management overlay at all and that in Murrindindi and other shires it was clearly inadequate in the sense that it only covered small parts of a municipality when large parts of the municipality were burnt in a very short period. Clearly then we are looking at whole-of-region-based planning controls if we are to adequately address the risk.

The tribunal noted that the WMO specifies the following objectives for subdivision:

protective features — to ensure that the level of protection from fire in terms of the level of fire risk and potential loss of life is reduced by the design, siting and layout of the subdivision;

access — to ensure that both public and private access is designed to provide safe access for emergency and other vehicles at all times;

water — to ensure adequate quantities of water are available to land-holders or emergency services ...

public open space — to provide a fuel-managed buffer between a potential or existing fire hazard and subdivision;

vegetation — to ensure that the subdivision is designed to recognise the effect of vegetation on the fire intensity.

In this case local objectors expressed concern that the CFA had considered the proposal in isolation of its context, particularly the dense bushland to the north and west.

Mr Stacco, who appeared on behalf of the CFA, agreed that in coming to its position not to oppose the grant of a permit for subdivision the CFA considered the size of the lots and the size of the building envelopes as well as the existing conditions of the site, which is predominantly pasture with insignificant levels of vegetation. He conceded the broader context of the site's location was not considered. It is fair enough if we do not see that as the CFA's job, but someone needs to consider it, and the WMO is not an adequate tool to do that. That must be an exercise that is done across the entire region.

For those who may be hedging that the royal commission's recommendations are a little bit too tough, as did this particular tribunal decision, I would point to the flood plain management state planning objective, which is actually very similar, to assist in the protection of life, property and community infrastructure from flood hazard. As this tribunal noted, it is not uncommon for responsible authorities to refer things up to flood plain managers — for example, Melbourne Water or catchment authorities — and find an objection to a subdivision or development proposal on the basis of a risk to life from a 1-in-100-year flood event. Why is it, in the case of a fire event, which I am now arguing is going to be a lot more frequent than once in 100 years, that we do not set the same sorts of hard and fast rules?

In this case the tribunal also noted the impact of the CFA's view on the prepare, stay and defend, or leave early policy in how it considered this application. Since it was the CFA's official view that we live in a binary world where you either prepare and stay and defend, no matter what, or you leave early, the CFA did not consider the distance of each of the lots to the nearest escape route or the features of that escape route across the whole area to be relevant. Therefore, since the view of the CFA is that ultimately it is up to the individual lot owner to determine whether to stay or go, the access

roads within their site and from the area were not a necessary consideration. The tribunal commented adversely on that view.

However, in this case the wildfire management overlay provided some benefit, notably that with the way the subdivision had been laid out most of the lots were actually north-west facing and many of them were on ridge lines or facing slopes. On that basis the tribunal was able to refuse the application, although there was some discussion about what sort of application would be viewed more favourably given that the WMO itself does not rule out subdivision. The tribunal notes that the wildfire management overlay's local policy strongly discourages subdivision that would result in additional development that would intensify wildfire risk to people and property, but it also said that the question should be, 'What is an appropriate form of subdivision on this land?'

That brings us to a number of recommendations starting at recommendation 37, but notably recommendation 39 states:

The state amend the Victoria planning provisions relating to bushfire to ensure that the provisions give priority to the protection of human life, adopt a clear objective of substantially restricting development in the areas of highest bushfire risk — giving due consideration to biodiversity conservation — and provide clear guidance for decision-makers.

I have argued many times in this place that the one thing the Victorian planning provisions and our planning schemes do not give is clear guidance for decision-makers. In fact they give nothing but encouragement for developers to see how much they can get away with. On that matter alone it would only be in a schedule relating to subdivision zone by zone that we could fix hard and fast rules. Unfortunately we see further in this recommendation that they should:

... allow municipal councils to include a minimum lot size for use of land for a dwelling, both with and without a permit, in a schedule to each of the —

zones, being the commonly known —

rural living zone, green wedge zone —

and so forth, including the farming zone where there are already some limitations on the building of dwellings and subdivision. It is not enough, though, to allow municipal councils to make that choice alone, subject to a whole range of local pressures. Surely if we have been through the exercise of having a royal commission, we should approach this on a statewide basis. We know that it would be a whole range of municipalities with high bushfire hazard but which

nevertheless did not have the level of destruction that occurred in February 2009, and therefore we are really looking at a whole bunch of different municipal councils addressing the same problem but with different levels of experience and perspective. It would be a great shame if, as we experienced before this, we started getting such wide differences in the performance of these controls.

Recommendation 40 states:

The Country Fire Authority amend its guidelines for assessing permit applications for dwellings, non-dwellings and subdivisions in the bushfire-prone overlay in order to accommodate the amendments to the wildfire management overlay that are implemented as a result of recommendation 39 and make the guidelines available to municipal councils and the public. The revised guidelines should do the following:

substantially restrict new developments and subdivisions in those areas of highest risk in the bushfire-prone overlay;

set out the CFA's guidelines for assessing permit applications for dwellings ... including the minimum defendable space ...

clarify that the CFA will approve new developments and subdivisions only if the recommended bushfire protection measures — including the minimum defendable space — can be created and maintained on a continuing basis —

and that leads to the final point under recommendation 40 —

emphasise the need for enduring permit conditions — in particular, conditions for the creation and maintenance of minimum defendable space to be maintained for the life of the development —

which is, mostly, forever. In addition to the further recommendations in that section, it sets out an extraordinarily difficult task. It is a nettle that very few will be willing to grasp, and it needs to be more than simply local councils making those decisions on their own. There needs to be some clarity and consistency coming down from state government.

Recommendations 47 and 48 relate to the building code. This is a question that I have twice asked of the Minister for Planning in this place, and now the bushfires royal commission could not be clearer in what it is expecting. It asks that the Australian Building Codes Board amend the performance requirements in the Building Code of Australia to ensure that it incorporates reducing the risk of ignition from ember attack.

The great difficulty, as I understand it, is that it is rare for a building to be half burnt in a bushfire, and

therefore it is often difficult to find the source of ignition when experts come back to study the houses afterwards. Some houses survive and others often burn down completely, tragically in this case with many people inside them. More often than not people have left the house, but it is extraordinarily difficult to know exactly what might have been the initial source of ignition and how that progressed through the house as the house caught fire.

Clearly the royal commission has taken very seriously the evidence of Justin Leonard, who was questioned quite specifically on this point in the royal commission. It is my understanding that he is a CSIRO expert who has taken part in the Australian Building Codes Board code development process. Members of the building industry and others who have lobbied in the other direction need to be dragged to the table and told, since they did not seem to get it even after the fires, that this recommendation will be fully implemented.

Returning to recommendations 1 to 7 in relation to bushfire safety policy, it is confusing to me that the royal commission notes that the fundamental tenets of the prepare, stay and defend, or leave early policy remain sound. That is its assessment — that the central tenets remain sound — but the commission then spends a considerable amount of time explaining why they do not remain sound, so I am not sure why it made that statement.

I am of the view, and have been for some time, that the fundamental tenets of the binary policy of prepare, stay and defend, or leave early, were never sound, and that is because quite simply nobody falls neatly into one of those two categories. People change their view as to what their strategy is during the progress of fires, and as a result of all sorts of circumstances. Their views change according to whether they have their kids with them or not. Because there are some real gender differences here, they change according to whether their husband is there or not. They change according to the warnings and information they get. The evidence seems to be that people take more notice of what the neighbours in their street are doing and evacuate when they evacuate rather than necessarily relying on government information, patchy and inadequate as we now know it was in these circumstances. While I agree with the royal commission's findings in this area, I am querying the statement that the fundamental tenets remain sound.

If we go back to 1983 when this policy came to life, the observation then was that people who stayed with their houses had a better chance of surviving than those who jumped into their cars during the bushfire. Even then

there were examples — and they are not always highlighted — of those who were physically unable to defend their own house and of those who were physically fit but died when they stayed with their house. Even in 1983 in that level of fire and in that particular set of circumstances there were real exceptions to the so-called rule. It therefore becomes difficult to navigate a whole range of recommendations about finessing the way we warn people, and it comes back to what I said at the beginning, which is that these recommendations have to be seen as an integrated whole.

First and foremost, the only way we can guarantee people's safety is if they are not in the bushfire hazard zone. Therefore we understand the recommendations in relation to land use and limiting future development, and we also understand the recommendations for warnings and evacuation to mean 'Don't be there' first and foremost. No-one should say or suggest that there can be a guarantee of safety or even an acceptable level of safety if people are in a locality that is at risk. In my view, and difficult as it is for rural communities to accept, that is what should guide official government policy.

If that is the case, we move to the other recommendations, which are that the government should take a whole range of actions to give people multiple options to keep themselves safe, and give them all the information they need to make these decisions. We have already had this debate. When we got to the question of neighbourhood safer places (NSPs) we debated a bill for the establishment of NSPs, and even then we were getting tangled up in words and meanings and questions such as last resort, first resort, refuge, safer place, and safe place. That in my view is a result of the lack of clarity up-front. The government's official position should be that if you want to be safe, you cannot be there during days of extreme fire weather.

Mrs Petrovich — Shut down rural Victoria.

Mrs Peulich — That's a very Richmond perspective.

Mr BARBER — I am getting some adverse comments on that last statement. I will just say that my hero of the fires was the woman who was a lay witness at the royal commission who said she got up that morning, got the kids into the car, told them to say goodbye to their toys and got them out of there. There were a lot of other selfless acts throughout this tragedy and since the fires, but in this case my definition of the

ultimate in heroism is simply to take yourself as far as possible from the risk that exists.

I do not want to be part of a debate that is about how much risk we are prepared to take on someone's behalf. That is an individual's decision. The government has a very weighty set of tasks laid out for it here in a whole range of areas, but that first threshold decision needs to be very much one that an individual makes.

Recommendation 4 relates to shelter options. We know this has already been a very difficult area in relation to neighbourhood safer places. The royal commission is calling for designated community refuges, particularly in areas of very high risk where other bushfire safety options are limited; and it recommends working with municipal councils to ensure that appropriate criteria are used for bushfire shelters.

When we debated the bill on neighbourhood safer places the Greens strongly put forward the view that the criteria were not adequate. At that time the criteria from the government included the criterion that people would be within a certain distance of sources of radiant heat. It was local governments that had to take on the task of determining all the further criteria and ensuring that those were taken into consideration and, I have to say, bear the brunt of the adverse comment that perhaps they were dragging their feet. They were not dragging their feet. They were simply going through the logical set of questions as to what would be required for a neighbourhood safer place — for example, whether it would be accessible if 100 or 1000 people all simultaneously appeared and tried to access it; what would happen immediately after the fire had passed through the area, and a whole range of other questions which nobody else seemed to be able to help them with.

I find it a concern when the state government says it gives in-principle support to recommendations that local councils should put a range of issues through their municipal emergency management plans. I am sure a state government would support in principle another level of government being given a piece of homework, but that is an extraordinarily sweeping finding. Personally, I did not know there was such a thing as a municipal emergency management plan until the first time, as a councillor, I was presented with one.

However, we are now proposing to load a range of issues, including the responsibility for those most vulnerable in our community, into municipal emergency management plans and on the shoulders of local governments. I have no doubt that local governments will take it up, but the cost and burden that will go with that must seriously be addressed if we

are to have an effective policy. That section of policy is about removing people from a hazard they most definitely will not be able to deal with, so it is fundamental to make sure that that will happen before we start to look at some of the other recommendations.

I am sure other members have received from the Action for Community Living group a media release and a detailed submission about their view on this matter. The group notes that it supports royal commission recommendations increasing support for vulnerable populations. It also said that in the last 16 months it has been advocating with local and state governments, emergency services and communities to ensure that education is provided, that these matters are documented in municipal emergency management plans, that assistance is given to people with disabilities and vulnerable people who need to relocate when they cannot access transport or relief accommodation or support services in the event of emergency, and that the many issues involved in the implementation strategies are addressed, never mind just simply a list of vulnerable residents.

Recommendations 8 to 19 relate to emergency incident management. These are in fact very specific recommendations. They are quite auditable, and in many cases they require legislation. The government says it supports them all in principle, and notwithstanding that phrase, clearly in order to meet the test it will have to support them more than in principle. It either supports the very direct and specific measures that are proposed there, or it does not.

In relation to fire ground response, which is dealt with in recommendations 20 through to 26, this is of course crucial. Not all of the many fires that started in February 2009, and on Black Saturday itself, turned into catastrophic fires, because many of them were put out. Even under those conditions many fires were able to be extinguished, with considerable difficulty. I am surprised, therefore, that recommendations such as 24 and 25 really needed to be there, particularly in relation to safety incidents, and that incident controller approval is required before a back-burn is lit — but there you go.

Electricity-caused fires are dealt with in recommendations 27 to 34. As we know, there has been and there will continue to be some considerable debate about that. I do not want to anticipate debate on the particular bill, but we have already received proposed legislation relating to some of those recommendations, notably bolstering Energy Safe Victoria's powers to in fact make Victoria safer in regard to distributors' bushfire mitigation schemes and clearance plans, to strengthen compliance and also to modify the pricing

scheme that regulates how much distributors can spend on infrastructure upgrades. I will probably save some comments on that for the debate on that bill.

However, one matter I will raise is the possibility of achieving this aim through removing certain parts of the grid and substituting remote-area power schemes, or stand-alone power schemes as they are now known. I do not have information that tells me — and clearly this is where the debate will go — exactly what are the most high-risk parts of the distribution network. Naturally it will be in areas that are hard to access, in that it is hard to then get there and suppress any fires that may have been lit. Obviously it will be in areas where there has been historically poor maintenance. It may be in bushland areas, but as we know, the Kilmore East fire was started by, we believe, an electric wire. It started in grassland. It very quickly got into a pine plantation and was able to jump the Hume Highway, despite that being a considerably large firebreak, one would have thought, and clearly the progress of that fire made the local Country Fire Authority — although it did respond very quickly — unable to stop it at that point. From that point onwards the fire moved pretty rapidly through farmland, mixed bush and grazing country, and from there it moved up into state forests and ultimately into the Kinglake National Park.

If you have ever been to the vicinity of where the fire started, you will know that area is quite dissected country. There are a lot of gullies, there is a lot of bush and there is a large pine plantation there. With hindsight we note it was going to be a difficult area to protect once a fire had started.

We can only imagine there are many thousands of kilometres of wires out there under the same circumstances. I do not have any ability to estimate what the costs are of replacing those wires in accordance with the recommendation of the royal commission; some people have said \$100 000 per kilometre. If we are undergrounding them, it will depend entirely on the nature of the ground. Undergrounding could be very easy in some areas, but it could then hit real difficulties in some parts of a particular wire's route.

I am putting forward the proposition, as others have, that it may be cheaper to offer to people in remote areas at the end of very long sections of wire the opportunity to go off the grid on a voluntary basis in return for some payment. There has been a program for stand-alone power supplies in place for a long time. They are eligible for the same sorts of grants that are often available under greenhouse action programs. By offering both that opportunity and perhaps a bit of a

retrofit for energy efficiency and solar hot water we could find that simply on a financial basis it is better to offer those people an incentive rather than to upgrade many kilometres of wire to a new standard.

Clearly such a program works only if the people at the very end of the wire and all along the way are cooperative and willing to be part of it, but if such a scheme could be implemented house by house for \$50 000 and that could save us upgrading a kilometre of wire at a cost of \$100 000, it is something we should do. I do not have any hard data. I do not know if anybody has any hard data as to how many houses could be upgraded in this way, but if there were 10 000 houses saving us \$100 000 each, it would save us hundreds of millions. If we are at all serious about implementing this recommendation, then this proposal must be part of the response.

Recommendations 35 and 36 are on deliberately lit fires. As I noted earlier, the Greens have long pointed to — and we observed it recently — a strong community response to arson. They have stated that there is still plenty of room to make further inroads in that area.

Recommendations 56 to 62 are on land and fuel management; recommendation 56 is on the so-called 5 per cent burning target. I would again urge that we look at all the recommendations in this area together — in other words, that we look at them holistically. It is not simply a matter of burning 5 per cent in a given year. The recommendations go to reporting and to those reports being against particular objectives — not just reporting what areas were burnt but what the objectives were that we were trying to achieve in burning those areas and whether we were successful through the program. The royal commission is specifically calling for DSE to upgrade its program of long-term data collection and to monitor and model the effects of its program on biodiversity in particular.

There are some suggested amendments to the code of practice for fire management on public land in order to achieve some very specific objectives: firstly, that there be clearly expressed objectives; secondly, that an explicit risk analysis model be put in place, so that where there are competing objectives, which there always are, particularly the closer you get to built-up areas, it is clear that human life is the highest priority and that that objective is being achieved; and thirdly, to specify the characteristics of fire management zones, which I guess relates to fuel management zones as we currently understand them in the fire management plans.

There are a range of other questions that are put forward in the recommendations on land and fuel management, particularly in relation to local government, state and even commonwealth involvement in guidelines for resolving competing tensions around roadside clearing and the responsibility of VicRoads for roads.

Anyone who wants to know about the fuel reduction plan for their area should know it is available on a website. I have scrutinised some of the past plans. They are usually on a three-year rolling basis. I have certainly scrutinised a number of the plans that are being put forward for the coming three years.

If the suggestion of the 5 per cent target, which is a tripling of the target, is that those three-year plans can now be implemented in one year, then I think that is open to debate. Over time that may be able to be achieved, but I will hear from others as to whether they think the three-year plans now available for public consultation could be delivered in one year, assuming we have good weather conditions and of course the appropriate resources. I can see how such plans could be developed and built up over time, but there are some very real questions to be asked about how and where we will burn to achieve certain objectives.

If we are saying, as I am, that the paramount objective is the preservation of human life, then clearly we will be burning more regularly close to human settlements and in many cases built-up areas. That creates a whole new set of priorities.

No-one would suggest that a random 5 per cent of Victoria being burnt is necessarily going to make all of us safer. This is quite an important point, because in the run-up to 2009 there was a real debate going on about exactly where to burn. Forest Fire Victoria, an oft-quoted organisation, made a template submission to a number of fire management planners where it specifically recommended that it was a bit too resource-intensive to be burning adjacent to human settlements and that we would be better off burning large areas at the landscape level. Forest Fire Victoria's letter says:

... they —

meaning fuel reduction planners —

need to be told to ignore the flawed logic of the authors of the Victorian bushfire inquiry into the 2002–03 bushfires who told Premier Bracks they, 'agreed with an assessment that their interim report was not necessarily about burning more land but about burning smarter'.

Forest Fire Victoria goes on:

That logic causes DSE to spend a disproportionate amount of time and resources at the forest-private property interface and on tiny blocks embedded in urban sprawl. That is not where most of the 2002–03 and 2006–07 bushfires started.

It is quite right on that last point. With further hindsight on its hindsight we see that the fires that are now being addressed by the royal commission started in exactly the places where Forest Fire Victoria was implying that the Department of Sustainability and Environment should not be wasting its resources.

I have examined the most recently proposed fuel reduction plans for the coming three years, and given where I started my speech, with extreme and rising fire danger weather and a growing population at the interface of the forest, it is pretty clear that we are going to have to give an extraordinary amount of attention to those settlements, and there are hundreds of them. They are in all electorates and they contain all sorts of communities and all sorts of peculiar circumstances. I would be an advocate for a rapid increase in the resources available to planning, which is sometimes seen as an alternative to doing, but in this case it is absolutely about ensuring that first and foremost human life is preserved. That requires something that is much harder to organise than large and broadscale landscape burns. They go on in places such as the Mallee and other remote areas.

The expert panel to the bushfires royal commission was pretty clear about what it was suggesting when it talked about a 5 per cent target. For example, Mr Tolhurst is quoted as saying:

My understanding of what we were talking about is, if you like, almost a trial use of prescribed burning and we were talking about particularly of progressing this in the foothill forest areas where there would be less contention in terms of the impact of the fire and we knew it was an area of high priority in terms of protection of life and property.

In his testimony after the panel exercise Dr Bradstock said:

I think what we said was if you went for something around 5 per cent in foothill forests that it was our consensus that at least that would be okay in terms of vegetation responses, though we noted there is very little information about animals.

A Dr Clarke seemed to echo those sentiments. He said:

I endorse Dr Bradstock's comment, particularly in relation to fauna and our ignorance of the impact on fauna. But the evidence to date suggests that that doesn't look like a dangerous level in that habitat.

To clarify his position he said:

... I think the panel was of the opinion in this particular habitat type of foothill forest the risk was worth taking, provided there is a commitment to learning as we do it, and that couldn't be said for other habitats about which we know less.

There are hundreds of habitats across Victoria. If we are to have a science and risk-based approach to this that protects all the things Victorians want to protect, we need to understand how a target such as 5 per cent would be built from the ground up, community by community, region by region and across different broad vegetation types as well as across the different areas we inhabit.

I will be keeping a close eye on the fuel management plans that are under development right now to see how what is put into them achieves the objectives that the royal commission and all members are seeking, and also that the totality of the recommendations in this area is being fully followed through. There is no question that that requires an enormous amount of resourcing, and it is simply above and beyond the resources that would be required to run those burns safely. The royal commission has recommended that very clearly, so I think that could provide quite a bit of guidance to any future government.

I started by saying there were two factors at play here: the extreme nature of the weather conditions that we faced and that we will continue to face, and a growing population in areas of high hazard. It is quite possible that 1939 was the last time we had as many people as this living so close to the forest, but that was a function of the rural-based nature of our population and economy at the time. Now it is often about lifestyle or about people who are part of a growing regional economy who nevertheless choose to live a bit further out of town. When you accept that perspective you realise there is nothing easy in the recommendations put forward by the royal commission.

I certainly welcome the government's approach in going out and consulting further. I am not saying it is a substitute for action; I am simply saying that when we are talking about aspects that are integral to the way people live their lives, you really cannot do too much listening. Those quiet voices do not always make themselves felt in the middle of a political debate. While I am clearly calling for a great deal more detail on the specific implementation of measures that are rather general in the royal commission's report, I am certainly also calling for the community to have a strong role in developing that, and I am sure it will. I just hope it happens fast enough and thoroughly enough to minimise any such future tragedies.

Mr HALL (Eastern Victoria) — Much has been said, and now we can claim that much has been written, about the 2009 Victorian bushfires. With so much commentary on the bushfires, so many experiences we have all had in terms of our contact with individuals and communities who have been affected by fires, and so many issues that have been raised since those fires and again raised within the extensive report by the royal commission, you wonder where you start in terms of the commentary which we have an opportunity to make here this afternoon.

I choose to start my remarks by referring to page 42 of *2009 Victorian Bushfires Royal Commission — Final Report — Summary*, which contains a list of the 173 people who perished in the 2009 bushfires. The names of those people are preceded by this commentary from the commission:

The commission focused on improving Victoria's bushfire safety, so that the lessons learnt from the tragedy of Black Saturday will make the state a safer place. It offers this report and its recommendations to the government and the people of Victoria in memory of those who lost their lives.

That sentiment is further stressed in the second section of volume I, where there is a detailed account of the circumstances in which every one of those 173 people lost their lives. If you need any motivation, incentive or reason for getting on and doing something to enact the sentiment expressed by the royal commission — that is, to improve the opportunities in memory of those 173 people to do what we can to make sure that this sort of tragic event is not replicated — then you should read part 2 of volume I. It says everything, and it gives us every reason for doing what needs to be done. When I read page 42 and when I read some of the accounts of the deaths I am also reminded that we need to be very cognisant of the fact that many more people than that were injured in the fires.

For every one of those 173 people there are many more relatives and friends who continue to grieve and suffer the trauma of those losses. I am also reminded of the fact that many people are still getting over the loss of property in those fires. I was staggered to read in some statistics that, of the 2029 homes destroyed by the fires, as I understand it, fewer than 300 have been rebuilt and their owners granted final occupancy, and probably only about one-quarter of them have been given a permit to rebuild. Still today, 18 months on from the fires, there are many people out there in the community suffering significant hardship and living with the trauma of those events.

When you read the royal commission report you are reminded of the magnificent effort made by volunteers

and professionals in our community in responding to the needs of bushfire-affected individuals and communities. I refer to the volunteer members of the CFA (Country Fire Authority) but I also refer to the professional firefighters and volunteer organisations that continue to contribute in a magnificent way to assisting with recovery from the fires, and are still doing it today. Some of the volunteers I see continuing to serve on community recovery committees, for example, deserve the highest praise and support from all of us; so when I read this royal commission report I agreed with the sentiments expressed by the commission in terms of the need to structure these recommendations and to ensure we do all we can to minimise future loss of life in any such bushfire event. That is a good place to start commentary here today.

I also want to make the observation that in my experience and judgement many people who were impacted by the fires found it difficult and continue to find it difficult to participate in the consultation process and in the various other processes that have led us to where we are today. I know of people who lived in those communities who suffered such trauma that they just had to get away after the fires. They had to get out of the community and so did not receive notice of the support meetings that were taking place; they were not always made aware of what sorts of programs were in place to assist them. They needed to not be reminded of the events day after day in the newspapers' reporting of the royal commission report; they had to turn off. I can understand that people who were severely traumatised by some of those events found it really difficult to come to terms with the continual media reporting of them. The bushfires royal commission process has been a dramatic experience for many of those people. Not everybody affected by the fires has found it easy to participate in the various processes.

The people who have been impacted by these fires have been going through this consultation and inquiry process now for 18 months, and my judgement is that most of them are saying, 'I have had enough of this. It is about time the government got on with the job, that we all collectively did something rather than continuing to talk about it'. I know the government will claim that it is now going out and doing some consultation on the recommendations, particularly some of the controversial ones, but I also know that that is not for everybody. The majority of people want to see some action now; they want to see some real commitment that the recommendations in this royal commission report are now going to be adopted. We owe it to those people; we owe it to the 173 people who lost their lives; we also owe it to the families and friends of those people and to those who lost property and are still

recovering. The royal commission report gives us a blueprint for an appropriate response to the impact of these fires 18 months on.

The context in these recommendations needs to be repeated, because I think the commission has it right when it says in its preface to the report:

The recommendations we make give priority to protecting human life, and they are designed to reflect the shared responsibility that governments, fire agencies, communities and individuals have for minimising the prospect of a tragedy of this scale ever happening again.

That is an ideal premise on which these recommendations are based. Very sagacious advice and commentary was also given by the royal commission when it talked about it being wrong to consider Black Saturday as a one-off event. The commissioners make that commentary in a number of places in their report, including on page 1 of the summary document. It is not a one-off event because, as other speakers have said, we have had similar sorts of circumstances in the history of Victoria in the past and we will certainly have them again. We cannot consider the report and put it aside saying this is a one-off event and will never happen again — it will.

I also agree with the commentary on page 2 of the royal commission's summary document where it says:

The commission views protection of human life and the safety of communities as the highest priority for bushfire policy and directed its efforts accordingly.

It goes on to say:

While placing the preservation of human life at the heart of its deliberations, the commission also sought to ensure that due consideration was given to Victoria's environmental sustainability.

Again, they are sound premises on which these recommendations are based.

I turn to a couple of sections of the royal commission report and make some comment in response to the invitation the minister offered us as members of Parliament in this debate and reflect on a few of the comments made by others to date on this report. On Saturday, 31 July, when I first looked at the recommendations made by the royal commission after they were handed down, I was not surprised at the nature of the recommendations because I had read some of the reports of previous bushfire inquiries, right back to 1939 and more recently in 2003, 2005 and 2006. Each of those bushfire events was the subject of some form of inquiry, and recommendations were made.

If you are honest with yourself, when you look back at those reports and the recommendations they made you see a lot of similarities between them and the recommendations made by the royal commission in the report we are taking note of today. I am not surprised at all. This time the challenge, though, is to implement those recommendations. Previously, recommendations made by a variety of people — including the 1939 royal commission; the emergency services commissioner, in its 2003 report; and the Environment and Natural Resources Committee, in its 2006 report — have not been implemented in full. There is a lot of commonality between all those recommendations and the ones we have before us here today.

The real challenge is to make sure that those recommendations do not sit on the shelf and gather dust, as have many previous recommendations in response to bushfires. The real challenge is to implement those recommendations. What we owe the 173 people who perished and the families and friends who continue to suffer because of the loss of those loved ones is the implementation of these recommendations. That is why the coalition parties have agreed in principle to implement each of those 67 recommendations.

When the minister, Mr Jennings, opened the debate in this chamber this afternoon he invited us, as members of Parliament, to express our views on this debate and said he would be happy to hear what we thought about the recommendations. I say in response to Mr Jennings that I do not know if my qualifications take me beyond the qualifications and experience, the time, commitment and work undertaken by the three royal commissioners. I do not know if I have the ability to say anything more profound than what I have heard from others. After all, the royal commission sat for 155 days. I do not know how many reports it received from witnesses. The electronic versions of some of those individual submissions are enlightening and offer far more than I could offer the minister here today in terms of commentary on these recommendations. I say to the minister that I am prepared to accept that the royal commission had access to the best expert witnesses, had access to those who had direct experience with the fires, had access to a greater wealth of information and knowledge than I could possibly ever absorb, and I believe that it has made 67 credible recommendations to us and we would be fools not to accept them.

Some of those recommendations are going to be costly to implement and some are going to be difficult. There are some that people may not agree with, but somewhere along the line we have got to say that we

have given these three commissioners the task of doing this, they have worked diligently over that nearly 18-month period to produce what they have, and we owe it to them to take forward their recommendations and to implement them in full. The coalition believes the commission has adopted a very balanced view with respect to this matter and it has made sound recommendations. That is why we have accepted them in principle.

The government, to its credit, has accepted 59 of the 67 recommendations. We have got a bit of work to do on the other eight. I just hope that the government's claimed consultation on these further eight recommendations is not an excuse for further procrastination, because that is not what the people want. I think we can talk about how the recommendations are going to be implemented, but not on whether or not they are going to be implemented. I say to the government this afternoon that we ought to be getting on with the job, because that is what the people who experienced the tragedies of January and February 2009 want us to do.

I will quickly comment on a couple of the recommendations. I do not intend to speak for a great length of time. It would be hypocritical of me to do so, given that the people of Victoria want us to get on with the job and not keep talking about it. However, I need to highlight a couple of the recommendations that I think are very important.

Recommendation 56 deals with fuel reduction burning. The commissioners have suggested that an annual rolling minimum target of 5 per cent of public land be subjected to fuel reduction burning every year. That is a sound recommendation and one that is welcomed by every member of the community. People from the area I represent, eastern Victoria, for many years have been claiming we are doing insufficient amounts of fuel reduction burning. Let us get on with the job. The challenge for the government, which as I understand it has accepted this recommendation, is to spell out exactly how it is going to implement it and the time frame in which it is going to achieve it. It is important that Victorians get feedback from the government on that.

Recommendation 27, regarding electricity assets, is extremely important. It suggests that we should be looking at some of the power distribution means, particularly SWER (single wire earth return) lines, in bushfire-prone areas to improve the safety of those by either putting them underground, bundling them or using other means which would improve the safety of those electricity lines. There is absolutely no doubt in

my mind that this is an important measure that needs to be implemented, and for the life of me I cannot understand why the government has not come out and simply said, 'Yes, we are going to move towards improving the safety of those electricity transmission lines in bushfire-prone areas'.

The recommendation is to replace them when the current lines need to be replaced — that is, you replace them using better and safer technology. It can and should be achieved. For goodness sake, for a long time now here in Victoria we have had an underground power committee and we have had a fund to assist with putting power underground. That fund should be extended to bushfire-prone areas. There is no reason why it cannot be. The cost of doing so would add up, but it can be done gradually as infrastructure needs replacing, in a timely and affordable time frame. There is no reason for the government not to be adopting and accepting this recommendation and working out how it will implement it, rather than trying to work out whether or not it is going to implement it. It is a no-brainer; there is no question. As powerlines need replacing they should be replaced in safe ways.

Recommendation 46 is about the non-compulsory acquisition of land. I will make some brief comments about that recommendation, because I support it for the following reason. During the course of the fires I came across one family who had lost a family member in the fires and simply could not go back and rebuild on that land. The traumatic images of a family member being lost in the fires prevented them from ever rebuilding on that block of land. Their house was insured, and they collected the insurance money, but they could not afford to build somewhere else. They could not afford to buy a block of land. I tried to argue with the Premier, but he would not meet me directly; however, I tried to argue with his staff that there should be provision for the government to buy the land in such traumatic circumstances and allow people to resettle in an area which would help them get on with their lives. That request was refused; it did not happen.

I still say there is an opportunity to do something along the lines of recommendation 46. I make the point that I would not expect the government to be flooded with applications to buy back land. Many people have chosen to live where they want to live. Yes, I am sure that the people in the communities affected by bushfires understood at the time that bushfires were always going to be a risk for them. If people in those areas had the choice, I am sure many of them would want to stay in those areas but there are some people who would want to start their lives again, perhaps in a different area. I do not think there is any reason for not giving them the

opportunity to do so, because it would be a limited program and a fair and just program for those who want to restart their lives in a different place.

Recommendation 4 on bushfire refuges is an important one. There has been a bit of comment about it, but it is one that needs to be implemented quickly. With the bushfire season fast approaching, there are still some unresolved issues, particularly about neighbourhood safer places and community bushfire refuges that need to be resolved.

I also want to make commentary on recommendation 64, which is about the fire services levy. The royal commissioners have again followed the lead of a whole range of reports and inquiries in recent years suggesting that we need to change the way fire services are funded in this state by restructuring the fire services levy and applying it on a property basis, rather than to those who take out insurance for their property. The Treasurer might have access to these figures — we gave him the legal ability to obtain them — but it has been suggested to me that at least 30 per cent of property in our communities is either not insured or uninsured. As I said, the Treasurer would have more accurate data. The load for the cost of funding fire services in this state therefore has been burdened by probably 70 per cent or less.

I have been told that some of the big organisations, including some multinational companies, insure overseas, so they do not contribute to a fire services levy. I understand that one organisation which has branches in probably every country town and huge offices in the suburbs of Melbourne and in the CBD insures offshore and does not contribute anything whatsoever to fire services in this state. This is an imperative for government. Government members no longer have any excuse. For some time they have avoided the issue of the fire services levy. A green paper has been released, and government members have said they were waiting for the report of the bushfires royal commission and the commissioners' views on this issue. Government members now have the report, and there is no reason for them not to act and move to restructure the fire services levy so that it applies more fairly to members of our community by applying to all property, not just the property of those who insure.

At the outset I said my judgement was that the people of Victoria want to see some action from government. They have heard a lot of talking over the last 18 months. Many of the recommendations and comments in the report we have before us have been

made before in previous reports, but now is the time to act.

I conclude my remarks by saying that we owe it to the 173 people who perished and their families to get on with the job and implement the very fine recommendations that have been given to us by the royal commission. The recommendations are balanced and affordable, and moreover they are necessary if we are to minimise the potential of further loss from bushfires in the future. I call on the government to get on with the job, to accept the recommendations and to make Victoria a safer place in which to live.

Ms BROAD (Northern Victoria) — I also wish to make some remarks on this motion to take note of the final report of the 2009 Victorian Bushfires Royal Commission. First and foremost I wish to acknowledge the victims of Black Saturday and the families, friends, workmates and communities affected by the tragedy of the loss of 173 lives.

The discussion of the final report of the bushfires royal commission is difficult for everyone affected by this tragic loss of life. At the outset of the report the commissioners remind us of the extraordinary conditions on Black Saturday and refer to temperatures in Melbourne above 43 degrees Celsius for three consecutive days for the first time since records had been kept. For Victorians living outside of Melbourne, particularly in bushfire-affected areas, these conditions were even more extreme.

I acknowledge the commissioners and their staff for the work they put into this final report and for all of the information they collected in the process, as well as for the compassion they have shown for the individuals, families and communities they touched in the process. The commissioners visited 14 communities, took part in 26 community consultations and received almost 1700 submissions. I also acknowledge all of the Victorians who attended the commission and listened to the evidence with great empathy, and the commissioners acknowledged them in their final report.

Since the final report was released my highest priority has been to listen to my constituents' views about the report and its recommendations. It has been a great privilege to attend community consultations in Beechworth, Woodend and Daylesford in recent days. I also had the experience of attending consultations in these areas and many others as well, together with my colleague, Kaye Darveniza, immediately following the bushfires. It is great to be able to follow up on many issues that were raised immediately following the bushfires in these consultations around the

recommendations in the final report of the bushfires royal commission.

These consultations have been attended by hundreds of vitally interested members of these communities and the communities in districts around these townships. Many people who did not have the benefit of a consultation being hosted in their particular township travelled to townships where consultations were being held in order to ensure that their views were recorded, and I thank them for that.

These consultations have been replicated in many more communities across the length and breadth of Victoria. They have been attended by members of our emergency services, including members of the Country Fire Authority, Victoria Police, paramedics, elected representatives from local government and local government officers, staff of the Department of Sustainability and Environment, Parks Victoria and many others.

They have been attended by my parliamentary colleagues, by ministers, by the Premier and by some members of the opposition. I want to congratulate the members for Benambra and Benalla in the other place for attending the Beechworth consultation, for their participation and for acknowledging the merit of holding a public consultation. The next morning there was a very nice photograph of them together on the front page of the *Border Mail* with many of the people who attended the consultation standing around with their cups of tea and coffee, continuing the discussions even after the formal consultation had concluded.

The Premier of Victoria is determined that Victorians, especially Victorians in areas at risk of bushfires, should have the opportunity to have their say about the recommendations in the final report of the bushfires royal commission, and the Premier is equally determined to act swiftly and decisively in response to the recommendations. This has meant that there has been short notice given for the consultations. People who have not been able to attend the consultations have been offered the opportunity to make their views known via the Premier's website.

At the consultations I attended people said they understand the tension between on the one hand giving adequate notice of consultations and on the other hand the need for a timely response to the recommendations in the final report. I am pleased to say that people attending the consultations have rolled up their sleeves and focused on recording their views with great vigour so these views can be reported to the Premier as soon as it is practicable. Victorians have been very generous in

giving their time to these consultations, just as they were generous in giving their time to the bushfires royal commission consultations. It is not possible for me to refer to all the contributions that were made in the consultations I attended; however, I hope I can do justice to many of them in the time available.

Victorians who live in bushfire-affected areas are, in the main, very well informed about the complexity of many of the issues that are the subject of recommendations in the bushfires royal commission final report. I will refer to some of those issues that were discussed at length in the recent consultations.

There is, as you would expect, an awareness that some of the fires on Black Saturday were started by powerlines, and people are very aware of the consequences of that. They are also aware of the costs attached, particularly to the undergrounding of powerlines. Many Victorians who live in fire-prone areas outside urban areas across Victoria have had the experience as a private citizen, as a business owner or as a farmer of having to pay the costs of undergrounding powerlines. I can put my hand up and say I am one of them. It is a very significant cost indeed. People who attended the consultations did consider the issue of who would pay for the undergrounding of powerlines in high-risk areas in particular. This was something that was the subject of a great deal of discussion, and in the main the view people took was that it would be sensible to take an approach which looked to the most high-risk areas and progressively worked through where this approach might be most necessary before making decisions about how to respond to this recommendation.

On the subject of acquisitions there was a lot of discussion about their impact on communities and the issue again of who would bear that cost. There are many small communities across rural and regional Victoria that have experienced depopulation and the consequences on schools and on businesses of a reduction in population. There was a great deal of concern about what the impact on communities would be of a wholesale policy of acquisition in high-risk areas. Very few views were expressed in support of this recommendation in the consultations I attended, and those were heavily qualified. As you would expect, the emphasis was very much on the fact that any consideration of the implementation of this recommendation would have to be absolutely voluntary, and that led to a lot of discussion about what the consequences would be if this was applied in areas where some people wanted to take up voluntary acquisition and other people did not, and in the process

potentially making a difficult situation even more problematic.

Another subject which was discussed at great length was fuel reduction. In the main there was a great deal of support for more fuel reduction, but also, as you would expect, there was an appreciation of its limitations and a desire to preserve the features of areas that attracted people to live there in the first place. There was certainly concern expressed by people who had chosen to move from urban areas to live a lifestyle in rural and regional areas and a concern that heavy fuel reduction burning to reduce fuel loads could impact on people's health and on the amenity of areas that they had chosen to live in. The limitations that were recognised included the limited safe conditions for fuel reduction burning; even with the greatest will in the world to conduct more fuel reduction burning, there must be a recognition that it can only be done in safe conditions.

As you would expect in Victoria, there was also a great deal of discussion on the vineyards. There are a lot of them in northern Victoria, and there is a major impact on vineyards if fuel reduction burning is conducted in spring. Views were expressed in support of local and state government agencies working together in an integrated way to achieve more fuel reduction on roadsides to provide for safe access to areas and safe exit from areas.

There was a lot of discussion about evacuations, and a heavy feature of these discussions was the matter of choice. The bushfires royal commission presented findings that identified the fact that while every death on Black Saturday was a tragedy, approximately half of the people who died were people who could be considered to be vulnerable. Children and older people were two examples. In response to these findings there was a good deal of support for community and local government having responsibility for compiling voluntary registers of people who are vulnerable and who are living in a community. There was a good deal of concern about how best to assist people who chose to register voluntarily, recognising that in a bushfire emergency it would be difficult to evacuate safely. The consistent, strong view expressed about these circumstances was that leaving early was the best thing to do — for everyone, but particularly for people who are vulnerable.

A good deal of discussion was about refuges. There was an awareness that there are areas where it is not possible to identify a neighbourhood safer place as a place of last resort or where access to a neighbourhood safer place may be cut off. Not every community has an old mine to use as a refuge like Woods Point. I have

visited Woods Point and been into the old mine which has been set up by the community as a refuge, and if you had to use a refuge in a bushfire, that would be a very good one. However, not every community has such a facility on its doorstep. Even people living in that district may not necessarily be in a position to be able to get to that refuge. There was a good deal of discussion about the limitations of refuges that already exist or that may have been created.

There was some interest in the availability of safe personal refuges that meet appropriate standards — for example, in some situations they could be used as an alternative to spending large amounts of money on trying to make old buildings fire safe. However, there was also recognition that even with a great amount of expenditure it is still not possible to achieve a goal of 100 per cent safety in every possible bushfire situation.

Finally, a good number of people from local government attended these consultations. The most important thing to say about the issues raised by local governments is that they are looking for a partnership with state government, with state government agencies and with the communities they represent and work for. I am very confident that a partnership is exactly what the Brumby government is looking for as well in terms of sharing responsibility for making communities even safer from the threat of bushfires.

In conclusion, I will say that there are a great many recommendations from the two interim reports of the bushfires royal commission that have already been accepted by the government and that are well on the way to being implemented. The Brumby government has already committed more than \$1 billion to implementing those recommendations. Mr Comrie has already reported on the implementation of those recommendations. From the two interim reports there are some 58 recommendations that the government has accepted and that have already been implemented or are in the process of being implemented.

In terms of this final report, the government has already accepted 59 recommendations in principle, and I am confident that the government, the Parliament and the community can respond in a unified way to this final bushfires royal commission report. The reports of the consultations I have referred to have all been provided to the Premier and the cabinet. A small number of consultations are yet to be held, and they will all be concluded by the end of this week. All the information will be in the Premier's and cabinet's hands, and I am confident that the response to those consultations will take into account all those views and the recommendations of the bushfires royal commission.

Mrs PETROVICH (Northern Victoria) — I would like to start my contribution by commending Commissioners Teague, Pascoe and McLeod and all those people and organisations who made submissions. It was often extraordinarily painful for those people attending the 2009 Victorian Bushfires Royal Commission and an onerous task for all involved.

The outcome of the commission is one that has taken many months to complete and deserves the respect of the government responding to all those recommendations. The Victorian Liberal-Nationals coalition supports this principle and has made that announcement very clear from day one. It supports every one of the 67 recommendations of the bushfires royal commission final report. It is our belief that we owe that to those communities and to those who attended the commission, but also those who suffered losses.

It is time now to get on with it, and I always say the hardest part about anything is starting. It is like going for a run or writing a book, or whatever you do — you have just got to get moving. To have another round now of consultation on a royal commission that has been set out and held in the esteem that it has been held in, I believe, an insult to that report. Consultation is a very good thing to do, but after talking to members of communities who in this last week have found that there were consultations going on in their communities without any notification, with minders sitting on the doors of those consultations, allowing select numbers of people into them, one must ask how fair dinkum we are about that consultation process. Another round of sandwiches and another cup of tea! The people that I talk to, who have been fire affected, were saying about Christine Nixon before her resignation that if she presented them with another lamington and cup of tea, they did not quite know what they were going to do.

Now is the time for action in preparing for the fire season, but also for recovery. There has been a lot of rhetoric around the royal commission. I have a folder here which has many press releases in it. I think the Brumby government has made an enormous feast and got mileage out of political spin and press releases around the suffering of those communities, about announcement after announcement which has delivered very little. The Liberal-Nationals coalition has said that it will support appropriate legislation introduced by the government in the remaining 12 sitting days of this session of Parliament, and it will monitor the Auditor-General's oversight of the implementation of the final recommendations of the commission's report.

There is a lot of detail that needs to be worked through, of course, and the recommendations cannot be viewed in isolation, as was stated by the Leader of the Government in this house. They do need to be read in context, they do need to be researched, and there is probably going to be a staged implementation of many of these recommendations, but we do need to commence. There has been a lot of spin and a lot of public relations and, quite frankly, I know the communities I talk to want action. They do not want any more talk. It is appropriate to have consultation, but what it should be relate to is the implementation of those recommendations. The time for a chat is over.

Since 2002 we have had 25 recommendations to make Victoria bushfire ready, and I believe we have failed to deliver on those. The royal commission criticised Premier Brumby for not implementing its interim report recommendations, and in that pile of papers I showed the house a moment ago there is volume after volume of those announcements which have not been implemented. I think that highlights that this government has failed.

This commission went through a gruelling process to reach its final recommendations, and Victorians were looking, I believe, for leadership. It has been heart-rending for all involved to relive this disaster. Not to have taken immediate action in response to this announcement shows disrespect, because there is so much to do.

You cannot pick and choose with these recommendations. They are part of a suite which has been carefully worked through. There are complexities, but we lost 173 people in those fires, and we have had a number of reports now. We have seen the Stretton report, we have seen the Environment and Natural Resources Committee report and we have seen a whole range of other comments that have been trotted out about previous fires. We need to do the things we have control over. As this fire season looms pretty large on the horizon in rural Victoria, we must recognise that we have greater rainfall than we have had in 15 years, and that rain brings growth.

One of the issues that I would like to bring to this debate today is the big issue of dead and dying trees in burnt areas and the huge danger they could cause as fuel load in this upcoming fire season. These areas could burn again. The report that I have spoken on many times in this chamber — one that I was part of, the all-party Environment and Natural Resources Committee report — recommended that there be an increase in fuel reduction from 130 000 hectares to 385 000 hectares, which would cost \$20 million. That

report sits idle. There was no action at the time of the report, although the recommendations were taken into consideration. There was no outcome from that report. It was said that \$20 million was a very expensive exercise, but we saw the cost to the communities of those fires and we have seen in subsequent fires — the Black Saturday fires — a cost of \$4 billion to those communities in dollar terms. But what we cannot equate is the social cost, the damage and the hurt that has been part of those devastating fires.

The coalition has said that it will commit to the 5 per cent target in government, and this target should be treated as a rolling target. We acknowledge that. Unfortunately the current government has no acknowledgement of what it will take to decrease the fuel load, and I suppose I feel like we are finishing where we started, talking about fuel reduction.

As human habitation has expanded into our rural and bush areas, we have abrogated our responsibility to those communities through a lack of planning controls and a lack of understanding about public land management and private-public land interface. We have government and referral authorities that have not acknowledged the risk to those communities and what they have been exposed to as they develop townships around our rural areas. I do not think the motivation for lack of fuel reduction burning has been acknowledged.

The royal commission skims over those responsible on Black Saturday and their accountability. The Minister for Police and Emergency Services, Bob Cameron, gets a small slap; there is a slightly stronger reprimand for Country Fire Authority chief officer, Russell Rees, and Ewan Waller, chief officer, fire and emergency management, Department of Sustainability and Environment.

At the time of the fires our Chief Commissioner of Police was rewarded for her incompetence by being put in charge of the recovery process; the area that she ignored while out dining was that chosen for her to look after during its recovery. She came pretty close to perjuring herself at the royal commission by trying to cover up the fact that she was not doing her job on the night and concealing what she was doing during the day and the evening. It was revealed that she was bad at enforcing the chain of command and keeping contemporaneous notes. Any of her staff or police members who had not kept contemporaneous notes, who left their posts or had not handed on their responsibilities would have been sacked. This amounts to gross negligence, yet she was then given the top job in the recovery process as chair of Victorian Bushfire Reconstruction and Recovery Authority.

It appears to me that those most guilty did not appear before the royal commission — the Premier, the Minister for Environment and Climate Change — and they did not explain their lack of attention to fuel reduction. During a question time in this place after the fires the Minister for Planning, when asked about wildfire management overlays, seemed confused and lost; and maybe even the Treasurer, John Lenders, could have explained why the state had been starved of resources to increase burning from 130 000 hectares to 380 000 hectares as recommended by the Environment and Natural Resources Committee (ENRC).

We have had city-centric public land management policy that locks it up and leaves it, which means those living in rural Victoria are heavily exposed. I do not know what will become of future policy decisions if we have, as announced by Mr Barber in previous weeks, a situation where the Greens and Labor may develop some sort of coalition arrangement if they are successful at the election in November. Where does that leave those policy decisions about public land management and the environment? Whose policies will prevail? I do not know whether we could be any more at risk or any more smoke averse than we are now, but these are questions that we need to ask, and they are issues the community needs to be aware of. There are risks involved.

The ENRC held a vast number of hearings right across the state. In Omeo, on a particularly long day when we had been out in the bush all day and then had a hearing that night, I was talking to Ewan Waller over a cup of tea. He asked me to ask him the brave question, which is what this government needs to get a grip on; it needs to become brave and acknowledge the problem. The brave question is about how much burning is required to make the state safe and whether we will be brave enough, in a risk-averse, smoke-averse community, to make those decisions and to publicise the fact that we are going to increase burning? So far I have seen no evidence of this.

Fuel reduction is a misnomer, often called back-burning, burning-off, firebreaks and all the other things that people talk about, but it is about preservation of our bushland. It is not only about preservation of rural settlements, it is also about looking after our flora and fauna and our water catchments.

Sitting suspended 6.30 p.m. until 8.03 p.m.

Mrs PETROVICH — As I was saying prior to the dinner break, this report is about fuel reduction burning, and it is about looking after our bush and our Crown land. It is about looking after our water catchments. It is

about looking after our flora and fauna and biodiversity. It is about preservation of our rural settlements. As inhabitants of Victoria, the only thing we have control over for fire prevention is the reduction of fuel. We cannot alter the weather and we cannot alter a whole range of conditions, but we can reduce the level of fuel load. When a fire of the ferocity and intensity of Black Saturday's is fed tonnes and tonnes of fuel, it will not be stopped by simply burning around a settlement or a community. There needs to be an overall approach to cool mosaic burning, which will reduce the fuel load across the landscape. It is also about putting in some firebreaks which might protect our water catchments and our communities. It is time to acknowledge that roadside vegetation management is very important to our communities that live in this area, because without a clear escape route many more people will die in future fire seasons.

I have said on many occasions that I do not want to ever, ever see piles of cars with the bodies of people who have lost their lives still in them because access was denied them, because of not only the weather conditions but because trees and vegetation had fallen across the road, blocking their path of escape. If we are fair dinkum about protecting our communities and that biodiversity, then we need to get that fuel load down. We need to seek guidance from the traditional owners of this land — our indigenous population — who used firestick methods of controlling fuel load and vegetation, which produced a very open, grassy forest area, which was well known for its many species of indigenous animals. They burnt all year round. They were on the money. They did not wait for budgets or a 14-day window of opportunity. They looked at where they could throw out a burning stick, and when that is done regularly the fuel load is kept down. It does not create a heat-intense fire, it does not destroy the vegetation, and the land is managed much better than we do it. It is done very well now in Western Australia and South Australia.

Victoria was the leader in this field, but because of a culture of risk aversion and smoke aversion it has been decided not to do this here. I think it is also budget driven. I think in the old days of the Forests Commission we had people on the ground all year round who were looking after our public land. We also had cattle grazing. We had a forestry industry which was vibrant and thinned our forests and kept our fire tracks open. When we did have a fire we had people in the forests who knew the terrain and how to deal with it. When a little fire started there were people around who could read the signs and be on the job and put out the little fire while it was a little fire. Unfortunately, with fuel loads the way they are, if these things are left,

we end up with a big fire very quickly. Many times I have heard Country Fire Authority members say, 'If we had been allowed to do what we needed to do very quickly and respond, instead of waiting for instructions from 200 kilometres away, then the little fire would not have got to be a big fire, and we would have put it out'. It sounds a bit simple, I know, but that is the way it works.

To address the issues of refuges, I think we have a serious issue about standards. A lot of discussions are occurring in the community about what the appropriate refuges are, as addressed in the royal commission report. The coalition's position is that we will adopt the commission's recommendations to develop standards for community refuges as a matter of priority. That will replace the 2005 fire refuges policy in Victoria, and we will in policy and practice develop and designate community refuges as a matter of urgency. We need to look at the Australian standard and what is required for these refuges. I would hate to see another instance like the insulation fiasco, where we decide we are going to put all these refuges in without any consequence for safety or any accountability in place. That needs to be clearly articulated, and the coalition is right on top of that.

One of the issues I want to highlight is that in the last budget we had an allocation of \$500 000 for neighbourhood safer place development. That equates to about \$10 000 per council. Looking at the work that needs to be done in the identification of these places of last resort, it is clear that that is simply not enough money. Once again councils have copped the burden of identifying, clearing, making safe and continuing to maintain these facilities into the future. There are a number of communities in the area that I represent that still have no designated neighbourhood safer places.

We are talking about the fact that 12 months after the commission's interim report, the Premier, John Brumby, has failed to produce even a draft fire refuges policy for comment. That means that we have a very short space of time before the next fire season. Areas, particularly Macedon, the Dandenongs and the Otways, are vulnerable in the upcoming fire season. We have a very short time. While members opposite have been poncing around Victoria and having cups of tea and sandwiches in a consultation process that should have been undertaken many months ago — and not on a royal commission report or on how people are recovering, how they are managing and what is actually going on out there in those fire-damaged communities — we still have no action.

An issue that I have an interest in is the fire services levy, and I have spoken on this many times since I was elected. We have a very inequitable fire services levy that does very little to provide what it needs to for Country Fire Authority members and has a huge cost implication for rural people, particularly rural businesses. Recently a document was produced by the Insurance Council of Australia based on state government figures from the State Revenue Office and audited in four weeks by Deloitte. On the surface the figures prove without too much investigation that there is an opportunity for a review and another way of doing things, but Premier Brumby continues to stonewall and not address this issue, which is impacting financially on many businesses and communities.

Part of the report also looks at electricity assets. We have a cost to the community in dollar terms. I am not talking about social costs but the dollar terms of \$4 billion and the 173 people dead. I personally do not ever want to see anything like that again. I know many others would agree with me that action needs to be taken on this particular issue, and there is an opportunity to prevent this ever happening again by looking at how we address issues relating to power. It does not have to be done all at once; it can be done in a staged approach. Obviously it is something that cannot be looked at as a recommendation in the report in isolation because a whole range of issues need to be addressed. As I said earlier, putting one foot outside the door is often the hardest step but sometimes you just have to get on with it.

We have had some ridiculous figures bandied around about the cost for SWER (single wire earth return) lines — \$60 billion or something. We had an update today on what it would cost to underground all the SWER lines. A report was put out in August 2009 by the Department of Primary Industries states that \$4.7 billion would do the job. The government is using the figure of \$60 billion, which I think is scare tactics. That was used in the media today and I think it is rubbish.

There is an opportunity to tackle at least part of the problem in those very difficult areas and terrains as a staged approach. I think we have missed an opportunity in many cases. I have seen countless examples in the last couple of weeks of temporary telephone and power poles which have been put up to get people going again, I suppose, after the fires. The ridiculous part of this is that the very reason we have had to put up the temporary poles in the first place is that powerlines caused this massive inferno at Kilmore East. In the same area we now have temporary poles threaded through green and dead and dying trees, which present

an immediate and everyday threat to those communities, one that could be another disaster waiting to happen in this coming fire season.

On the subject of acquiring land in high-risk bushfire areas, some people are just coming back into those areas now. Many individuals and families will never go back to those fire-affected areas because they have been so traumatised and affected by that terrible disaster. One of the issues I have is with the clearing of some of the vegetation and trees on many blocks. The issue for some families who have gone back and done the work and are battling on to rebuild is that in many cases their neighbours are at a different stage than they are and have not come back to rebuild; they have not cleared their land. What that has done to those neighbouring properties is increase their bushfire attack level to the extent that, in some cases, people's building costs have risen by up to \$135 000.

There are some sensitive issues around how we address that matter. I would say that the vast majority of people would be very attached to the places they have chosen to live in. It is pretty tough going at the moment, but those who are able are still helping those members of the community who are coming back and trying to rebuild. Some who have been the community leaders and volunteers are getting pretty tired, but I would say that the vast majority of those people are attached to their area, love their community and want to rebuild. I imagine that most of those people would want to stay.

I would like to highlight today the recovery and some of the misnomers that are out there. This is part of the consultation, as far as I am concerned, that should have gone on previously. I have heard about some absolutely ridiculous situations where communities have had very little notice of a visit by the Premier or other ministers. In Kinglake there were 60 people in the pub where 15 or 20 people were invited to the community meeting. Nobody else knew that that was going on, only the select 15 or 20. In fact there were ministers sitting at the door to make sure nobody got in who was not supposed to be there. I have seen a photo of that and it is a little bit disturbing.

I will now look at what is happening with the figures that have been put out by the Victorian Bushfire Reconstruction and Recovery Authority, reporting the permits that have been issued. I have a range of statistics, which have been reasonably easy to acquire, I might add, and in comparison with what VBRRRA has done, are quite astounding. We had an opportunity to question Ms Nixon during a committee hearing not long ago. She said she felt it was the responsibility of the shires to keep those figures, and in fact they have.

She did not have them, mind you, but VBRRRA still put out a report talking about how many properties had been rebuilt.

If we look at the rebuilding of homes in bushfire-affected communities we see that VBRRRA's latest report states that 2020 homes were destroyed, 583 building permits have been issued and just 294 final occupancy certificates for new dwellings have been issued. There are some discrepancies around a range of these figures.

The VBRRRA figures for Mitchell shire show that 116 properties were destroyed, 196 destroyed or damaged properties were cleared, 155 rebuilding permits were issued, \$16.1 million in appeal grants was given and 379 cases were managed. The Mitchell Shire Council figures for dwellings destroyed by the Black Saturday fires are 144 homes — so there is an understatement in the VBRRRA figures — and 86 outbuildings. To date 41 building permits have been issued for the construction of new dwellings between council and private building surveyors. Of those, only nine have had certificates of occupancy permits issued. There have also been 27 building permits issued for new sheds.

The VBRRRA figures for the Yarra Ranges reflect the same sorts of what I suppose you could call inaccuracies. These are the VBRRRA figures: 304 properties destroyed or damaged, 93 rebuilding permits, approximately \$18.6 million in appeal fund grants and 482 cases managed. The Yarra Ranges Shire Council figures say that there were 49 reconstruction permits issued for affected dwellings and of these 10 have been issued with certificates of final occupancy. This is 18 months after the disaster we are talking about, and only 10 have a certificate of occupancy.

It is looking the same for the City of Greater Bendigo. The VBRRRA figures are: 58 properties destroyed, 83 rebuilding permits, \$7.5 million in appeal fund grants and 206 cases managed. The Greater Bendigo City Council says there have been 22 building permits issued for new dwellings, with 3 for repairs and extensions to dwellings; there have been 57 building permits issued for domestic sheds and garages; and there have been 13 certificates of occupancy for new dwellings, 1 for extension or repairs and 22 for domestic sheds and garages. When you look at the dollar value of all this, you see it is a little damning.

I have some feedback of my own from work I have been doing in these communities. I have not just been out there for a cup of tea, although over the last

18 months I have shared sandwiches and coffee during informal discussions with numbers of these people.

Some of the feedback these people have given me is that they are very upset that there was no declaration of a state of emergency. They believe this was a serious oversight, and they want an apology. They said it was either a gross error or an oversight. They were being generous, I think.

People were also very concerned about the fact that Murrindindi Shire Council was considered to be in a failed state for a decade prior to the firestorm. They say the council was hopeless in the aftermath of the fires and should have been dismissed, as was requested by over 1000 Shire of Murrindindi citizens.

They talked about fire refuges. They want safer places and a route of evacuation. It is people who lived through the firestorm who were telling me this.

Powerlines are an issue that people in bushfire-affected areas have talked to me about. They have talked about missing a golden opportunity in rebuilding. They say there should have been a requirement to put in permanent lines, and Telstra also should have been required to put in the latest infrastructure. This is because in these areas a big issue which has not been widely acknowledged or talked about is the fact that there is very little mobile phone coverage, and when you have an emergency sometimes that is all you have left.

Fuel reduction burning is hot on these people's agenda. They talk about the same sorts of things I have been talking about today. They talk about protection of their more sensitive wetland forests and they talk about stewardship, but they also talk about giving themselves a place to go, a defensible point, and looking after the environment so it does not burn beyond repair.

These people want proper emergency planning. They say our state government needs to bite the bullet, hypermasculine heroes in uniform and unions need to be called to account for ongoing game playing, and their respective services need to be integrated under one superordinate management system.

They say Murrindindi shire has yet to develop a disaster recovery plan and that the absence of strategic land-use planning definitely increased fire vulnerability in the Kinglake Ranges. They believe the region was years behind on vegetation management and prescribed burning and that, again, household, neighbourhood and community preparedness requires investment over and above that provided for jet aeroplanes and high-tech warning systems.

Regarding retreat and resettlement, residents suggested settlement areas that should be compulsorily acquired by the government, or at least that the current owners should be offered compensation for progressive acquisition. Regarding recovery process review, they said a systematic participatory review of the recovery process needs to be undertaken. They believe case management has been a mess, and in many cases a waste of time and resources.

The feedback provided to the government also talked about a failure to ensure work and economic development for local communities, tradesmen and professionals in the clean-up, recovery and rebuilding processes, which has been a devastating oversight that has left a once-proud, self-reliant, can-do community with dependency-producing welfare and sit-down and don't-participate legacies. It is pretty strong stuff, but this is coming from the community. This is the consultation that government members say the opposition has not done. We have been out on the ground for 18 months while they have been waiting to pounce around with their cups of tea.

Further feedback states that the biggest and best way to achieve positive mental health in the aftermath of the disaster is to pull up your socks and get on with it, but also to work side by side with your friends and neighbours in cleaning up, rebuilding and reconstructing our communities with paid positions. The mental health costs of not thinking systematically about community engagement include a disproportionate number of people now requiring ongoing medical support.

The feedback notes what a farce the Victorian Bushfire Reconstruction and Recovery Authority is. Instead of VBRRRA trying to find legacies, the first order of business of a recovery review process should be to ask the fundamental question: is this the right structure from which to coordinate a disaster recovery process? Members of the Bushfire Cooperative Research Centre (CRC) in the most affected areas are unanimous in their criticism of this toothless authority and the horrendous amount of unnecessary work it has generated for recovering communities. Placing supportive resources in local communities and not in large office blocks in Collins Street or failing local government authorities would ensure that self-organising, knowledgeable locals are given every opportunity to genuinely lead their own recovery and rebuild their vulnerable communities. Having our recovery process driven by the demands of the Victorian Bushfire Appeal Fund criteria was often an incredible distraction from the real day-to-day community work required to generate recovery.

The feedback goes on, and it is a pretty valuable piece of work by this community. It says that CRCs being given advisory status has meant that these structures have been largely ineffectual exercises in frustration and have resulted in CRC members in effect often working as full-time volunteers for VBRRRA and not as community leaders leading a community-led recovery process. It talks about the gap between fatuous community-led public relations and the spin generated by the state government media machine and the reality of complete community disempowerment. This document is not my work; it is the work of a community that is at breaking point. It is disenfranchised and disgusted. People keep telling me that they want a hand up; they do not want a hand-out.

Instead of doing a Windsor-style consultation, which is what is happening now with this report, it would have been better to have done this a little while ago. One very frustrated and articulate gentleman said to me at a meeting about three weeks ago that Christine Nixon was the pillow that John Brumby used to smother the bushfire survivors. Those are his words; they are not my words.

I would like to refer to one of the issues in the rebuilding process for a pretty tough little woman in Kilmore who has rebuilt in Kilmore because she cannot stand to go back to her block in Clonbinane. She has asked me to read this in the chamber today. She said:

... due to the stress, trauma and anxiety we have been through, we no longer wish to rebuild on the burnt block and are starting to rebuild in Kilmore. We are being told that we are not eligible for any rebates offered to bushfire victims ...

She has in brackets the word 'survivors'.

We have had to hire a shipping container and place on the new block for storage, due to the fact that the Mitchell shire says that we can't build a shed until the house is built —

I would have thought that was an as-of-right matter —

this is because they feel we may move into the shed of which we don't wish to do.

In many cases it would be a blessing for bushfire survivors if they had that opportunity, because it would be a heck of a lot better than a caravan.

We also have to pay the shire for having the container on the block. However, if we were rebuilding on the burnt out block, we could have the container there at no charge and we could also build a shed and live in it while the house is getting built — all this doesn't seem fair to me when all we want is to move ahead, but with extra expenses this makes things more difficult.

Coalition members are keen to ensure that we put one foot in front of the other to take action to assist the recovery process, but we also highlight to members opposite that there has been an abject failure in this recovery process. If they were to ask people a set of questions to do with the bushfires royal commission, I am sure that they would get some very detailed answers. I suggest they stop the spin, pull off the blinkers and do the same sort of work — and there are a number of members opposite who represent those communities. They need to go and talk to those people about what is really going on in their communities and about how bad the recovery process has been for some of them.

As I said before, a number of press releases have been put out. It is a great wad, which is about 6 inches high, of spin and rhetoric that has been put out by the government over the period since Black Saturday. They announce a whole range of things, including the \$330 million that was donated. What a good piece of work that was going to be for those communities. There is still \$60 million in the ether, and I could find quite a lot of reasons to spend it at the moment.

I have not even spoken about the mental health issues that are not being addressed. Before I conclude I refer to the fact that in many areas the issue relating to mental health is that there is only a 9.00 a.m. to 5.00 p.m. service. Very often the issue is that people do not have a case worker or it may be that they have not been before and they have a difficulty getting there. Sometimes they cannot make it until after 5 o'clock at night. One lass told me that on an average night in the Kinglake Ranges an estimated 100 people are looking for a bed because of difficulties with family circumstances or mental health issues. It is not because they do not have anywhere to go, but because of the dysfunction of their lives. There are no counsellors after 5 o'clock at night.

In conclusion, I go back to 1 September 2009 when the Premier put out a press release headed 'Government takes action on royal commission report'. It states:

The Victorian government supports all 51 recommendations of the 2009 Victorian Bushfires Royal Commission interim report, the Premier, John Brumby, announced today.

Mr Brumby said that while supporting all of the royal commission's recommendations the Victorian government was being guided by emergency service agencies about what steps can practically be taken ...

It talks about the implementation of neighbourhood safer places as a priority, and I have already articulated that we are still looking for them. It talks about a whole

range of other things, but it goes on to report Mr Brumby as saying:

'Our government established the royal commission and asked for an interim report because we wanted to leave no stone unturned in better protecting the community in future bushfire seasons,' Mr Brumby said.

It goes on with a range of other details, but in conclusion it states:

Mr Brumby said the Victorian government would provide a full implementation plan for the recommendations to the royal commission by 30 September.

What I want to know is: does that still apply?

Ms DARVENIZA (Northern Victoria) — I am pleased to make some remarks in taking note of the final report of the 2009 Victorian Bushfires Royal Commission. I want to commence by thanking the commission for its tireless, compassionate and committed work over a considerable period.

The commission was established back in February 2009, which was only nine days after the bushfires which devastated Victoria. The fires caused the deaths of 173 people and substantial property, environmental and other losses; but the thing you would say about our government is that it was very quick to put the royal commission in place.

The royal commission was led by former Supreme Court Justice, Mr Teague. It had the broadest possible terms of reference and the capacity to be able to inquire into all aspects of the fire. The Premier said at the time — and I am not quoting him — that he wanted the inquiry to ensure that no stone was left unturned, so the commission was given very broad terms of reference. There were 155 days of hearings held across five venues, including three regional venues. Twenty-three of those days covered the 173 fire-related deaths. Mr Teague said that the commission saw its task very much as focusing on the lessons to be learnt from the circumstances of those 173 deaths. He said:

Deaths cannot but stir up so many emotions. That's the more so when the circumstances of those deaths are sudden and savage. Our probing those circumstances for enlightenment could not but stir up a further range of emotions.

When he was talking about his emotions he talked about including the emotion of courage.

It was not easy —

he said —

to look at photos of the death scenes and to hear the last words of dying fathers and mothers and, even sadder, of sons and daughters.

The commission looked at the causes and circumstances of the 13 fires. It heard from 434 witnesses, including two expert panel witnesses and 100 lay witnesses. It received over 990 exhibits and produced over 20 000 pages of transcript. It explored a wide range of topics in line with its very broad terms of reference and shared the hearings with the community, generally through a webcast. A lot of it was also televised on our news and other programs. The commission began its work initially by going out and visiting the communities that were most affected by the bushfires. It visited 14 communities, took part in 26 community consultation sessions and received 1700 submissions.

The Premier, when he released the government's interim response to the 2009 Victorian Bushfires Royal Commission's report, identified key recommendations on which the government would consult before formulating its final view. The government has accepted in principle 59 of the recommendations made by the royal commission, but it also now wants to go out and hear the views of people who were affected by the bushfires. The Premier has said that he wants that consultation to be very short term and targeted at key agencies and the community as well as any other interested stakeholders before the government announces its full response in the coming weeks. He also said that he is determined that the royal commission's report will never be allowed to just sit around and gather dust and that it will be an opportunity for us to make our state a much safer one.

The Premier also said when he announced the government's interim response to the report that the community consultation would be swift and decisive. He said that the government is very much open to discussion of all the recommendations that have been made by the commission but that in those consultations it is also putting forward a number of key issues it wants to discuss with and hear about from the community.

I want to pick up on some comments made by Mrs Petrovich, who said that only people who are invited are able to get into these consultation forums. Some 19 have already been held, and more are being held this week; they have not yet concluded. A number have been held in my electorate of Northern Victoria Region, which is also Mrs Petrovich's electorate. Mrs Petrovich also said in her contribution to the debate that there were minders at the doors who stopped people from getting into the consultations. That is simply not true. Anybody is welcome to come along to those consultations if they are part of the fire-affected areas and they have a view they wish to express.

I want to pick up on some of the things that my colleague, Ms Broad, had to say, but I do not want to go into all the details of the matters that have been raised in those consultations, particularly those in northern Victoria that she and I have been involved in. I will just say that in her contribution she gave a very accurate report of the consultations so far, especially the ones she has been involved in.

I do not agree with Mrs Petrovich at all that the time for consultation has passed and that the government members are simply poncing around having cups of tea. That is not what is going on at all. Recommendations have been made by the royal commission, and our government wants to hear what people in fire-affected areas have to say about those recommendations.

We want to speak to stakeholders about a range of particular issues, such as refuges and how to integrate the provisions of refuges into local emergency management; the obligations of local government, particularly in the area of local bushfire and emergency planning; the requirements and policies around evacuation, recognising that there are strong and very diverse views in the community on all those issues. There is the issue of powerlines and people's views about bundling and underground cabling or other technologies that might be available. Acquisition involves the retreat and resettlement strategy for existing developments in areas of unacceptably high bushfire risk, including the scheme for non-compulsory acquisition of properties by the state. Fuel reduction burning is to be increased to an annual rolling target of 5 per cent minimum of public land. It has to be recognised that fuel reduction burning must increase, but there are strong views held on it in different sectors of the community.

As I said, my experience of the consultation process is that some people have very strong views on all the issues, and they are very diverse views. It is not that if you come from a particular area or a particular region, or if you are a bushfire-affected person, you are going to have a particular view about how we best deal with these complex issues. That is why it has been terrific to have consultations, where we are able to go and listen to what people have got to say about the issues. All those remarks, ideas and views are taken down and are taken back to the Premier and to cabinet. I have to say that people have been very generous in the way they have come and expressed their views and put forward their thinking on how the government can best go about dealing with these issues in their particular communities. People have really welcomed the opportunity to have a say on the recommendations and

have thanked the government for making this opportunity available to them.

The turnaround time has been very tight, so not everybody who might want to go to the forum will be able to get there on the night. They might not be available or might not be able to travel to the next town or wherever the closest forum is — although we have tried to spread them across the region so that they are as accessible as possible. Of course it will not always be possible for everyone to get to a forum. However, there are other opportunities for people to be able to have a say on these issues. They are able to email the Premier or write to the Premier, and any views that people might express are more than welcome. It is not only me who disagrees with Mrs Petrovich about the consultations; it is also the people who are attending them and who have welcomed them. The consultations have been attended in some force. There have been good turnouts, so people are welcoming the opportunity to get along and have their say.

Mrs Petrovich also said in her contribution that we should have been out there consulting with people a long time ago and not simply now in response to the royal commission's recommendations. I am pleased to let the chamber know that we have been out there on the ground, not only listening to what people have had to tell us about the recovery and supporting them right from day one but also taking action to help them in the immediate aftermath of the fire and in their reconstruction and rebuilding efforts.

People do not share one view about how the reconstruction and rebuilding should take place, and that is one of the reasons we have been closely working with communities and councils. We have been listening to what people have to say to make sure that we are targeting our funding and support where it is needed. People will recover and rebuild at their own pace and according to their own circumstances. Some people have already started that process of rebuilding. Others are still making decisions about their future.

Even within one family people do not necessarily agree about whether they should rebuild or relocate, whether they need to take more time before they rebuild or whether they should rebuild straightaway. It is not just that there are differences between families; sometimes there is disagreement within a family — perhaps disagreement is not the way to put it. There is not necessarily a shared vision about the timing of what should happen or exactly what the future should be for a family. It takes time.

People have experienced a great deal of trauma as a result of the bushfires. People have lost family members, friends and neighbours in the bushfires. People have lost their homes, livelihoods and livestock. People have lost their way of living. Some people have had a great deal of difficulty coming to terms with the trauma itself. More than 2000 building permits have been issued to people who are rebuilding their damaged or destroyed properties, businesses and sheds, and 583 building permits for new dwellings have been issued.

A mobile building advisory service has provided more than 1200 consultations to householders in the process of rebuilding. This government has been out there supporting people and assisting them during this difficult time. Everybody's circumstances following the bushfires are different. Some people are building sheds to live in while they finalise their plans to rebuild. Other people are buying new properties, while some are moving to other areas or even interstate. The reality is that places such as Marysville, which was completely destroyed by the fire, will take years to rebuild. The same thing happened in Canberra after the bushfires and after other major disasters internationally.

What is important is that as a government we are supporting these people, and we have been out there doing that from day one. We are not just talking to people about the recommendations; we have been out there talking to people about the bushfire reconstruction and rebuilding effort. We are helping those people to make choices about their future when they feel ready to do so. There have been a number of building achievements, including the replacement of 7800 kilometres of fencing, the restoration of more than 400 kilometres of road, more than 400 temporary toilets and showers delivered, the clearing of more than 3000 properties and the establishment of four temporary villages with almost 300 residents. To take up the point made by Mrs Petrovich, this activity shows that members of this government have been out there, on the ground since day one, assisting and supporting people.

I would like to say a few words about some of the other things that we have been involved in, particularly in my electorate of Northern Victoria Region. The government released the \$193 million Rebuilding Together plan, which supported people and communities to rebuild through ongoing accommodation support, through counselling services that have been so necessary and through the rebuilding of those community assets which make a community and bind it together. We have upgraded more than 20 community halls, which are often the centres and

hubs of these smaller communities. We have been building new community centres and restoring sport and recreation facilities that were damaged or destroyed. We have been restoring parks and gardens and walking and cycling tracks. I have been very pleased to be involved in re-establishing all of these things. On behalf of the government I have been involved in announcing new projects and participating in the openings and celebrations.

Funding has been driving reconstruction, including the new co-located multipurpose facilities that will improve educational and recreational services in Kinglake, Flowerdale and Marysville. A new primary school has been constructed in Strathewen, and a new police station has been constructed in Marysville. The first stage of the Marysville community centre project opened on 12 April, which brings together the primary school, early childhood services, kindergarten and maternal health and children's services, as well as occasional care and playgroup all under the one roof. Members of this government have been out there listening to how people want to redevelop their communities and what facilities they want and believe are a priority, and we have been making the funds available for them to be able to do it.

We have also been out there helping to stimulate the economy by putting funds into the recovery with support and assistance for small business so they can return to pre-fire operating levels. We have launched new tourism marketing campaigns to get people back into bushfire-affect areas to spend tourism dollars. We have also funded new national park and state park facilities to attract people back into fire-affected areas. I have also been pleased to be associated with the funding provided for the rehabilitation of the environment and for addressing environmental problems caused by the fires, including urgent action to support and protect threatened species and threatened habitat.

I was not going to speak about the bushfire appeal, but Mrs Petrovich mentioned it in passing. She said the money had not all been spent, and she said she knew some ways in which it could be spent. Perhaps if she made some of those ideas available they would be welcomed and might even be taken up. Some \$391 million was donated to the Victorian Bushfire Appeal from people all over Australia and right across the world. To date \$263 million has been paid from that fund. The appeal fund is now in the process of developing a long-term needs program for those unclaimed funds, and the appeal fund has also allocated a further \$43 million for community projects. The way that Mrs Petrovich put it was that the funds are sitting

there and nobody is doing anything with them, but that is certainly not the case. We have made every effort to make the process of applying for assistance as simple as possible. The personal details of those who have previously applied for funds have been kept on file where possible. New gifts from the appeal fund to applicants can be provided based on existing personal and financial information that is already held. We have done everything we can to make it as simple as possible.

In passing Mrs Petrovich also mentioned mental health, and I have also talked about the trauma that people go through in coming to terms with what has happened to them. Case management services have been put in place, which will operate for two years. They continue to accept new registrations each week. To date 5511 households have registered for and received case management assistance. While the demand for services has decreased, we are not in the process of winding the services back. We see that as being a normal progression. Now that we are this far out from the fires, the demand for services has decreased as people are again finding their feet. That is not to say that people might not need some assistance further down the track or that as time goes on new people will not come to the fore.

Re-establishing business has been particularly important, and has been one of the things I have been very pleased to see happening on the ground. The state and federal governments have provided significant support to help business owners get back on their feet after the fire. That assistance takes the form of grants and low-interest loans, as well as free business mentoring services. An investment fund will provide grants of between \$50 000 and \$4 million to set up new businesses and to expand existing businesses. This investment will drive jobs, business confidence and economic growth. Some 72 applications have been accepted, and they are now in the process of being assessed. To counter what Mrs Petrovich said, members of this government have been out there on the ground doing the things that need to be done. We have been working with people, supporting them and putting money into the priority areas as they have been identified.

The rebuilding and planning processes have also been streamlined. The government has been making efforts in terms of the budget to make sure that Victoria is ready for the forthcoming fire season, and the 2009 budget provided \$986 million towards that firefighting and reconstruction effort. That funding included \$56.2 million to improve the capacity of the Emergency Services Telecommunications Authority to manage

calls and its dispatch unit. Some \$57.1 million was allocated to purchase new radios and to upgrade radios, pagers and networks for the State Emergency Service and the Country Fire Authority. The funding included a \$454 million investment in communication, which builds on our \$450 million investment in emergency services communication since the year 2000; \$33.2 million to upgrade the Department of Sustainability and Environment pagers and radios; \$21 million to replace 87 CFA appliances; \$10.3 million to replace 15 heavy vehicles and 7 four-wheel drive vehicles, 9 rescue boats and 11 road crash rescue kits, as well as 42 ultralight tankers.

Very significant funding has been going into making sure that those firefighters have the support and equipment they need to manage and fight fires. I do not think there would be anybody in this chamber or anywhere who would not join with me in congratulating the many volunteers, particularly the firefighters from the SES and the CFA, who did such a brilliant job during the bushfires, and of course the many volunteers who supported them and backed them up on the ground.

In conclusion I want to say that the government is committed to hearing the views of all those affected by the fires. We want them to have a say. We want them to have a say about the recommendations that have been made by the commission. The Premier has said that he will move swiftly and decisively in bringing about our full response and has said that he is looking forward to receiving the feedback from the consultative processes as well as from communications with people. Following the consultation we will make our full response within the coming weeks, and as I said, the response will be a swift and decisive one.

Ms LOVELL (Northern Victoria) — I rise tonight to speak on the final report of the 2009 Victorian Bushfires Royal Commission. I thank all those who were involved in the production of this report — the commissioners themselves, Bernard Teague, Ron McLeod and Susan Pascoe. The report is quite a substantial document. It documents the events of that tragic day, 7 February 2009.

At the outset of my speech I would like to acknowledge the 173 Victorians who lost their lives on that day; it is a great tragedy in any state for 173 people to lose their lives. The vast majority of those deaths — in fact 162 of them — were lost in fires that burnt within the electorate that I share with my colleagues Donna Petrovich and Damian Drum. These were people that we knew as community people. Some of these people were actually our friends.

Of the deaths in northern Victoria, 119 lives were lost in the Kilmore East fire, 40 lives were lost in the Murrindindi fire, 2 lives were lost in the Mudgegonga fire, 1 life was lost in the Bendigo fire and a further 11 lives were lost in Gippsland and the Churchill fires. I would like to acknowledge not only those killed but also the people who have been left behind; many of them are still struggling to cope with and comprehend the devastation that resulted from the fires of 7 February 2009. I would also like to acknowledge David Balfour, who was a firefighter from the Australian Capital Territory, who lost his life on 17 February when he was struck by a falling tree in the Cambarville area.

In acknowledging the people who are left behind I note that many of them are still struggling, but for those who were left behind at the time of the fires and those who were left in communities that were closed off for many weeks, like Marysville, it was a particularly devastating time. The people of Marysville had lost family and friends, they had lost their community and they were left in an area that was very depressing for them, because there were very few people living in Marysville during those few weeks and it was a very difficult time for many of them to cope with. Some people I know who lived through that period have told me of the heartbreak they endured during those few weeks. One particularly close friend of mine who lived through that time has since passed away. I believe that he actually died of a broken heart from the events of 7 February.

The report of the bushfires royal commission goes into a great deal of detail on the cost of these fires. In addition to the human life that was lost on that day, the Royal Society for the Prevention of Cruelty to Animals has estimated that we also lost more than 1 million animals. The Department of Primary Industries has estimated that we lost 8000 head of farm animals.

There were 2133 houses lost on that day, as well as numerous sheds and other buildings on private land and public buildings like schools, kindergartens, churches and community halls. In fact the cost of the public infrastructure that was lost was \$77 million. There were a number of businesses that were also lost in these communities and numerous small businesses, including Marysville's famous patisserie and lolly shop, its guesthouses and its bed and breakfasts. All economic activity within Marysville was lost, and until we have some reconstruction of accommodation we cannot bring the tourists back to that area and re-establish that economic activity. There are many other businesses that were also lost in the fires.

The bushfires royal commission attempted to put a dollar figure on the cost of the bushfires to Victoria. On page 345 of volume I there is a table that outlines a conservative figure that the cost of the fires to Victoria was \$4.369 billion. The report does say that figure is very conservative. We note that the royal commission has not even attempted to estimate the cost of the emergency services that fought the fires, the value of the livestock, which as I have said was in excess of 8000 head, or the value of lost agricultural production in the area.

A figure has been put on the loss of life — \$645 million. To come up with that figure the royal commission applied a method of valuing life that is accepted by commonwealth and state government agencies for a number of purposes. We will never really know the true value of those lives that were lost. In particular there were 27 young Victorians aged under 19 who were lost on 7 February. No-one will ever know what they may have achieved in their future. Amongst them could have been someone who may have achieved something particularly great for this state, this nation or indeed on a worldwide stage. We will never truly know what the impact on us has been in terms of the 173 lives and in particular those 27 very young lives that were lost.

Sixty-seven recommendations have come out of the royal commission's report, and I would like to talk about two of those. The first is recommendation 1, which is on page 23 of the summary. It is a recommendation that deals with warnings. Warnings were largely dealt with in the interim report, and 12 months later Victorians are still waiting for those recommendations on warnings from the interim report to be implemented. It is horrifying to think that at the time we were hearing of communities that did not receive any warnings of fires that were headed in their direction. It is still horrifying to read of this in the royal commission report.

In volume I on page 80 the report documents a warning that was to be issued to people in the Clonbinane, Mount Disappointment, Kinglake, Heathcote Junction, Upper Plenty, Humevale, Reedy Creek and Strath Creek area. In that area there were 57 deaths: 31 Victorians died in Kinglake, 16 in Kinglake West, 2 in Upper Plenty, 6 in Humevale, 1 in Reedy Creek and 1 in Strath Creek. These are communities that had no warnings that the fire was headed towards them; nor did they have any warning of the intensity of that fire. On page 80 of volume I of the royal commission's report it is noted that at 4.10 in the afternoon a Ms Leonie Hunter:

... began preparing an urgent threat message for communities such as Clonbinane, Mount Disappointment, Kinglake, Heathcote Junction, Upper Plenty, Humevale, Reedy Creek and Strath Creek, but the message could not be issued from the Kilmore ICC —

that is, incident control centre —

because the fax machine was not operating.

As discussed later in this chapter, this urgent threat message was never uploaded to the CFA —

Country Fire Authority —

website.

Those communities where 57 people died received no warning that the fire was headed towards them nor of the intensity of that fire.

At the time of the fires there was criticism of the lack of warnings, and the government defended itself against this by saying that the Premier had been out on radio saying that 7 February was going to be an ugly day. That was not a warning; that was a press conference. Yet the Premier said that was enough warning for these people. It is not enough warning. You need to know where a fire is headed, you need to know if that fire is headed in your direction and you need to know the intensity of that fire so that you can make informed decisions about whether you stay or go.

The government said that was enough warning, yet it was not enough warning for Christine Nixon, then Chief Commissioner of Police, to cancel her hairdo and roster herself on duty. It was not even enough warning for Ms Nixon to roster her deputy, Kieran Walshe, on duty for that day. It was not enough warning for the Premier, nor for the Minister for Police and Emergency Services, to think they should remain in Melbourne to be on hand or even to think they should be in constant communication with the integrated emergency coordination centre. If it was not enough warning for those people in positions of leadership to think that they should be actively involved in the coordination of emergency management on that day, why was it not enough warning for communities to know that fires were headed in their direction?

At the luncheon prior to the community meeting when the Marysville community was allowed to return to Marysville several weeks after the fire, one resident expressed to me their experience of a warning on 7 February. That resident told me that they were sitting in their lounge room, watching on the TV a story about a fire in Kilmore, when flames came through the wall of their lounge room. Flames coming through the wall of their lounge room were the first warning they got

that there was a fire in their area — while they were watching a story about a fire in Kilmore, not a fire in Marysville.

We also know that at about 6.00 p.m. in Marysville a tree fell. That was lucky because 15 people ran out of their homes to find out what the sound was after the tree fell on a car. That tree saved those 15 lives, because when the people ran out of their homes they saw the smoke at the end of their street and were able to make a quick getaway.

Perhaps we could accept that the inefficiency of the warning and communication system was a lesson learnt on 7 February 2009 — that is, if this government had not been warned in several previous reports that warning and communications systems were inadequate to respond to a major crisis. The opposition produced a document that contained a whole list of warnings the government had been given about the inadequacies of warning systems. Prior to 7 February, 25 recommendations had been made to this government that would have made a vast difference on that day had the government taken notice of them.

In particular, when it comes to warnings, in 2002 the report entitled *Natural Disasters in Australia — Reforming Mitigation, Relief and Recovery Arrangements* to the Council of Australian Governments made recommendations about warning systems, saying that we needed to have better and clearer warnings. The 2003 report of the inquiry into the 2002–03 Victorian bushfires by the emergency services commissioner, Bruce Esplin, also said Victoria needed clearer and better warnings. The 2000 report of the Council of Australian Governments entitled *National Inquiry on Bushfire Mitigation and Management* also warned we needed to have clearer and better warnings. However, this government did not hear those recommendations.

The second recommendation I would like to talk about is recommendation 56, and that is the recommendation that deals with prescribed burning. Prescribed burning is one of the main tools used for fire management on public land. Decreasing fuel loads reduces the spread and the intensity of bushfires.

Victoria has around 7.7 million hectares of public land which is managed by the Department of Sustainability and Environment, although the Department of Sustainability and Environment in country Victoria is either known as the Department of Sparks and Embers or the Department of Scorched Earth because it seems that a lack of management of public land has led to several very large bushfires in recent times. The

prescribed burning on public land has been part of Victoria's approach to land and fuel management for decades, and successive reports on bushfires, including the Stretton royal commission, the report on the Ash Wednesday bushfires, the Esplin report on the 2002–03 fires and the Environment and Natural Resources Committee report on the 2006–07 fires have all recommended increasing the area of prescribed burning to reduce the risk of bushfires. The Environment and Natural Resources Committee report called for a target for burning at 130 000 hectares to be increased to 385 000 hectares. Unfortunately this government did not adopt that target.

Compounding the inadequate target for prescribed burning set by the government is also the fact that over the 10 years before 7 February 2009 this government had not met its own modest targets for fuel reduction and had fallen more than 200 000 hectares short of the minimal target, so we had fuel loads building up. Whether further fuel reduction may have made a difference on the day is something we may never know. What we do know is that fuel was abundant, making it easier for those fires to spread.

The report tells us that several weeks before 7 February the fire brigade captains in Whittlesea and Flowerdale had both noticed excessive fuel loads and dryness in areas around Mount Disappointment and Strathewen and also extreme fuel loads around Flowerdale. Those communities all burnt. They all suffered loss of life.

The royal commission has repeated the call of the Environment and Natural Resources Committee for fuel reduction targets to be lifted from the government's 130 000-hectare target to 385 000 hectares, or 5 per cent of public land. This time we hope the government will adopt this target and also bear in mind the importance of clearing roadsides so that they do not become fire traps for those who are trying to escape the fires.

Leadership, or the lack of leadership, has also been criticised by the royal commission — in particular, Christine Nixon, the then Chief Commissioner of Police; Russell Rees, the Country Fire Authority chief officer; Ewan Waller, the Department of Sustainability and Environment chief fire officer; and Bruce Esplin, the emergency services commissioner. They were all heavily criticised by the commission. The Minister for Police and Emergency Services, Bob Cameron, escaped much of the more harsh criticism of the commission, but he came under criticism for not declaring a state of emergency disaster.

Where does leadership come from? Leadership should come from the top. There was no leadership shown by the Premier and the police minister on the day. Where was the leadership going to come from if the people who were right at the top of the chain of command were not there but off in country Victoria somewhere doing their own thing and not even maintaining communications with the incident control centre, leaving it to other people, who they thought were there. However, for some of the time those people were not there. Christine Nixon was having a hairdo and talking to her biographer. If Bob Cameron, as the main person who is charged with responsibility under the legislation, is not there, the only person who can deputise is the Chief Commissioner of Police, and she was not there either. There was a lack of leadership. There was an absolute leadership void on the day.

The Premier has apologised for the inadequacy of the response of the emergency services on the day. He has said there were system failures on the day, and what occurred is evident from the commission's report. I think all who were involved were obviously sorry those systems failed. The Premier said that he personally feels the weight of responsibility to get the arrangements in the systems right in the future so we never again see such results, but he stopped short of adopting all 67 recommendations.

It took 18 months for the Premier to apologise, but finally he did acknowledge that there was a lack of leadership in Victoria on 7 February 2009. Maybe this is why many of the bushfire communities have expressed disappointment at the report. They wanted to see leadership on the day, and it did not happen. There was no leadership. They also wanted leadership over the past 18 months, and that has not happened. There has been very little leadership shown to them to assist them to rebuild.

The final report of the royal commission shows again that people want leadership. They want the recommendations adopted and implemented. However, all they got was more spin from the Premier, more consultation to delay a response, and even that consultation was outsourced.

Some of the communities have expressed their disappointment through the media. One Kinglake resident, Roger Cook, is reported as saying:

You can't blame us for being cynical, can you? ... We've seen so many government statements since the fire, and you don't always see the result of it ... Brumby said after this happened you would have an automatic right to rebuild. That turned out not to be true.

Marysville resident Judy Jans said people had to force the government to take action. She is reported as saying:

Because if they don't do that, and sit around and wait for action, they're going to fall back into the black holes that were created after all the other reports after every other fire back to 1939.

Wally Spezza from Kinglake said that the commission's recommendations relating to planning controls in bushfire-affected areas were a slap in the face for displaced residents. He said:

It devalues everybody's life here, financially and emotionally. Already people can't build. They're stuck, because it's costing them an extra \$100 000 on top of what their insurance company is prepared to pay because of council ratings'.

He said for him the commission's findings were worthless because they exonerated emergency services minister Bob Cameron and laid no blame on Premier John Brumby. He said he really thought the royal commission would be a little more courageous. The fact the government did not declare a state of emergency on the day is something that upsets the majority of people.

You can see from those comments from people in the bushfires areas that they are looking for leadership and they are not getting it from this government.

Gary Brown, who is a survivor of the Black Saturday bushfires, said:

... the final report into the tragedy is wishy-washy and gives the government room to wriggle out of implementing recommendations'.

Mr Brown said he also believed that Premier John Brumby's plan to consult the community for up to three weeks before he responds is unnecessary.

These people are looking for leadership, but there is a lack of leadership coming from this government. The government said it was going to consult further. It said it wanted to talk with the community, it wanted to consult the community on the royal commission's recommendations, so you can imagine my surprise when I received an email from Mr James O'Brien of a firm called Quality Community Outcomes Pty Ltd. It said that he and his colleague John Williams had been engaged by the Department of Justice to help facilitate a program of community consultation across Victoria to inform the state government's final decision making in relation to the recommendations of the 2009 Victorian Bushfires Royal Commission. He went on to say that at the end of the community engagement exercise they will be providing this information gleaned from the

communities directly back to the government to inform its final response to the commission report, which he understood would be finalised in the near future to allow it to be factored into planning for the forthcoming bushfire season.

As can be seen, the government did not even take these communities seriously enough to go out and consult with them itself. No, it outsourced the consulting to a former Labor adviser and Labor mate and paid him and his partner to consult with these communities. What a slap in the face to these communities that they were not good enough for this government to do the consultation itself.

The government sought to politicise much of the final report, and it has treated the report as a matter to be dealt with to reduce the political damage that might be the fallout for the government. Equally I have been disappointed by the politicisation of the Victorian Bushfire Reconstruction and Recovery Authority (VBRRA). That has been happening right through the recovery stage.

Early on in the recovery stage I raised with Christine Nixon the issue of the Marysville Cemetery Trust. I had been contacted by members of the cemetery trust who had raised with me the condition of the cemetery and the fact that it would soon be having many funerals to conduct in the area and it needed assistance and money to clean up the cemetery and prepare it for those funerals. Christine Nixon listened, I give her that, but when it came to actually giving the money to the community, did she give any credit to those who had done the work? No.

I happened to be in Taggerty on the day that the Minister for Health, Daniel Andrews, went up to Marysville to make the announcement that some funding would be made available to the cemetery trust. I happened to meet a few people, some from the cemetery trust, who said, 'We have to go back to Marysville because the minister is coming to make an announcement. Why don't you come with us, because we know it was you who contacted VBRRA on our behalf? We know it was you who advocated for this to happen'. I was not invited by VBRRA or the government to be there, but the community knew that I had done the work. Not that I wanted any credit for it, but it would have been nice if there had been some bipartisan support from VBRRA when making some of these announcements to the community or even during the whole recovery phase, and that did not happen.

The latest politicisation from VBRRA has been its recent instruction to local members of Parliament that

we are not able to doorknock our constituents if they live in the temporary villages. I received an email from Koula Alexiadis at VBRRA that said:

We request members of Parliament and/or candidates wishing to visit the temporary villages in Kinglake, Marysville, Flowerdale and Whittlesea to discuss their plans with the relevant village managers well in advance of the proposed visit.

If, as a local member of Parliament, you are going there, you should tell the manager of the village so that he can tell the government first.

The email goes on:

While this protocol refers to doorknocking during the federal and state election campaigns, it equally applies to visits by members of Parliament ... at any other time or for any other purpose except at the specific invitation of the village manager or a resident of the village.

It is incredible that VBRRA thinks it can give us, as members of Parliament, instructions as to how we can interact with our constituents. Certainly as a landlord I would never think that it was my role to stipulate in any way who could come and go from the home of a tenant of mine, and I would never think that it was my role to say with whom they could interact politically. It is obvious that the government is trying to prevent any negative comments by residents of the villages from being conveyed to candidates or members of Parliament during the state and federal election campaigns. It is incredible that the government has politicised the situation regarding the fires to this extent.

Even now we see the government still trying to politicise the recommendations for the replacement of the single wire earth return (SWER) lines in high-risk bushfire areas. This morning in the paper the Attorney-General is quoted as saying that the cost would be \$60 million for that replacement. In question time today the Premier admitted that was an inflated estimate.

Only last year the Department of Primary Industries produced a report on the indicative cost for the replacement of SWER lines. That report was produced on 28 August 2009. It shows that the cost to replace SWER powerlines across the whole of the state of Victoria would be about \$909 million and undergrounding of SWER lines in regional Victoria, not just in the high-risk bushfire areas but across the whole of regional Victoria, would cost \$4.74 billion. Those are vastly different figures from the \$60 billion quoted in the paper this morning by the Attorney-General. It is shocking that the Attorney-General has tried to politicise that

recommendation of the royal commission to such an extent. That \$4.74 billion roughly equates to what the royal commission said the bushfires cost the community of Victoria. That is one bushfire. What will the next bushfire cost us? And how can we ever measure the cost of the lives that were lost on 7 February 2009 or will be lost in future bushfires?

Finally, I would like to acknowledge the 2009 Victorian Bushfires Royal Commission's comment that it did not accept that the day or the fires were unprecedented. That is a very important finding in the royal commission report. The commissioners actually say in the report:

A number of witnesses sought to excuse failings on 7 February by saying that the fires or the day, or both, were 'unprecedented' ... the commission considers neither the day nor the fires to have been unprecedented.

...

The fires of 7 February were indeed catastrophic, but the commission does not accept that they were without precedent.

It goes on to say:

Although the fires of January–February 2009 were catastrophic, they were not the first fires to gravely affect the state of Victoria. The outcome of these fires, however — especially the loss of life — surpassed that of past fires. Nevertheless, it would be a mistake to treat these fires as unprecedented or a 'one-off' event unlikely to be repeated and thus ignore the lessons to be learnt.

My hope is that all members of the Victorian Parliament and emergency personnel have learnt lessons from the horrific fires that ravaged Victoria on 7 February 2009. Bushfires are a reality of life in our part of the world. But governments, emergency services, government departments and communities must all work together to ensure that we better manage our environment and that we resource and prepare communities so that we do not experience another day like 7 February, which cost Victoria 173 precious lives.

Mr SCHEFFER (Eastern Victoria) — The release last week of the final report of the 2009 Victorian Bushfires Royal Commission marks the formal conclusion of a critically important public examination of the worst natural disaster in Victoria's history. I take this opportunity to once again express my sympathy to the families and friends of those who lost their lives and to those who were injured and who lost their homes and properties in the terrible fires of February 2009. I commend the royal commissioners on the respect that they have shown to those who perished in the fires through listing their names and the circumstances of their deaths in the report so that they shall not be forgotten.

The effect of the fires on the lives of thousands of individuals will continue to resonate for many years to come. The royal commission has been a traumatic process for survivors and also for our emergency services, and I pay tribute to the Country Fire Authority, the State Emergency Service, Victoria Police, local government, state government agencies, volunteers and community members, who played so vital a role in fighting the fires and for caring for people during and after this horrendous event. The government and, I am sure, every member of this Parliament stands by the phenomenal achievement of these remarkable people, and the government will not abandon any one of them at this tough time.

An important role of the royal commission is of course to find out why events turned out the way they did, and part of this is identifying where people in positions of responsibility fell short. The royal commission has done this, and the lessons have been learnt. I think I do no more than express the views of many people across Eastern Victoria Region when I say no-one at this stage is especially interested in laying blame. People now want to focus on the future.

Having attended meetings in Traralgon and Morwell and the community consultations at Churchill and Labertouche last week, I am well aware that people have been deeply affected by the release of the final report and the renewed discussion it has given rise to. At Churchill, for example, one man arrived to participate in the discussions, but he was so overcome when he arrived at the entrance that he had to leave.

Opposition members have been critical of the government's decision to give people the opportunity to discuss the recommendations, even though they were determined that they as members of Parliament should have that right to comment on the report in this place. I think it is a mark of respect to fire-affected communities that the government give them the opportunity to offer their views on whether or not and how the recommendations of the royal commission should be implemented.

The forums that I attended were, quite honestly, extremely worthwhile. I know the member for Morwell from the other place, Russell Northe, attended the community forum at Churchill. I have not had the opportunity to speak to him, but I would find it very difficult to believe that he too would not have thought it was a good thing. The comments from those who attended were all very positive.

In reply to a question earlier today the Treasurer explained why it was necessary to enlist the services of

professional facilitators, and I am frankly dismayed that anyone would think this was a misuse of money. These were very low-key gatherings. The facilitators were unobtrusive and at no stage sought to direct the proceedings or to direct the people who attended. I am sure that those who did attend felt the facilitators were very supportive of them and that they really did facilitate them to have their opinions recorded.

The government has said that the recommendations contained in the final report will be acted upon and will make a real and practical difference to increasing the safety of Victorians during times of bushfire. Our clear objective is to protect people's lives and to prevent tragedies such as that which occurred in February 2009 from occurring again. The government has accepted 59 of the 67 recommendations, and the further consultation with fire-affected communities will help it make the right decisions on a range of issues before announcing its final decisions and its final response.

This report follows the interim report that was released almost exactly 12 months ago. That interim report also contained a range of recommendations that supported the new measures that the government introduced to improve our fire preparation and response. While there have been some assertions to the contrary, the 58 recommendations from the royal commission's interim report are well on the way to implementation. I have heard almost all the speakers from the other side of the house say that it is now time to get on with it, that it is now time for action, as though nothing is being done.

When Neil Comrie, the bushfires royal commission interim report implementation monitor, delivered his report he clearly said the government — we, the collective, the state of Victoria — is overall making good progress on implementing the recommendations that came out of the interim report. The government has significantly increased the funding for fire and emergency services. We introduced the emergency alert and changes to warning systems. We made changes to command and control arrangements and conducted the Fire Action Week and also introduced the 10/30 rule for landowners. I think everyone will be aware that very significant progress has been made towards rebuilding towns and strengthening communities, in partnership with countless individuals and organisations. I say this not for the government to take credit for what communities have achieved but to place on record that this government has done its very best to listen carefully to what people have said and to fully respond and to work in genuine partnership with organisations, individuals and communities that are making a positive contribution.

The royal commission found that a lot of factors contributed to this tragedy, and the government absolutely feels the weight of responsibility of its position and feels very keenly its responsibility to do everything in its power, as I said previously, to make sure that this never happens again. To his credit, the Premier has acknowledged that there were system failures on the day and that everyone in a position of responsibility is of course sorry that those systems failed. The Premier and the government share that responsibility with authorities and communities; they share a responsibility to make sure that arrangements and systems are right in the future.

The final report's 67 recommendations are divided into 11 sections: Victoria's bushfire safety policy, emergency and incident management, fire ground response, electricity-caused fire, deliberately lit fires, planning and building, land and fuel management, organisational structure, research and evaluation, monitoring implementation, and reflections. Other speakers have already made mention of the fact that the number of recommendations that fall under each of those headings is not uniform. The part that got the most recommendations was planning and building, with 19 recommendations, and then there were much smaller numbers of recommendations for some of the other sections.

The issues that the government identified as needing further community consultation are those that are concerned with the establishment of community refuges, the role of local government in bushfire emergency planning, evacuations, powerlines, acquisitions of properties in unacceptably high bushfire-risk areas, and the much-debated issue of fuel reduction. These are the matters that the government is putting before members of fire-affected communities during the current round of consultations. It is very clear to me from what I heard at the consultation forums I attended that there is broad agreement that these matters that have been identified need further consideration.

The opposition has committed to implementing all of the recommendations, no matter what the cost or practicality. This includes undergrounding powerlines and, I assume, buying back properties that are in high-risk areas.

However, reported comments from the consultation at Kinglake show that the royal commission's recommendation that the government should buy back properties in high-risk fire-prone areas has met with some resistance from the people living in those places. The residents of these areas have said — I heard this at

Labertouche and I heard it at Churchill as well — that if we do this in a willy-nilly way it would drain the lifeblood of country communities and prevent the regeneration of what are sometimes quite small and fragile communities. As I said, this is what I heard people say a number of times at the forums I was at. That is just one example.

The government is working with communities and agencies to properly and responsibly implement the recommendations of the royal commission. I commend the commissioners on their final report, and I think this document will stand as a testimony and a record of the worst and most tragic natural disaster in Victoria's history.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to rise and contribute to this debate, and I also acknowledge the work of the 2009 Victorian Bushfires Royal Commission and the people who perished during the fires. The fires, of course, started not in February but in January in Gippsland. The royal commission has made 67 recommendations and the coalition has accepted in principle every one of those recommendations.

As has been previously stated, the report of the royal commission is the latest in a long line of reports by the parliaments, both state and federal, and various other bodies which have investigated significant fire events. From those reports and investigations the government has been put on notice about many issues. I want to focus on just a few.

The first issue I want to touch on is fuel reduction. The Environment and Natural Resources Committee (ENRC) put out an excellent report in June 2008 entitled *Inquiry into the Impact of Public Land Management Practices on Bushfires in Victoria*. I refer specifically to recommendation 2.2 at page 95, which is:

That in order to enhance the protection of community and ecological assets, the Department of Sustainability and Environment increase its annual prescribed burning target from 130 000 hectares to 385 000 hectares. This should be treated as a rolling target, with any shortfalls to be made up in subsequent years.

I note that the government's response to that recommendation had the heading 'Support in principle', and said:

The Victorian government supports this recommendation in principle. The Victorian government supports planned burning to improve protection, conservation and production outcomes. However, the annual area treated by planned burning needs to be determined based on science and risk

management frameworks and be subject to suitable opportunities as dictated by seasonal conditions.

The government subsequently went on to not adopt this recommendation in substance. Indeed, in responses to questions put by Mrs Petrovich and others to the Minister for Environment and Climate Change we have heard him talk about targeted burns as being more important than the total number of hectares being burnt. The royal commission has rejected that approach, and I was disappointed to hear the minister today again not endorse in totality the approach of the royal commission and the recommendation of the royal commission. It would appear that the minister is fudging this issue.

The minister had a go at the opposition during question time for what he perceived as its lack of interest in his answer. What a disgrace then that the minister has been absent for this entire debate. Since he gave his initial speech the minister who is responsible for this issue has been absent. It is an absolute disgrace that for such an important debate on such an important issue, for which he has a great deal of responsibility, he has shown a complete lack of interest. It is very disappointing.

Page 15 of *2009 Victorian Bushfires Royal Commission — Final Report — Summary* says of the Department of Sustainability and Environment:

DSE burns only 1.7 per cent (or 130 000 hectares) of this public land each year. This is well below the amount experts and previous inquiries have suggested is needed to reduce bushfire and environmental risks in the long term.

The commission recognises that prescribed burning is risky, resource intensive, available only in limited time frames, and can temporarily have adverse effects on local communities ... Nonetheless, it considers that the amount of prescribed burning occurring in Victoria is inadequate.

And so it goes on. The opposition agrees with the royal commission, and it agreed with the ENRC report. It has agreed with other reports that have recommended similar targets. Again in question time today we had an equivocal answer from the minister, and the fact that he is absent from this debate is terribly disappointing.

In the limited time that is available to me to speak the next issue I want to touch on is that of the fire services levy, and again this is an issue on which the coalition has a long record of advocacy for a better system. The Leader of The Nationals in the other place wrote to Ken Henry, the secretary of the federal Treasury, asking for it to be included in the Henry tax review. Subsequently Mr Henry made comments about the current system not being the best system. The royal commission report states at page 19 of the summary:

The commission also looked at the funding of fire services. Fire services in Victoria are currently funded through a mix of contributions from insurance companies ...

Further it states:

The current model's claimed benefit is that the insurance premium is a good way of linking the charge for fire services to the fire risk of individual properties. Evidence suggests, however, that this link is at best tenuous. Fundamentally, the commission considers that the current funding model lacks transparency and is inequitable since people who are not insured or are underinsured do not make a fair contribution to the funding of fire services.

I have had many representations from constituents in the Eastern Victoria Region who are very unhappy with the cost and the burden they bear. They are people who in good faith are happy to contribute to the maintenance of fire services, but who see it as inequitable, and the coalition agrees it is an issue which the government must address.

The next issue I will touch on briefly is that of bushfire refuges. The commission has made a recommendation to develop standards for community refuges as a matter of priority. The commission also notes the lack of progress that has been made from the recommendations in its interim report. This is a particular issue in the Dandenong Ranges, an area which is densely populated and has few access points in and out that can easily become clogged in a fire event. We saw that with the fires in Upper Ferntree Gully and nearby. The roads in and out of the Dandenongs quickly become jammed. These communities need a place of last resort. The funding provided by the government in this budget of \$500 000 across Victoria is an absolute joke. We need to develop these neighbourhood safer places, but they require an investment from government.

On 10 February 2009 the Premier said we needed to rebuild these communities, that the earlier we could start the better, and that it would take at least 12 to 18 months in these areas. This could be an 18-month task. Here we are 18 months down the track when 2029 homes have been destroyed but only 583 building permits have been issued and just 294 final occupancy certificates have been issued.

Of the bushfire-affected parks and forests approximately 20 per cent remain closed to the public, including parts of Wilsons Promontory, the Bunyip State Park, the Baw Baw National Park and the Yarra Ranges National Park.

Of course these statistics are very concerning, but behind them are individuals and communities. During the parliamentary recess I visited a number of people in the Eastern Victoria Region who have been bushfire

affected and who are living in buses or sheds or in other substandard accommodation for the second year in a row, and more particularly through their second winter, with inadequate heating, showering and other facilities. This has a corrosive effect on relationships and on individuals. The frustration these people have expressed to me as a result of the red tape and the challenges of fighting their way through the bureaucracy has had a material impact on their mental health and, as I said, it has a corrosive effect on individual relationships. These people want the government to help them to help themselves to get back on their feet, but they tell me that many times they have had roadblocks put in front of them or they have had to jump through the hoops that bureaucracy puts in their way, and that is just not good enough.

Of late in parts of my electorate there has been some debate about the 10/30 rule, and I think that rule has been a good common-sense approach. Some people report that the 10/30 rule has been abused, and that may be the case, but that is not a reason for the rule not to be extended. It has helped people to make their homes fire safe. I call on the government and the minister to extend the rule. I ask that they give consideration to the parts of the city of Knox that are affected or which risk being fire affected. It is an issue the government must address in the near future.

One other issue is that of the Warburton branch of the Country Fire Authority. Before the last state election the then Minister for Police and Emergency Services, Mr Holding, together with the member for Gembrook in the other place, promised to build a new CFA station at Warburton. The minister is reported in the *Upper Yarra Mail* on 8 November 2006 as saying that if the Bracks government was re-elected the station would be built on a new site early in the next parliamentary term. Sadly, here we are nearing the end of this parliamentary term and still no site has been identified — —

Mr P. Davis — What was that date?

Mr O'DONOHUE — This was early in this parliamentary term. Here we are towards the end of the parliamentary term and there is still no new CFA station in Warburton. This is a practical example of where the government has failed the Upper Yarra community by not delivering on its commitment.

Mr P. Davis interjected.

Mr O'DONOHUE — They have not turned a sod. In fact a site has not even been settled upon. I am pleased that the Leader of The Nationals, who is the shadow minister for bushfire response, has committed

the coalition to building a new CFA station at Warburton when we are elected in November.

I welcome the royal commission's final report. The coalition accepts in principle all of the recommendations. In many ways the real work is yet to occur, and it is the responsibility of the government, of us as a Parliament and of the community to get on with the job of implementing the recommendations as quickly as possible.

RULINGS BY THE CHAIR

Member for Derrimut: allegations

The PRESIDENT — Order! During the adjournment debate on 29 July 2010 Mr Dalla-Riva raised an allegation made by a former electorate officer concerning the Parliamentary Secretary for Human Services, Mr Telmo Languiller, the member for Derrimut in the other place. Mr Dalla-Riva sought the standing down of the Parliamentary Secretary for Human Services by the Premier until the allegation against him has been investigated. A number of points of order were raised by members concerning the appropriateness of the matter raised by Mr Dalla-Riva, in that allegations against a member should not be made during the adjournment debate.

As the Deputy President correctly pointed out, Mr Dalla-Riva was not directly making an allegation against Mr Languiller but seeking a review by the Premier of an allegation made by another party. He went on to rule that when an adjournment matter seeks the termination of the commission of a parliamentary secretary by the Premier it should be done by way of a substantive motion so that the house as a whole can consider the matter rather than the request coming from a single member. I concur with that ruling; that is to say, I agree.

In regard to this particular matter I draw to the attention of members standing order 4.11(4), which states:

Matters raised on the question for adjournment cannot be the subject of debate.

In this instance the matter raised by Mr Dalla-Riva could well have invited or incited an immediate response, which would have led to a full-scale debate. An issue of this type should therefore be raised by way of a substantive motion, where a question can be put and resolved by the house.

As members will be aware, this cannot occur in the adjournment debate because current practice and

rulings dictate that once a minister has dealt with a particular adjournment matter, that matter is then disposed of.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The PRESIDENT — Order! The question is:

That the house do now adjourn.

Police: northern Victoria

Ms LOVELL (Northern Victoria) — The matter I wish to raise is for the attention of the Minister for Police and Emergency Services. It concerns last week's announcement of key areas which will be allocated police recruits and redeployed police officers, which has completely disregarded regional cities and towns. It was particularly concerning to me as a member for Northern Victoria Region that the list of areas did not include any regional centres in my electorate, an area that covers 48 per cent of the land mass of Victoria.

My request is that the minister provide a time line for when the people of northern Victoria can expect to see additional police officers directed to their communities. The list of priority areas was announced by Victoria Police last Friday and identified only 10 metropolitan areas and 1 regional centre: Frankston, Maribyrnong, Hume, Wyndham, Moreland, Brimbank, Dandenong, Casey, Melton, Port Phillip and Ballarat. This is despite the Police Association's Save Our Streets campaign identifying a shortage of 81 police officers in Bendigo, 50 in Shepparton, 47 in Campaspe, 42 in Mildura, 9 in Swan Hill, 13 in Benalla, 20 in Wangaratta, 37 in Wodonga and 26 in the Yarra Ranges.

The Brumby government has demonstrated a city-centric attitude to policing and a complete disregard for country communities and regional cities. In Bendigo the two local Labor members have given the impression that the government is committed to the community campaign to reduce violence in the city by 20 per cent over the next two years. Labor's failure to prioritise Bendigo in this latest announcement is incredibly disappointing and shows a complete lack of commitment to the community campaign.

It has taken an election year for the two local Labor members, who are the Minister for Police and Emergency Services and the Minister for Regional and Rural Development, to finally acknowledge that there is a problem with street violence in Bendigo, but unfortunately the lazy Labor members have since put

the issue on the backburner, allowing the Brumby government to snub Bendigo in this latest announcement. This is despite crime rates in Bendigo soaring since Labor took office in Victoria. Over the past 10 years the rate of assaults in Bendigo has jumped by 67 per cent and violent crime has increased by 65 per cent. Unfortunately the response from the government has been dismissive and arrogant, with this latest Labor snub showing that nothing has changed — Labor still takes Bendigo for granted and treats it as a poor country cousin.

Other regional centres are doing it just as tough. In 2001 Shepparton police station cells were upgraded, but the station has never been appropriately resourced to cope with the additional workload and responsibility. Nine years later the community is still waiting for more adequate police resources.

This situation is just not good enough. The Brumby government's refusal to acknowledge and address police underresourcing in Shepparton is putting lives at risk and can no longer be ignored. My request is for the minister to provide a time line for when the people of northern Victoria can expect to see additional police officers directed to their communities.

Rail: St Albans level crossing

Ms HARTLAND (Western Metropolitan) — My adjournment matter tonight is for the Minister for Roads and Ports. Since May I have held nine community meetings throughout the western suburbs to discuss transport problems and solutions. The last two meetings looked at issues in the outer west and were held in Werribee and St Albans. The outer west growth areas are the areas least serviced by public transport and bicycle links. Lack of public transport infrastructure and services were the key problems identified by the community at these meetings.

Another significant issue identified by the community is the immediate need for grade separation at the St Albans level crossing. The crossing is dangerous and congested and is immensely frustrating for people and businesses. The need for the grade separation has been known for many years and was one of the first issues I raised in this chamber in February 2007. Since that time grade separations have occurred in the eastern suburbs but not in the west. There has been plenty of talk from the government that it will fix the problem but little action. There has been a government study of the crossing but no commitment.

The action I ask of the minister is to prioritise grade separation of the St Albans level crossing and announce a time line for its implementation.

Locusts: control

Mr DRUM (Northern Victoria) — My adjournment matter for the evening is for the Minister for Agriculture, Joe Helper, and is in relation to the locust outbreak that is set to ravage this state in the next few months. The government has committed more than \$40 million to help fight this coming plague, but it has made a deep and significant error in rolling out its war against locusts.

Under its plan the government is offering to reimburse farmers for any chemicals they use in the effort to fight off the swarm expected this spring. The situation is quite simple, however. The farmers do not have the money to go out and spend a couple of thousand dollars in advance in anticipation that the egg beds may be found on their property and they may need the spray. Individual farmers will not pre-order the chemicals in the event that they might need them.

What will happen when an individual farmer needs the chemicals is he will not be able to get them in time to hit the locusts before they take to the air. The retailers, whether Elders or Landmark, will not have the millions of dollars needed to stockpile enough of the chemical so that they can have it there ready to go to supply on order. If a farmer comes in needing it, they are simply not going to have it to give to them.

There is only one practical way that this program can work — that is, for the government itself to pre-order the chemicals needed to spray the locusts and to have them stockpiled so that when they are needed they can be delivered to the affected area, the war zone can be sprayed and hopefully these locusts can be knocked out before they take to the air.

One analogy would be sending our troops off to war and making them take their own bullets, saying we will reimburse them for the bullets they use on receipt of empty shells. I do not think that would work.

The extent of this looming disaster has the potential to cost this state billions of dollars in lost revenue. I urge the minister to change the current funding program so that the government purchases the locust spray, and thereby we will avoid what could be the greatest agricultural disaster we have ever witnessed. I just mention that if only 10 per cent of the locusts that we saw in the autumn survive through to the spring, the

situation will be in fact 10 times worse than the plagues we witnessed then.

Geelong Ring Road: lighting

Mr KOCH (Western Victoria) — My issue is for the Minister for Roads and Ports, and it relates to safety issues on western Victorian roads that have been brought about by neglect and a government more interested in generating its own publicity than obtaining tangible results. At a time when the community is being constantly reminded about the importance of road safety and encouraged to drive carefully on our roads, it is disappointing that the Brumby government and VicRoads are not willing to act with the same integrity and sense of purpose.

The Geelong community has waited a long time for a bypass to ease traffic congestion around its city, and it was led to believe that the project would be completed to the highest possible standard. It is unfortunate that this has not been the case. It seems the government and its ministers, including the Premier, John Brumby, the Minister for Roads and Ports, Tim Pallas, and the member for South Barwon in the Assembly, Michael Crutchfield, are more interested in orchestrating photo opportunities beside recently completed sections of the bypass to give the public the impression a job has been well done. This is far from the case.

The lack of lights along a number of sections of the bypass poses a threat to the safety of those using this new road. There are 11 lights on the Barrabool Road overpass, 12 lights on the Princes Highway intersection at Waurn Ponds and 6 lights at the Ceres exit that remain blacked out despite the road having been open to the public for a little over a year. It is beyond comprehension not only that this has been allowed to occur but that nothing has been done to rectify the problem. It is my understanding that VicRoads is in a contractual dispute with the contractor about who is responsible for installing the new lights, what type of globes should be installed and what wattage they should contain.

Over three months ago the contractor identified that all compliance measures had been met as outlined in the tender process. Surely sanity must prevail and as a matter of public safety lights must be installed regardless of who pays for their installation. VicRoads has a duty of care to ensure that the new road is well lit and meets the necessary standards. If there is to be legal intervention, as has been suggested to me, I think the safety of the travelling public should have precedence over a couple of dozen light globes.

My request is for the Minister for Roads and Ports to ensure as a matter of urgency that the highest safety standards are enforced in all aspects of Victorian roads without exception, and especially on the new Geelong bypass. Appropriate street lights of a wattage high enough to allow safe passage on this new high-use road should be installed immediately.

Students: curriculum days

Mrs COOTE (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Education, and it is to do with rampaging children in South Yarra. We saw a very disturbing incident in and around the housing commission flats in Prahran and South Yarra yesterday where a nine-year-old boy allegedly threw acid at two very tiny children, which caused significant burning. They were particularly fortunate that it did not do more damage. This raises a number of issues. Tonight's news reports covered this story extensively and in fact were talking about gangs of youths as young as 9 and 10 years old in and around South Yarra. This is my concern.

Yesterday across this state was a curriculum day for teachers — another one. These are increasing in number and frequency, and I would have to say — —

An honourable member interjected.

Mrs COOTE — Apparently it was a flop, because they were there to learn some new technological skill on a computer and the computer did not work. But that is another story.

The reality is that it was another day off for teachers and children, some of whom were left without supervision. In and around this area in South Yarra there are a large number of high-rise social housing blocks, and many of the parents of the children living there work and need to have some sort of certainty about the supervision of their children. I am particularly concerned that there is no supervision when we have these unacceptable days off.

The point is that the City of Stonnington does an excellent job in giving and providing activities for these children. A program operates at Chapel Off Chapel, and there is another adventure playground there. Whenever there are school holidays the City of Stonnington runs very good activity programs, which these children can attend. Such activities help out the parents of these children and ensure that children have adequate supervision. However, nobody — neither the education department nor the Department of Human Services — bothered to tell the council that yesterday was a day off.

There is a total lack of communication, and it is absolutely appalling. A circumstance has arisen where young children have been unsupervised.

An article in this morning's *Herald Sun* states:

Mr Carr-Gregg —

Michael Carr-Gregg is a highly respected child psychologist —

said the prime responsibility for a child's behaviour rested with the parents, but schools, peers and the community also played a significant role.

It is also the responsibility of the education department to supervise these children and to make sure that these 9-year-olds and 10-year-olds do not run amok around South Yarra.

The action I seek is that the minister ensure that programs and systems are put in place that enable all agencies to provide appropriate activities so that everybody is aware of what the situation is on these so-called days off.

McCabes Bridge, Darraweit Guim: closure

Mrs PETROVICH (Northern Victoria) — I raise a matter for the attention of the Minister for Roads and Ports, Tim Pallas. The matter relates to the closure of McCabes Bridge in Stockdale Road, Darraweit Guim.

Macedon Ranges and Mitchell shire councils share responsibility for the bridge, which was closed last month due to safety concerns and may not be reopened for months. A temporary bypass is not an option in the short term, and if the bridge is not reopened before the coming fire season this will severely restrict escape routes from the Darraweit Guim township as well as access for Country Fire Authority vehicles.

Residents of Stockdale Road are currently forced to detour 17 kilometres to reach the Darraweit Guim township, and last week one resident with a young family was completely cut off from her home when a tree fell across Stockdale Road, blocking her only access route due to the bridge closure. She was forced to cross the unsafe bridge on foot in pitch black conditions to reach her home, and she was further hampered by the lack of mobile phone coverage in the area. Luckily the State Emergency Service volunteers cleared the tree at midnight so that her husband could travel to work the next morning. I shudder to think of the consequences if there had been a medical emergency during that time. This state of affairs further serves to demonstrate the need for access, particularly with the fire season approaching.

There have been ongoing concerns that the current bridge's 5-tonne load capacity is inadequate, particularly in a rural area where trucks and agricultural equipment use the bridge every day. The closure of McCabes Bridge is causing prolonged inconvenience for detoured commuters and is cutting off residents along Stockdale Road from their township.

The action I seek is that the Minister for Roads and Ports take immediate action to ensure that adequate funding is provided to replace McCabes Bridge with a higher load capacity structure without delay so that the residents of Darraweit Guim have safe access routes to and from their properties, particularly during the next fire season.

Rail: Geelong line

Mr KAVANAGH (Western Victoria) — My adjournment matter is for the Minister for Public Transport, Mr Pakula, and relates to train services between Geelong and Melbourne. Firstly, let me congratulate the government on the resumption of passenger rail services to Maryborough. It is great to see rail services return to a wonderful railway station that was praised more than 100 years ago by Mark Twain, who said that there were not five railway stations in the United States of America as good as the one in Maryborough.

However, my adjournment matter relates not to Maryborough but to Geelong. Geelong residents have been telling me about the extent of crowding on passenger rail services between Geelong and Melbourne. I am told by commuters that even at non-peak times it is common for elderly people to sit on the floor of trains because they cannot get a seat. The action I seek from the minister is to increase the frequency of passenger rail services between Melbourne and Geelong so that elderly people and others do not have to sit on the floors of trains on these long journeys.

Bushfires: powerlines

Mr VOGELS (Western Victoria) — I raise a matter for the attention of the Minister for Energy and Resources, Peter Batchelor. I ask him to investigate whether the auditing systems conducted by Energy Safe Victoria ensure that the electrical line clearance regulations are being adhered to. I recently had correspondence with Ian McMinn, the chief pilot of Helimatic Australia. This company's helicopter-based technology has the capacity to complete around 15 kilometres per 4-hour shift in any terrain of electric line clearance at approximately 25 per cent of the cost

of the present method using ground-based mechanical equipment, such as cherry pickers.

Mr McMinn's helicopter-based technology can work in the Otways, for example, and other difficult terrain around Victoria for a small percentage of the costs of traditional methods, a fact that is clearly recognised by ESV (Energy Safe Victoria). It has successfully completed trial works for SP AusNet on time and under budget. Helimatic has been working with Powercor and VEMCO for two years and still has no firm indication of any work prior to the upcoming fire season.

Mr McMinn informed me that if you took a map of the Otway Ranges, placed a circle around an area containing powerlines that is away from any roads and audited it thoroughly, you would find there would be a huge non-compliance with the regulations. He went on to say that it is his experience that although there are regulations in place, compliance is given very little priority as the auditing system of ESV is almost non-existent, and although the penalties for non-compliance were doubled in June 2010 it seems never to impose them. Mr McMinn says he contacted ESV and asked how often asset owners were penalised for a breach of the regulations, to which the response was that to its knowledge it was never.

In the royal commission Matt Peters, SP AusNet managing director of vegetation management, gave evidence that of the numerous fires started within the network's area each year due to vegetation and powerlines making contact, 100 per cent were due to hazard trees. The action I seek from the minister is that he enforce compliance with the clearance regulations by those who own the poles and wires of our electric lines as we head into another summer and fire season.

Road safety: school crossing supervisors

Mrs KRONBERG (Eastern Metropolitan) — My matter is directed to the Minister for Roads and Ports, and it concerns the funding of school crossing supervisors. According to material produced by Banyule City Council there is an ever-widening gap between the real costs the council has to bear and the state government's funding of the school crossing supervision program. This concern is widespread and has been formally supported by the Eastern Region Group of Councils, comprising Banyule, Boroondara, Knox, Whitehorse, Manningham, Maroondah, Monash, Nillumbik, Yarra Ranges and Greater Dandenong councils. These concerns have now coalesced into the firm resolve demonstrated by the unanimous adoption of a supportive motion moved at the Municipal Association of Victoria state council in May this year.

My electorate of Eastern Metropolitan Region encompasses 9 of the 10 aforementioned councils in whole or in part, and this matter causes me great concern. It is my understanding that the state government originally funded 80 per cent of the program's costs, leaving just 20 per cent of the running costs to be accommodated by the councils. I view the government's resistance to a number of approaches over a number of years and a host of calls for a comprehensive review of the program as yet another strident example of cost shifting onto local government by this government. Such cost shifting means councils have to wear the opprobrium at the local level by either cutting their services or passing state government costs on through increased rates.

In 2001 Banyule City Council had 57 crossing supervisors subsidised by VicRoads. This equated to 50.6 per cent of the cost of program provision, amounting to some \$274 000 by the council. By June 2009 the costs to council grew to \$511 000, with the state government's contribution by then having shrunk to a mere fraction of the former funding regime, at 22.94 per cent. I say to the minister that the need for a review of the joint funding of school crossing supervisors programs at Banyule City Council in particular and the Eastern Region Group of Councils in general is long overdue. My request is for this review to be undertaken urgently, with suggested dates for consultation with the councils concerned to be set out in the minister's response to me regarding this adjournment matter.

Country Fire Authority: Warburton station

Mr O'DONOHUE (Eastern Victoria) — My matter this evening is for the attention of the Minister for Police and Emergency Services. It relates to the delivery of a new Country Fire Authority (CFA) station for the township of Warburton. On 8 November 2006 the *Upper Yarra Mail* reported that the Bracks government would commit \$1.6 million for a new station if it was re-elected. The article quotes the then Minister for Police and Emergency Services, Tim Holding, as saying:

With its superior facilities, this new station will make members' working lives just that little bit easier, helping them deliver an even better service to the local community ...

Ms Lobato —

the local member in the Assembly —

said the new station would be a major boost for the area.

'In a town the size of Warburton, the local brigade is a focal point for the community', she said.

'It's vital that our dedicated and hardworking emergency services personnel have the facilities and equipment they need to do their jobs properly'.

Mr Holding said the station would be built on a new site early in the next parliamentary term if the Bracks government is re-elected.

The then captain of the brigade, Captain Dell, said the brigade responded to an average of 125 incidents each year and 'had been lobbying for more than five years to have the 25-year-old station upgraded or replaced'. He went on to say:

We've outgrown the station and have been searching for a new location, and if this happens it will help the brigade end ...

We will be able to service the community better and more efficiently.

On 14 March 2007 in the Legislative Assembly the member for Gembrook said:

I wish to place on record the importance of the timely delivery of funding for this project —

that is, the delivery of the new CFA station —

given the impediments currently faced by the brigade operating from its existing site.

I could not agree more with what Minister Holding said in November 2006, and I could not agree more with the comments made by the member for Gembrook on 14 March 2007. It is important that this fire station be delivered in a timely fashion. Minister Holding committed to delivering the station early in the term of a re-elected Bracks government. Here we are nearly at the end of this four-year term and still the good members of the CFA branch at Warburton operate from a facility that is substandard and does not meet modern requirements and yet it is still no closer to being delivered than when that announcement was made nearly four years ago.

The action I seek from the minister is that he explain why the government has failed to deliver on its 2006 election commitment and update the community as to when this commitment will be delivered.

Small business: government policies

Mrs PEULICH (South Eastern Metropolitan) — I wish to raise a matter for the attention of Mr Helper, the Minister for Small Business.

Under Joe Helper small business has unfortunately become more and more helpless. Such businesses are under enormous pressure as a result of misguided and failed state government policies, and more and more

small business operators are choosing to either sell out, retire or simply fold up shop because they are no longer able to withstand the punitive charges, taxes and rates for which they have to fork out.

The most recent example of this was the case of a constituent of mine, the owner of a small business in the south-east, who received a City of Monash rate notice. Unfortunately, personally and in his business, this gentleman has been subjected to enormous rises in taxes and charges, including liquor licensing fees and a gaming machine regime which has basically forced him out of business.

In the rates notice he received from the City of Monash for 2009–10 his rates were \$6221.60, but in his 2010–11 rate notice for the same property, which is a home, the rates rose to \$18 277.15; that is a 194 per cent rise, which is clearly way beyond the 4 per cent consumer price index rise that the Municipal Association of Victoria considers to be the amount required in order to stay the same.

I understand the increase came as a result of my constituent moving from a site value-based system to a capital improved value system, but one would have thought that perhaps some sort of transitional arrangements could have been applied to allow that adjustment to take place. A \$12 000 increase in rates is a great burden on this small business, given the business is also subject to other dramatic increases in areas such as land tax, stamp duties, fire services levies and liquor licensing fees, to mention just a few.

This is unsustainable and unfair. I call on the Minister for Small Business to review his failed policies that under this government have resulted in many small business owners and operators calling it a day. These owners and operators have been feeling much more helpless under this minister, Joe Helper, and have been calling it quits. This is something that our community cannot afford.

Small business has traditionally been the engine room of the economy, employing something like 52 per cent of the labour force, but clearly not all small businesses are able to feel supported by government policy any longer, and I call on this minister and this government to review those policies forthwith so that we do not lose any more — —

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

Police: Craigieburn

Mr FINN (Western Metropolitan) — I wish to raise a matter for the attention of the Minister for Police and Emergency Services. The house would be aware, and perhaps even the minister might be aware, that I have raised a number of warnings over the last few years about gang warfare in the Western Metropolitan Region.

Mrs COOTE — Trained in South Yarra.

Mr FINN — They may be trained in South Yarra; they may well be. I have referred specifically to my concerns about the gangs in St Albans and Sunshine, but I think the riot that exploded in Craigieburn last week is an example of some of the worst we can expect if the government continues to bury its head in the sand on this particular issue. I am sure those who saw the Craigieburn riot on television would have been as horrified as I was. That riot involved not just those who gathered to enter the fray; this riot was at a shopping centre. Being a very public place, the riot terrified many members of the community who were going about their daily business. Husbands were afraid for their wives, mothers were afraid for their children, and panic, I think it is safe to say, was very much the order of the day in a lot of people's minds.

Given that I have previously raised the issue of the lack of police in Craigieburn, it is of great concern to me and to many people in Craigieburn that the lack of police resources will be a major issue if these sorts of riots continue or indeed if nothing is done to prevent them.

The Craigieburn community must be protected, and I do not believe that at this time we can be sure that that will occur. There is a sense of fear at this very moment in Craigieburn, and that must be addressed as a matter of urgency.

I ask the Minister for Police and Emergency Services to ensure that the police presence to properly protect the people of Craigieburn is upheld and delivered, and to ensure that the sort of outrageous civil disorder we saw last week in and around Craigieburn is never repeated. We are aware that the member for Yuroke in the other place is not interested in these sorts of issues, so I am very hopeful that the minister will take his lead from me and those who have approached me about this issue and that he will take the appropriate action to ensure that the people of Craigieburn — the people the Minister for Planning allegedly represents as well — get the proper protection they need as innocent people going about their daily lives.

Transport Accident Commission: claims management

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Finance, WorkCover and the Transport Accident Commission. It relates to the administrative practices of the TAC, which is a matter I have had cause to raise with the minister previously.

This particular case was raised with me by Mr Kevin La Fontaine, who was seriously injured in a transport accident last year, and it relates to his post-accident care, in particular seeking reimbursement from the TAC with respect to the purchase of pharmaceuticals. In this case Mr La Fontaine paid \$115 for pharmaceuticals on 29 January and then submitted a claim to TAC on 15 February. Subsequently he did not hear anything from the TAC. After a number of phone calls he again wrote to the TAC five weeks later on 22 March. Again that claim was not settled by TAC and nothing further was heard.

On 17 June there was a further purchase of \$100 worth of pharmaceuticals. On 11 July Mr La Fontaine again wrote to the TAC seeking reimbursement for a second claim of \$100 and also followed up on the first claim for \$115. It was not until yesterday, 9 August, that the TAC contacted Mr La Fontaine stating that in the instance of the first claim in January he would need to get a letter from his doctor confirming that he needed that medication.

It is unacceptable that it has taken six months for the TAC to respond to this claimant indicating that he needed to provide a letter from his doctor. The need for the letter is not in dispute; what is a matter of concern is that it took the TAC six months to give the claimant that piece of information, despite him having followed the matter up on a number of occasions, both in writing and by telephone.

As I indicated earlier, this is not the first time I have had to raise with the minister concerns about the administrative practices of the TAC. It is a recurring theme I am hearing about increasingly from TAC claimants. They acknowledge they get very good assistance and care in the TAC system with their initial post-accident requirements; however, given a greater period of time from an accident, where smaller claims are concerned, the level of service received greatly diminishes.

In this instance I ask that the minister intervene to ensure that this claim is now paid expediently and that more particularly the minister has the TAC undertake a

review of its administrative practices to ensure that we do not have recurring problems with people being forced to wait six months for simple reimbursements of minor claims.

Grand Ridge Road, Gippsland: signage

Mr P. DAVIS (Eastern Victoria) — It is my pleasure to raise a matter for the attention of the Minister for Roads and Ports concerning an urgent need for coherent signage on the Grand Ridge Road for reasons of safety as well as to cater for tourism growth along the Strzelecki Ranges in Gippsland.

Grand Ridge Road, with which I am personally familiar, runs for 132 kilometres along the top of the ranges, from south of Warragul to the Hyland Highway, south of Traralgon. This is one of the great scenic drives anywhere in the country, taking in views across the Latrobe Valley to Mount Baw Baw, Wilsons Promontory and the Ninety Mile Beach. It takes in the picturesque township of Mirboo North; Balook, with its famed guesthouse where the Petrovs were taken for refuge during a royal commission; and the temperate rainforest valleys of the Tarra-Bulga National Park, where I have recently been bushwalking.

That recommendation, however, comes with a caution for the unwary. People have been getting hopelessly lost on the Grand Ridge Road for decades, and for decades governments have ignored successive requests for it to be better signposted. The Tarra Valley Ecotourism Association has surveyed sections of the road from its eastern end at Hyland Highway as far as Gunyah Junction, towards Mirboo North. The association's findings have been referred to VicRoads and the Shire of Wellington with requests for action. However, the shire has declined for want of resources.

The association's report includes a large number of photographs of signposting. Various, the photos show an absence of signs, signs pointing the wrong way and signs to different locations all pointing the same way. In places the brown directional tourism signs indicating Grand Ridge Road as route 93 point skywards, perhaps with a message that the only way out is by helicopter or hot air balloon. The situation is the same as the road proceeds west beyond Mirboo North.

Improved signage is essential for the safety of visitors, given the sometimes difficult road conditions, which include the isolation of the area, the lack of mobile phone coverage in places, snow on the road and the fact that some parts can be snowed in during winter. More importantly it is essential for tourism growth, which will accelerate with the completion of the grand

Strzelecki track, linking the Tarra-Bulga and Morwell national parks. The tourism association's plea is that:

It would be wonderful to see the Grand Ridge Road live up to its name and be grand.

I believe not only that signage is needed but that there should be a coordinated approach on the part of VicRoads, Tourism Victoria and the local councils to manage the Grand Ridge Road as a landmark tourism route. I therefore ask that the Minister for Roads and Ports act accordingly.

Responses

Hon. J. M. MADDEN (Minister for Planning) — I have written responses to adjournment matters, 23 in total, from 11 March 2009 to 27 July 2010.

Wendy Lovell raised the matter of police recruits. I will refer that matter to the Minister for Police and Emergency Services.

Colleen Hartland raised the matter of grade separation at St Albans. I will refer that to the Minister for Roads and Ports.

Damian Drum raised the matter of a locust plague. I will refer that matter to the Minister for Agriculture.

David Koch raised the matter of western Victorian roads and contract dispute issues. I will refer that to the Minister for Roads and Ports.

Andrea Coote raised the matter of rampaging children in South Yarra. I will refer that matter to the Minister for Education.

Donna Petrovich raised the matter of road closures and access via McCabes bridge on Stockdale Road in Darraweit Guim. I will refer that to the Minister for Roads and Ports.

Peter Kavanagh raised the matter of the Geelong to Melbourne train service and the availability of seats, particularly for older patrons. I will refer that matter to the Minister for Public Transport.

John Vogels raised the matter of emergency safety, electricity line clearance and various technologies. I will refer that to the Minister for Energy and Resources.

Jan Kronberg raised the matter of school crossing supervisors. I will refer that to the Minister for Roads and Ports.

Edward O'Donohue raised the matter of the Country Fire Authority station in Warburton. I will refer that

matter to the Minister for Police and Emergency Services.

Inga Peulich raised the matter of small business fees and costs. I will refer that to the Minister for Small Business.

Bernie Finn raised the matter of gang violence in Craigieburn. I will refer that to the Minister for Police and Emergency Services.

Gordon Rich-Phillips raised the matter of administrative practices undertaken by the Transport Accident Commission and requested a review of those. I will refer that to the Minister for Finance, WorkCover and the Transport Accident Commission.

Philip Davis raised the matter of Grand Ridge Road in Gippsland and various signage issues. I will refer that matter to the Minister for Roads and Ports.

The PRESIDENT — Order! The house now stands adjourned.

House adjourned 10.41 p.m.

