

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Tuesday, 10 August 2010**

**(Extract from book 11)**

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<sup>1</sup> Resigned 6 August 2007

<sup>2</sup> Elected 15 September 2007

<sup>3</sup> Resigned 2 June 2008

<sup>4</sup> Elected 13 February 2010

<sup>5</sup> Elected 28 June 2008

<sup>6</sup> Resigned 18 January 2010

<sup>7</sup> Elected 15 September 2007

<sup>8</sup> Resigned 6 August 2007



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**Tuesday, 10 August 2010**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 2.05 p.m. and read the prayer.**

### ABSENCE OF MINISTERS

**The SPEAKER** — Order! Before calling for questions, I advise the house that the Minister for Police and Emergency Services is absent from question time today. Any questions for the minister will be answered by the Deputy Premier. The Minister for Gaming and Minister for Consumer Affairs is also absent today. Once again, questions directed to those portfolios will be answered by the Deputy Premier.

### BUSINESS OF THE HOUSE

#### Conduct of debate

**The SPEAKER** — Order! Before commencing question time today, I would like to remind all members of the advice that I have received from Dr Malcolm Hopwood, associate professor and director of the post-traumatic stress disorder unit of the Austin Hospital. His advice is endorsed by the Victorian branch of the Royal Australian and New Zealand College of Psychiatrists. Dr Hopwood has made the following points in correspondence to me.

There is a potential impact on individuals affected by the bushfires resulting from comments made by members of Parliament. The debate surrounding the royal commission report is a significant milestone in the process of recovery, with potential to both significantly aid or impair recovery.

The role of members of Parliament as community leaders who have already addressed the disaster with recognition and respect is essential to bushfire recovery. However, the scale of the Victorian bushfires and the enduring impact on individuals and communities affected suggests some caution is needed. Some individuals may be adversely affected by members' use of language during public comment and debate and are more likely to suffer less harm through continuing the themes of recognition and respect in public comment and debate by members of Parliament.

### QUESTIONS WITHOUT NOTICE

#### Bushfires: Premier's comments

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer to the Premier's claim on 3AW on Monday, 2 August, this year in relation to the 7 February 2009 bushfires that:

We had a day that was unprecedented; the commission itself says that.

Given that volume I of *2009 Victorian Bushfires Royal Commission — Final Report — The Fires and Fire-related Deaths* states on page 17:

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 —

I ask: why does the Premier continue to misrepresent the findings of the royal commission?

**Mr BRUMBY** (Premier) — I thank the Leader of the Opposition for his question. All honourable members will remember that week of three successive days of temperatures in excess of 43 degrees Celsius and on Black Saturday itself the maximum temperature achieved in the Melbourne metropolitan area of 46.8 degrees Celsius. In my view I warned the people of Victoria extensively on the Thursday and Friday of the potential of the Saturday to be a disastrous day, and I did so because I believed the conditions during that week were in fact unprecedented.

In relation to the specific matter raised by the honourable member, if members read the commission's report in detail, they will see that at page 10 it states that Dr Mark Williams, the director of the Bureau of Meteorology, concluded that 'the whole of south-east Australia [had] suffered a severe and protracted drought which [was] without historical precedent' If members go from 'without historical precedent' and further into the report itself, they will see that on the page the honourable member referred to, Kevin Tolhurst is reported to have said 'the conditions that we saw on 7 February were as extreme as we have ever seen them'. The commission then stated 'Dr Tolhurst went on to say, as part of the panel discussion, "I don't consider it unprecedented"', his having just said conditions were 'as extreme as we have ever seen them'.

On my reading of its report, the commission has said that the fire on that day was not unprecedented. It said that because of the area that was burnt and a comparison of that with the Ash Wednesday fires or

other fires in our history. But I think to be fair, if you are an observer looking at that week, looking at 10 years of drought, looking at 46.8 degree temperatures and looking at the devastation that occurred, as the commission itself says, you can see that the difference in many ways between this fire and previous fires is that we have so many more people living on the outskirts of the city. It is fair to say too, in my view, that the impact on our state was unprecedented. We can have a debate about what I would call semantics, but there is no doubt in my mind that the day was unprecedented. The size of the fire may not have been, but the impact on Victoria is unprecedented in every way, shape and form.

### **Bushfires: recovery**

**Ms GREEN** (Yan Yean) — My question is to the Premier. Can the Premier outline to the house the efforts of governments, communities and individuals to rebuild after the 2009 bushfires?

**Mr BRUMBY** (Premier) — I thank the honourable member for her question and for the great support she has provided to communities, individuals and families over the last 18 months. We will have a debate in this house in the next few hours about those terrible and tragic events of 7 February 2009 in which 173 Victorians lost their lives. In my view it was an unprecedented disaster in our state's history and a tragedy that Victorians will never forget. Our government acted quickly to help communities recover. We established the Victorian Bushfire Reconstruction and Recovery Authority (VBRRRA), we launched the Victorian Bushfire Appeal Fund and committed \$375 million to it, we made available emergency grants and we moved quickly to provide counselling support and to manage material donations.

It is worth recalling that in the first month after Black Saturday, the Murrindindi fires were still not contained and Marysville was still a crime scene. Within six months of the disaster, VBRRRA reported that more than 3000 sites had been cleaned up, and 3 temporary villages and 30 community recovery centres had been established across the state. As honourable members are aware, and in terms of the question from the honourable member, VBRRRA has now released on the internet its 18-month report into reconstruction and recovery. I believe significant progress has been made.

Over 2000 building permits have now been issued for people to rebuild their damaged or destroyed properties, businesses and sheds. I am pleased to say that amongst them there are 583 building permits for new dwellings. Over 7800 kilometres of fencing has been replaced,

400 kilometres of road has been restored and 600 community recovery projects have been funded.

The Marysville Primary School is now complete. I have been to that school, and it is fair to say it is the pride of the town. The new Callignee community centre will be completed in just a few short months and so too will the Flowerdale community hall. I am pleased to say the Strathewen Primary School is near completion. We know from experience elsewhere that places like Marysville will take some considerable time to rebuild. Everybody is working to the best of their capacity and ability to bring new investment and new opportunities to those towns, particularly to Marysville.

I will conclude my answer by saying that last week in Kinglake I met with the chairs of a number of the community recovery committees. I will just relay one of the stories from the chair of the Flowerdale committee, John Burgess. As I was asking John and the other chairs about any of the issues and a report on the progress in their areas, John told me that the last survey done by the cooperative research centre showed that of the just over 200 houses that were destroyed in Flowerdale, 85 are now either complete — rebuilt — or under construction.

He went on to say how proud he was of that personally, because he is a great community leader, and how proud his community recovery committee was. He told me how he had been searching the internet, looking around the world at recoveries after major disasters of this type, and that he believes that in his area this rate of recovery ranks up there with the very best anywhere in the world. He is pleased about that, because people are coming back into his community, people are rebuilding and there is a strong sense of community.

We need to continue to show our support in the future to all those residents in Flowerdale and Hazeldene through positively reinforcing the great work that is going on there, through continuing to support individuals who are facing hardship, and through those Victorians who are interested in touring those areas providing tourist support, whether it be Marysville, whether it be Flowerdale or whether it be parts of the Yarra Valley. We have made great progress. It reflects well on the great work that has been done by the community recovery committees, and I thank them for their huge commitment to the communities they represent.

### **Bushfires: powerlines**

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. I refer to claims in today's

press by the Minister for Energy and Resources that royal commission recommendations for upgrading single wire earth return (SWER) lines could cost \$60 billion and lead to ‘enormous and prohibitive’ increases in household electricity bills, and I ask: 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, but every SWER line — at \$4.7 billion, does the Premier stand by his minister’s claims or is this just a false and wildly exaggerated scare campaign orchestrated by the government to undermine the royal commission’s recommendations?

**Mr BRUMBY** (Premier) — In relation to the matter of powerlines the fact is, as I recall the figures on this, there are 28 000 kilometres of SWER lines across the state, and there are 23 000 kilometres of 22-kilovolt lines. The advice that I have is that if you were to replace the SWER and 22-kilovolt lines, the cost of replacing those would be in the range of \$15 billion to \$20 billion.

In addition, 43 000 Victorians have private SWER lines. In other words — and I think everybody is aware of this — these are privately maintained lines on bush blocks and particularly farmers’ land, where the lines run across the property and often the neighbour’s property. There are 43 000 Victorians with those lines, and the estimated average cost to underground those is at least \$10 000. If you take the SWER lines, the 22-kilovolt lines and the lines on private property, you get a figure which I am advised is at least in that range of \$15 billion to \$20 billion.

In relation to the figure that was used by the minister, my understanding is that that would be the cost if you were to put every powerline in Victoria underground. That is the figure which the minister used yesterday. In terms of any of the comments I have made on this issue in relation to SWER and 22-kilovolt lines I think there has been a high degree of consistency, and that is that the cost would be that amount.

There is a broader issue with this, I guess, and potentially this will be part of the debate later today. Some people have said, ‘Oh well, you can replace these lines as they all wear out.’ The advice that the government has is that if you have got a 5-kilometre SWER line, it does not all wear out at the same time. You will tend to have one lamppost at one end that will wear out, and that will be replaced by the authorities; you will have another one in the middle that might wear out — it does not all wear out at the same time. There is a lot of community interest in and community debate on this. I am sure honourable members would be aware

of that and the very strong views of many in the community, including the Victorian Farmers Federation, about the potential implications of this recommendation.

The government has not formed a final view in relation to this matter. We have been listening to communities about it; I have a round table on this later this week where many of the interested parties, which will be country communities, local government, industry groups, energy companies, employers associations and others, will have an opportunity to put their views about these recommendations. The one thing I can say unambiguously is that in relation to the commission’s recommendations on powerline maintenance, powerline inspections and random auditing to ensure that there is a tougher regime in place to ensure that every bit of maintenance that should be done is always done, I can assure the house that the government will address this matter decisively and swiftly. Indeed amendments will be moved in another place, and this will add significantly to the range of improvements that have been made to the inspection regime over recent years.

### **Bushfires: powerlines**

**Mr HOWARD** (Ballarat East) — I would like to follow up with a question to the Minister for Energy and Resources. I refer to the 2009 Victorian Bushfires Royal Commission final report, and I ask: can the minister update the house on the electricity-related recommendations of the royal commission, on how the government is responding and on what stakeholders are saying on the issue of powerlines starting fires?

**Mr BATCHELOR** (Minister for Energy and Resources) — The Victorian Bushfires Royal Commission’s final report made eight recommendations aimed at reducing the risk of catastrophic fires being caused by electricity assets. The government has supported in principle seven of these recommendations with the proviso that a further consultation needs to be done on how best to suppress autoreclose technology.

Automatic circuit reclosers are a way of ensuring that a fault that is only transient in nature does not lead to long outages. This is particularly important in rural Victoria. It is a reality that even of themselves, automatic circuit closers can increase the potential for bushfires, but so also can extended outages. However, blindly saying we will do what the commission has recommended in all aspects would be ill considered, particularly when you consider that what has been recommended in terms of the reclosers would actually

mean an increase in risk in some circumstances. Turning reclosers off will mean more outages for those in rural areas, as temporary and harmless transient faults will lead, under those circumstances, to extended outages. Not everyone is happy with the prospect of that. The president of the Victorian Farmers Federation (VFF), Andrew Broad, said in the *Weekly Times* of 4 August, that this recommendation 'sounds like an overreaction'.

Getting the right outcome on autoreclosers is a challenge, and we will consult with industry, the VFF and other stakeholders, because what we have to do is get that delicate balance just right. In terms of powerlines, which relates to recommendation 27, this has received a lot of media attention. Our initial response was to have further consultation, because that is exactly what is needed.

We need to make sure we understand, again in relation to that recommendation, how we as a community will pay the cost of implementing that. As members heard from the Premier, there are thousands of kilometres of single wire earth return (SWER) lines and thousands of kilometres of 22-kilovolt powerlines, largely in rural areas. As I said yesterday, to underground all powerlines and the transformers and other technologies associated with them would cost around \$60 billion, and just to underground the SWER lines and the 22-kilovolt lines would cost \$15 billion to \$22 billion.

Before the government can accept this recommendation, we need to determine, firstly, what replacement technologies would be used and where we would use those; secondly, how much all this would cost; and thirdly, how this would be paid for. Each one of these is an important question in itself. When you combine them, you get an indication that this is a delicate matter that is of concern, particularly in rural Victoria. Rural Victorians are concerned about a reduction in bushfire starts occurring from electricity assets and about reliability and cost. It is interesting to note that the commissioners themselves highlighted that they did not take into account the detailed costs of their proposals; however, the government must. We intend to consult with Victorian families and communities before this matter is resolved.

If we take the wrong path, the impact on consumers will be very large. Even if the \$20 billion cost were spread across the entire Victorian community, it would increase average power bills by up to \$500 per year. At the moment the average annual power bill is about \$1200. This would mean we would see an increase of around 40 per cent. Before we rush down that sort of

price path we want to examine all the issues, and that is what we will do.

I have directed Energy Safe Victoria to work with the industry to review and assess all the technologies that are available to reduce the risk of fire starts from SWER lines and 22-kilovolt systems, and I believe this is the sensible approach. We want to be able to identify and implement the best technological options that will reduce the risk of fire starts from powerlines and to do that in a cost-effective way.

We believe cost-of-living pressures are already a major issue for Victorian families, so in responding to the recommendations of the 2009 Victorian Bushfires Royal Commission we want to take the community with us and have it understand what the cost will be of providing the necessary reduction in fire starts in rural Victoria.

### **Bushfires: royal commission final report**

**Mr RYAN** (Leader of The Nationals) — My question is to the Premier. I refer the Premier to comments in the *Weekend Australian* of 7 to 8 August by Michael Buxton, a respected member of the expert panel advising the 2009 Victorian Bushfires Royal Commission, where he was quoted as saying:

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 Premier stop deliberately waging a false and wildly exaggerated scare campaign to undermine the royal commission's final report and commit to Victorians that he will implement all 67 recommendations?

**Mr BRUMBY** (Premier) — I reject categorically the proposition that was put by the Leader of The Nationals — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask for some cooperation from the members for South-West Coast, Ferntree Gully, Hastings and Warrandyte.

**Mr BRUMBY** — I reject that proposition categorically and emphatically. It is appropriate to listen to and consult the Victorian community on what are far-reaching recommendations that have been made by the commission. I have said before, and I will say again in my speech in a few minutes time, that I am grateful for the work the commission has undertaken for the people of Victoria and our government. It has been an extremely difficult and harrowing task. Of the

recommendations made by the commission, there are 59 that we have agreed to and are busy working towards implementing right now, but there are others that are controversial, and this is one.

The Leader of The Nationals got up and quoted one individual today. I had a round table discussion yesterday with more than a dozen organisations, and of those dozen organisations — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the Premier to ignore interjections. I ask the member for Bass not to interject in that manner, and I ask the member for Narre Warren to cease interjecting also.

**Mr BRUMBY** — At that round table a whole range of groups were represented, from your VECCIs through to your HIAs, the MBAs and the VLGAs and the Victorian Farmers Federation. All of those groups were represented. We had a good discussion about this, but I think it is fair to say that, apart from one individual, there was no support for this proposition. That is not to say it is right or it is wrong; people are entitled to their views, and Michael Buxton is entitled to his view.

However, I would say to Michael Buxton that Victoria, particularly Melbourne, is today very different to how it was 30 years ago. As the commission itself remarked, there are now hundreds of thousands of people living on the outskirts of Melbourne or in heavily wooded or treed areas across our state. As I have said before, the reason they live in those places is they are beautiful places to live. If you get onto Google Earth and have a look at places like Warrandyte and Hurstbridge in our built-up area, you will see they are heavily wooded. We have hundreds of thousands of people who live in heavily treed or forested areas across our state. They choose to do that, but to suggest that you could implement a program like this selectively and just buy one property here or one property there is not realistic.

In relation to one of these towns, a lady said to me — I do listen to people; they put a range of views to me — that her mother lived in one of those areas, had lost her house and would like to move, so she supported the principle of a buyback. But she went on to say that perhaps the Department of Sustainability and Environment could buy the property and turn it into a carbon sink. While that might be good in terms of carbon reduction, if you think that through, you realise that in terms of fire reduction and fire safety it would not make sense to buy back a block and then reforest or re-tree it.

It was put to me by one of the residents of Callignee whom I met that their greatest concern — —

*Honourable members interjecting.*

**Mr BRUMBY** — It was Tony. He said he was concerned about absentee landowners on blocks of land that were not properly cleared and kept safe. One of the best ways to keep these areas safe is to have strong population centres and strongly supported country towns where people understand and know the risks but have appropriate fire plans in place. It is appropriate to consult on this. I have seen Michael Buxton's views, but I have certainly heard plenty of other views which are quite the opposite of those he has expressed.

### **Bushfires: government support**

**Mr HARDMAN** (Seymour) — My question is to the Minister for Community Services. I refer to the 2009 Victorian Bushfires Royal Commission final report, and I ask: can the minister advise the house how the government is assisting and supporting families and communities affected by the devastating bushfires?

**Ms NEVILLE** (Minister for Community Services) — I thank the member for Seymour for his question, and I would like to acknowledge the great work that he has been doing in his community to support those families and communities so devastated by the Black Saturday bushfires.

The recent tabling of the 2009 Victorian Bushfires Royal Commission final report marked an important day for individuals and families affected by the bushfires. The anticipation and intense coverage of the report meant that it had the potential to be a very distressing event, triggering traumatic memories and experiences. In fact on the day before the tabling of the report I joined with clinical psychologist Rob Gordon and called on all Victorians to reach out to bushfire-affected people. That was because we know that the trauma inflicted by the fires can impact on people for months and years after the fact, and that recovery, whilst different for each individual, is very much a long-term process. That is why the Brumby government is making sure we have the supports and services in place to assist people on the road to recovery.

Members of the house would remember that in the aftermath of the fires, relief and recovery centres were opened across Victoria to provide immediate safety, shelter and support. It was from such centres that more than \$23 million in government emergency grants was paid out. There have also been 24 000 payments from

the Victorian Bushfire Appeal Fund, from all the generous donations from across Australia. In fact of the \$391 million donated over \$375 million has been allocated to bushfire-affected families and communities.

After the immediate role of relief and recovery centres began to wind down, we established 10 community hubs across bushfire-affected areas. At the peak of their use over 1000 visits were occurring each week. Currently there are still some 300 weekly visits to the hubs, with people continuing to access the support and advice they need.

Because of our understanding of the personal trauma that can unfold after a major disaster, we decided quickly to establish a case management service for all individuals and families affected. Over 5500 families have received personal support and assistance from their case manager. The service continues to work actively with bushfire-affected families, and it will continue to do so as the families need ongoing support.

As rebuilding progresses, temporary accommodation has also been provided to 1350 households that have sought support from the Department of Human Services during the rebuilding process. Four temporary villages were established — in Kinglake, Marysville, Flowerdale and Whittlesea — and currently 222 households continue to be housed in those villages.

Support for those who lost family members continues via support groups and services, and trauma mental health clinicians and additional counsellors have been deployed to bushfire-affected areas. Grief counselling vouchers continue to be available through the Victorian Bushfire Appeal Fund, with 1800 people already accessing this counselling. Parenting support groups are helping bushfire-affected families manage stress and anxiety in their children, and that is in addition to the extra support being provided to schools to assist affected children and young people. Red Cross outreach teams have also been funded and are visiting communities to ensure bushfire-affected people continue to be linked into appropriate services.

We know that recovery from trauma is a long journey. That is why the government is providing services and assistance for the long haul. We will continue to do all we can to assist bushfire-affected families and communities in their recovery. Our message today is: we will continue to stand by you.

### **Insurance: fire services levy**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the Victorian Bushfires Royal Commission's recommendation that:

The state replace the fire services levy with a property-based levy and introduce concessions for low-income earners.

I also refer the Premier to the fact that the abolition of the fire services levy is also supported by the Insurance Council of Australia, the HIH Royal Commission, the Henry tax review and the Victorian Farmers Federation.

I ask: will the Premier now stop equivocating and implement this recommendation to ensure a fairer and more equitable system of funding fire services?

**Mr BRUMBY** (Premier) — I again thank the Leader of the Opposition for his question. As I have indicated today, of the 67 recommendations the commission made, we have accepted 59 in full or in principle, and we are consulting with the Victorian public on the remaining 8. We are listening to their views. I have to say the meetings that I have been to around the state have been excellent meetings in terms of the opportunity for the public to put their views to government. That is not to say that at those meetings everybody has agreed with everything the government has done, but they have provided wonderful forums for people to offer their views.

People have offered their views on issues that I have been asked about today — on resettlement, on putting powerlines underground and on the fire services levy. Again in relation to the fire services levy and its possible replacement by a property-based tax, I have said that we will listen to the community. We do not rule that in; we do not rule that out. We would want to listen to the views of the community. As has been said:

It would be irresponsible of any government to leap into the dark without resolving and bedding down those issues.

That was Patrick McNamara in here in 1995.

*Honourable members interjecting.*

**The SPEAKER** — Order! I will not ask the member for Narre Warren North again to cease interjecting.

**Mr BRUMBY** — Successive governments have supported the fire services levy, that is the fact of the matter. The commission has recommended a change, and we are consulting on that.

### **Bushfires: government support**

**Ms DUNCAN** (Macedon) — My question is to the Minister for Community Development. Can the minister advise the house on the support the government is providing to rebuild bushfire-affected communities?

**Ms D'AMBROSIO** (Minister for Community Development) — I thank the member for Macedon for her question, and I acknowledge the solid support she continues to provide to her community. The Brumby Labor government continues to play an important role in the recovery and rebuilding efforts of communities following the devastating bushfires of February last year. A \$10 million Community Recovery Fund was quickly established from state and commonwealth funds, and it has provided well-targeted and much-needed support. This support includes \$1.75 million of funding for community development officers, which has supported 14.5 full-time equivalent positions in 10 local government areas. These positions were appointed for an initial period to June this year. In April of this year the Premier announced a further \$800 000 to extend community development officer positions in the most bushfire-affected local government areas to provide that extra ongoing support on the ground where it was needed.

In addition, \$2.75 million of Community Recovery Fund money has been allocated for community grants and local community projects. These have supported activities identified in community recovery plans related to the regeneration of community spaces, recording bushfire history within communities, activities for young people, community information and local community projects. Two and a half million dollars has also gone directly to affected councils to create community memorials and hold commemorative events.

Councils have also received support and guidance from the department's regional teams on the ground to assist in community consultation activities around the creation of memorials and commemorative events. Great care is being taken to ensure this process is inclusive and sensitively facilitated. Three million dollars of funding has gone to community sport and recreation clubs to support more than 45 affected facilities. The department has worked closely with local governments and local organisations to identify the affected facilities, cost the work required for repair and negotiate the grants.

In addition to funding available via the Community Recovery Fund, in May of last year the Labor

government announced that \$11.6 million would be allocated towards community facilities supporting growing communities. Of this funding, \$4.6 million was identified to provide support for the reconstruction of community facilities in bushfire-affected areas. This included \$840 000 for drainage works in Marysville as part of the redevelopment of that town centre — to help it rebuild and get back that tourism dollar it desperately needs.

The department continues to work closely and flexibly with the Victorian Bushfire Reconstruction and Recovery Authority. This way we can ensure that available funding is well coordinated with Victorian Bushfire Appeal Fund funding and philanthropic donations. This means we can strategically address local reconstruction and recovery needs identified through community recovery planning activity. The Brumby Labor government will continue to work in partnership with Victoria's bushfire-affected communities in order to support their recovery.

### **Bushfires: fuel reduction**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the report of the bushfires royal commission, which recommends that:

The state fund and commit to implementing a long-term program of prescribed burning based on an annual rolling target of 5 per cent minimum of public land —

and to the commissioners' comments on page 278 of volume II that:

... the state has maintained a minimalist approach to prescribed burning despite a number of recent official or independent reports and inquiries, all of which have recommended increasing the prescribed burning program.

I ask: will the Premier now stop equivocating and, in the interests of the protection of human life and the safety of communities, fully commit to this crucial recommendation?

**Mr BRUMBY** (Premier) — I thank the Leader of the Opposition for his question. As the Leader of the Opposition is aware, and as I have said on numerous occasions today, of the 67 recommendations we have agreed with 59 in principle. We agree there needs to be more fuel reduction burning in our state, and I have made that very clear publicly on a number of occasions.

In examining this issue it is worth understanding that the long-term average, or the average over the last 20 years, is 90 000 hectares per year; over the last three

years the average has been around 150 000 hectares a year.

*Honourable members interjecting.*

**Mr BRUMBY** — The commission has recommended 5 per cent of the public land estate. The public land estate is 7.7 million hectares, which includes not only all the forests but also some areas that are not forested, like public reserves and football ovals and areas like that. Nevertheless, 5 per cent of 7.7 million is 380 000 hectares per year.

Last week I was in Bairnsdale with the Minister for the Environment and Climate Change, Gavin Jennings, where we addressed about 60 Department of Sustainability and Environment and Country Fire Authority workers and were then briefed by them on fuel reduction burning in Gippsland and Gippsland East. In those areas over the next three years the department is proposing, at this point in time, to burn around 50 000 hectares per year. There is a very high degree of public consultation that goes on, particularly with affected communities. But I think it is fair to say in that part of the state there is the capacity to lift that level of fuel reduction well beyond 50 000 hectares per year, subject of course to climatic constraints.

As I have said, over the last three years fuel reduction burning of 150 000 hectares has taken place. Last year there were only 30 days on which burning could take place. In the springtime there are very few days on which burning can take place — in Gippsland, for example, it can be too windy and too dangerous — and that pushes all of the burn into quite a limited period, often, during the autumn.

I have made it very clear that we accept that target of 5 per cent. We will need, firstly, to consult with the community about the implementation and scale-up, which is a question of what is physically possible in some areas, and secondly, to make sure that this is done in a way which does not interfere with, particularly, the wine industry in the Yarra Valley and the north-east, where picking times and taint problems often coincide, or with peak tourism periods like Easter. I believe we can work through these issues.

The final point I would like to make is that while we accept that target, it will take time, as I have said, to scale up to that. The other point that needs to be made is that often you could reduce fuel in large areas of, for example, East Gippsland or the Grampians, but I inspected a burn last year in the Dandenongs which was 30 hectares protecting 200 homes — highly strategic — and that was just 30 hectares. It would count for little

towards 380 000, but in terms of saving lives and slowing the spread of fire it would be a highly strategic burn.

All these things will need to be taken into account as we scale up to a larger number: as I have said, implementation, scale up, impact on tourism and this balance between large areas in one go versus strategic clearing in high-risk areas in the Otways and the Dandenongs. I believe we can get this right, but again it is appropriate to listen to the views of the community about how we do this.

**Questions interrupted.**

### DISTINGUISHED VISITOR

**The SPEAKER** — Order! Before calling the member for Oakleigh I acknowledge and welcome a distinguished visitor in the gallery today, Maria Eagle, who is a member of the House of Commons. Welcome to the Victorian Parliament.

### QUESTIONS WITHOUT NOTICE

**Questions resumed.**

#### Bushfires: royal commission

**Ms BARKER** (Oakleigh) — My question is to the Attorney-General. I refer to the final report of the 2009 Victorian Bushfires Royal Commission, and I ask the Attorney-General to comment on the scale of the investigations and operations of the bushfires royal commission and any related announcements.

**Mr HULLS** (Attorney-General) — I thank the honourable member for her question. As we all know, as we have heard today during question time and as we will no doubt hear during the forthcoming debate, the royal commission into the tragedy of February 2009 was certainly an investment in a safer future for everybody. This investment has of course resulted in comprehensive recommendations and a framework for the challenging road ahead. It has also, however, left us with a further structural legacy.

Earlier today I took receipt on behalf of the government of the royal commission's hearing rooms for ongoing use by the Victorian court system. In particular the facilities will predominantly be used by the Coroners Court to conduct its vital work, including possible inquests into the deaths of those who died on Black Saturday. This means that Victorians will continue to benefit from our investment in the commission's

facilities as well from the consideration and implementation of the commission's recommendations.

Make no mistake, this government established the commission because it understands the seriousness of the responsibility we all have to make Victoria as bushfire safe as possible, to help us learn from the horror of these events and also to help prevent such devastation from being repeated. With the broadest possible terms of reference and a \$40 million budget to enable it to complete its work in, can I say, very tight time frames, the bushfires royal commission really exemplified what such commissions should be. Independent, well resourced and fearless, the commission spent nearly 18 months investigating every angle of this terrible chapter. Its final five-volume report is a testament to the scale and gravity of the task it confronted.

I want to take this opportunity to express our collective gratitude to the commission, in particular for its palpable focus on those Victorians who lost their lives as well as on saving lives right across Victoria in the future. I certainly commend the commission too for involving fire-affected communities throughout. I commend it for its transparency, for leaving no stone unturned and for completing its work on time and, I might also say, under budget. I thank the commissioners, the staff, witnesses and all who participated for their legacy, not only of the comprehensive recommendations but also of an analysis of the whole operation of a royal commission, which will certainly assist the government in developing legislation for the conduct of future royal commissions and inquiries.

I conclude on this note: we know that there is no quick fix and that we must be in it for the long haul. However, we have a very important framework for the road ahead, and today we pay tribute not only to the commission but also to those Victorians whose loss, grief and resilience live on in the pages of the royal commission's report.

## 2009 VICTORIAN BUSHFIRES ROYAL COMMISSION: FINAL REPORT

**Mr BRUMBY** (Premier) — I desire to move:

That the house takes note of the 2009 Victorian Bushfires Royal Commission final report, July 2010.

It is appropriate that we begin today by pausing to remember the 173 people who died in the 2009 Victorian bushfires. Those bushfires were Australia's worst natural disaster; a human tragedy that left a scar

on our landscape, our community and our history, and in so many ways on each and every one of us. It was Victoria's darkest day. I will personally never forget the things I saw or the people I met in the aftermath of those fires. I will also never forget the compassion and generosity of fellow Victorians and fellow Australians and the wave of sympathy and support we received from around Australia and around the world. It was a time when we all said, 'We are all in this together'.

Shortly before the commission's final report was tabled just over a week ago, Rhonda Abotomey, who lost a brother and other family members in the fires and who wrote the poem that I read at the bushfires anniversary service at St Paul's Cathedral, was amongst a number of people who wrote to remind me that the release of the report would be traumatic for all those who lost so much in the fires and that it would bring back painful memories and emotions. In that email she asked that, when speaking publicly, anyone in public office should first acknowledge the pain and hurt the fires caused for those individuals and for communities. Today I want to say to Rhonda and to all in the bereaved community, to all those affected by the fires, that their tragedy remains deep in our hearts and minds, that we still feel their pain and that we will continue to stand by them and their communities as they recover and rebuild.

I speak today to welcome the 2009 Victorian Bushfires Royal Commission final report. In doing so I reaffirm our commitment to do what it takes to make Victoria as fire safe and as fire ready as possible, not only for last year and this year but for every year and every decade into the future. This has been our aim from the time I announced the royal commission in Marysville on 9 February 2009, and it remains our aim today. To achieve our goals we know that we must not only heed the lessons of the past, listen to people in our communities across our state and act swiftly and decisively but also bring the community with us. I want to reassure all Victorians that our government will continue to do what we believe is right. We will continue to do the hard work to make, where necessary, the tough decisions to ensure that a tragedy of this scale never happens again. We will always keep the community engaged and will seek the advice of community members so that we can take them with us as we move forward.

Eighteen months ago, 173 people lost their lives in the 2009 bushfires. Many more members of our community, our people, were left injured, homeless and dispossessed. When those flames subsided, more than 2000 homes and farmhouses had been destroyed and many businesses had been wiped out. Whole communities like Marysville, Kinglake, Kinglake West,

Callignee, Flowerdale and Strathewen were devastated. All around them the landscape was ravaged too, with over 430 000 hectares of land burnt out. It was in so many ways an incomprehensible disaster and a tragedy that Victorians will never forget.

As our brave firefighters continued to battle the flames for weeks after the tragedy and as countless Victorians and Australians from all walks of life came forward and donated their time, their money, their blood and their energy to help in whatever way they could, our government made a commitment to all those Victorians affected by the fires to stay the course and to stand by all those who lost so much on 7 February 2009. It is true that I gave an ironclad guarantee to rebuild. It is something that I wish could have happened faster in some places for many of those who have decided to rebuild, but I have never wavered from that commitment — and I never will. I say that because Victoria is a beautiful place. It is one of the most stunning places anywhere in the world. We have hundreds of thousands of Victorians who choose to live in our bush and in areas close to our beautiful state and national parks. These places are, by their very definition, in high fire-danger-risk areas, but I will always defend people's right to live in these areas and enjoy the beauty of our natural bush.

In those first few weeks after the tragedy my ministerial colleagues and I made over 300 visits to fire-affected communities. Many visits too were made by the Leader of the Opposition, the Leader of The Nationals and other members of Parliament. It was those visits we made which informed much of our initial decision making. For example, together with the commonwealth, we activated the commonwealth disaster plan and Australian Defence Force members were deployed. I thank Major General John Cantwell — who is now Australia's commander of Australian forces in the Middle East and who I saw there recently — for his work and support during this time. We set up and launched the Victorian Bushfire Appeal Fund. We made available personal hardship and emergency grants for families who needed them.

The Prime Minister and I also announced the establishment of the VBRRRA (Victorian Bushfire Reconstruction and Recovery Authority) to coordinate bushfire recovery activity. In addition we moved quickly to provide counselling support as well as land tax and stamp duty relief and a major package of support to help Victorian businesses that were damaged or destroyed by the fires. Donations from the appeal fund provided for compassion and bereavement payments and funding to cover medical expenses and immediate essentials.

Perhaps in many ways the most important decision that we took in those early days — I remember announcing this amongst the devastation and rubble of Marysville — was the announcement of a royal commission. We announced the royal commission for two reasons. Firstly, because I believed that the people and communities of our state affected by the bushfires as well as all Victorians deserved to know all the details about how this disaster occurred. Secondly, because I was determined that a disaster of this scale should never happen again. That is why we gave former Supreme Court judge, Justice Bernard Teague, and his commissioners the broadest possible terms of reference and the capacity to inquire into every aspect of how and why the fires occurred. As I have done publicly, I want to place on record in this Parliament my thanks to Justice Teague and the commissioners for their hard work and extraordinary commitment to our state in undertaking such a difficult, challenging and, as I know, personally harrowing task. On behalf of all Victorians, I thank them and wish them well for the future.

As the royal commission began its hearings in April 2009, we continued to work with our partners and the fire-affected communities. Within six months of the disaster VBRRRA had reported that more than 3000 sites had been cleaned up through our arrangement with Grocon; 4500 kilometres of boundary fencing had been replaced; three temporary villages had been constructed, at Kinglake, Marysville and Flowerdale; 356 case managers had been deployed in 5117 cases to help bushfire-affected families and individuals access assistance; 30 community recovery committees had been established; and building permits had been approved for more than 500 houses and sheds — and that figure now stands at more than 2000.

In addition, our government announced a range of bushfire and reconstruction measures, including more than \$61.7 million of new initiatives in our response to the royal commission interim report, and total funding of around \$1.6 billion for firefighting services and infrastructure and targeted recovery and support packages in the 2009–10 and 2010–11 budgets.

As members will recall, our government set the commission very tight deadlines for its interim report because we wanted its recommendations to be considered for implementation ahead of the 2009–10 bushfire season. The interim report was presented to the government on 17 August, just six months after the tragedy. Again, I thank the commissioners for the extraordinary effort they put in to get that interim report, which was very important in terms of the 2009–10 effort.

We supported all 51 of the commission's interim recommendations. The key recommendations to be implemented for the following bushfire season included establishing neighbourhood safer places, establishing a new fire-risk index to provide clearer advice to communities, instituting limited broadcasting of the standard emergency warning signal, introducing a common alerting protocol to ensure that bushfire warnings are founded on the principle of maximising the potential to save lives, and amending the Country Fire Authority Act to ensure that the CFA chief officer has responsibility to issue warnings and provide information to the community concerning the risk of bushfire. We worked with communities, agencies, local councils and individuals to roll out those recommendations last year, and again I take this opportunity to thank everybody involved for their hard work and commitment, because the effort of introducing this sort of system-wide change so quickly is immense and it should never be undervalued or underestimated.

To ensure speedy delivery of the recommendations we prepared an implementation plan and appointed the former Chief Commissioner of Police, Neil Comrie, as an independent bushfires royal commission implementation monitor. Mr Comrie's job was to assess our implementation progress, and he gave his delivery report to the commission on 31 March 2010. His report notes that:

... 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 ... The overall outcome ... is that Victoria is now significantly better prepared to respond to bushfires than it was in February 2009.

The report went on to say that the short time frames and unforeseen logistical difficulties had delayed the implementation of some projects. We accept that conclusion.

The government implemented a range of other significant changes across the state for the last fire season. These included a national telephone emergency warning system to deliver warnings to all fixed and mobile telephones. Again, it is a matter of fact that Victoria drove the national debate on this issue; we provided the national leadership to get this system up and running in the time frame that has been achieved. The government implemented a \$11.5 million long-term behavioural change and community engagement campaign, which again is extremely important. A lot of the feedback that has come through the public meetings held over the last week or so has been about making sure that people who move into

high bushfire-risk areas are properly educated and informed about the fire risk in those areas, and this campaign was crucial.

Other changes implemented by the government include the CFA online assessment tool to try to provide assistance to people with their own properties; a revision of the 'prepare, stay and defend, or leave early' policy, to place greater emphasis on the protection of life; \$28.9 million to upgrade the preformed incident control centres to meet new higher minimum standards; and the state's first ever Fire Action Week from 11 to 18 October to focus communities on preparedness. That was a stunning success. When I was in the Dandenong Ranges with the member for Monbulk, in the street we visited on that Sunday every single householder was out cleaning their spouts and raking up their yards. We also provided an additional 150 community fireguard groups across the state and a doubling of Fire Ready meetings.

Though Victoria still bears the scars of fire, everywhere we look across the state we see signs of new life. There are businesses getting back on their feet, children walking into new classrooms and new health and community facilities, and teams training at sporting clubs, competing with new equipment on new turf. These are proud communities which are looking to the future, and they are beginning to see their future taking shape.

That is why the royal commission's final report is so important and why we moved so quickly to release our interim response. As I said in question time today, we have announced in-principle support for 59 of the commission's 67 recommendations, and we are listening to the community and relevant agencies in relation to the remaining eight recommendations.

In relation to the recommendations we have given in-principle support to, I advise the house that we will move quickly to appoint an independent fire services commissioner, and that person will be the senior operational firefighter in Victoria, responsible directly to the minister and overseeing the CFA, Metropolitan Fire Brigade and Department of Sustainability and Environment (DSE) fire chiefs. We will also act quickly to appoint an independent monitor to assess the implementation of the commission's recommendations. We think this is crucial — as Neil Comrie did with the interim report — and we will act quickly in relation to this matter.

We have given in-principle support to six recommendations designed to improve our bushfire safety policy, including, as I said, improvements to

education and awareness campaigns. We have accepted 12 recommendations on emergency and incident management, including the introduction of a graded scale of emergency declarations. There are seven recommendations to bolster regulation of our electricity distribution businesses and improve the safety of our electricity assets. As I said in question time today, we are moving swiftly on these recommendations through amendments that will be made to a bill in the other place this week.

There are seven recommendations about land and fuel management. Our government has provided the DSE with record funding for fire preparation and associated costs, increasing its budget from \$30 million in 1999 to \$120 million this year. Over the past three years 450 000 hectares have been burnt, well above the long-term average of 90 000 hectares per annum. Again, as I said in question time, we are now engaged in further consultation about the rate of scale-up of the planned burning program to achieve the commission's recommendation.

There are also two recommendations we have supported that address the problem of deliberately lit fires. They are recommendations that will complement our tough arson laws. In this context, I thank Victoria Police for the great work it already does in targeting arsonists in fire-danger-risk areas.

Certain recommendations are more far reaching in their implications for people, communities and our state. These recommendations are well known to the house, covering issues such as retreat, resettlement options, community refuges, personal shelters and putting powerlines underground. I think it is fair to say, just because of the meetings I have been at in the last week, that these recommendations are the subject of very strong views in the community. They require a respectful, considered and cautious response. That is why we are travelling far and wide to talk to people in communities across Victoria before making a final response.

Again, I take this opportunity to encourage Victorians to attend their nearest meeting and to make their views known. To those who have attended meetings, many of whom are still in great pain and hurt from the fires of 7 February, I thank them for the effort they have made to give us this feedback.

When we came to office in the state of Victoria, Victoria spent the second lowest amount per person on fire services of any state in Australia. We have turned that around and we now spend more than any other state; we have tripled emergency services funding in

Victoria. Our government stands firmly behind Victoria's emergency services. I believe we have the best people, and we try to give them the best equipment. They do great work, and they do important work. Now it is time for all Victorians to get behind the men and women who will continue to help keep Victoria safe. I have mentioned before that after the fires of Ash Wednesday, it is fair to say that communities were demoralised and our fire services were demoralised. We lost many of the best volunteers from our fire services at that time.

After the fires of 7 February I said we support and our Parliament supports our firefighters and emergency service volunteers 100 per cent, and they did everything they could on that day of terrible, terrible conditions. I am pleased to say that we are seeing volunteers coming back into the CFA. In the last year we have seen more than 1300 new volunteers. Nothing would make me prouder than to see another 1000, 2000, 5000 or 10 000 volunteers being part of our CFA or State Emergency Service brigades across the state. It is incumbent on all of us to acknowledge and thank our emergency services volunteers for the great work they did, to get behind them and to say they will have the full support of our government and our Parliament in the future.

Finally, the commission's report is undoubtedly and unquestionably a catalyst for change. It provides key recommendations that will make our state safer from the threat of bushfires. I am confident that working together with our agencies and with Victorians, particularly country Victorians, we can ensure that the legacy of 2009 is a safer and much more secure Victoria for years and decades to come.

**Mr BAILLIEU** (Leader of the Opposition) — One hundred and seventy-three lives were lost in the bushfires last year. Each and every one of them was a tragic loss: families were torn apart, communities were broken. Tens of thousands of people were impacted by the fires both directly and indirectly. Many people lost friends, workmates and loved ones. Those impacted include family members and friends from beyond the areas directly affected by the fires. They include those who fought the fires and those who have offered support since the fires. The last 19 months have been very difficult for them. Many have not yet physically recovered; many have not yet emotionally recovered. I said last year this would require our collective attention for years to come. This struggle will go on.

So often we have been told in the last 19 months by those impacted that they do not want to complain, and that they want to get on with their lives. Yes, they

would welcome some support, but they do not want to whinge. There is always somebody worse off, they say. As a result, many do not speak up at all. Many are still doing it tough — very tough in some instances. Some are with us today, some will be listening as we speak, some are watching and some will be reading in due course.

Those who fought the fires on the ground did an extraordinary job, as did those who responded so quickly to offer that support. They could have done nothing more. We again express our thanks for their efforts. For all of those impacted, the royal commission's final report is another significant marker. It will come as a relief to many of those who have suffered and as a painful reminder to others. It is a record of events. It is forward looking, but it is also an accounting, and that is as it should be and must be. We must not shy away from that account.

We welcome the report. It is a critical report, but it is also a report that is itself critical. It is a report that will undoubtedly take a significant place in the history of Victoria. We thank the commissioners Bernie Teague, Ron McLeod and Susan Pascoe, their staff and all who contributed.

Nevertheless, many have told us they have heard it all before. They have seen previous inquiries come and go and little has been done. This time they want action. This report must be read in conjunction with the interim report and its more than 50 recommendations. The royal commission involved extensive community consultation.

The conclusions of the report are compelling. Firstly, the government failed to implement previous recommendations to better prepare the state. Secondly, Victoria was not as well prepared for the fires as it should and could have been. Thirdly, many of the fires were started by powerline failures. Fuel reduction was inadequate. Warnings, communications and information systems were inadequate. The stay-or-go policy did not adequately distinguish between levels of threat. Weather and fire conditions were not unprecedented. There was a major breakdown of command and control at the time. Warnings that could and should have been issued were not. Communications that should have been heard were not. A state of disaster should have been declared but was not even considered.

The recommendations could have been much tougher; I believe the recommendations are modest. Since the interim report the government has not implemented or fully implemented key recommendations, particularly

in regard to neighbourhood safer places and refuges. Since the final report itself it has become clear that the government has sought to mislead the community about the report. The government has deliberately sought to misrepresent the extent of some recommendations, and the government consultation process since has been problematic at best and a mess in other respects.

In the bushfires zones themselves recovery and reconstruction have, sadly, been very slow. There is continuing anger and frustration, and the community simply wants to get on with it. After 11 years it is clear that Victoria has suffered throughout this process from a failure of leadership under this government. Victorians have experienced a failure of leadership and a failure to meet the basic responsibilities and obligations of government, the likes of which we have rarely seen in this state. Between 2002 and 2009 this government received no less than 25 report recommendations advising it to take immediate measures to better prepare Victoria for bushfires and emergencies. The government was told over and over again it had to overhaul warning systems, fire sirens, emergency broadcasting, controlled burning, fire refuges and 000, amongst many other issues. Yet it has ignored each and every one of those recommendations.

In August 2009 the Victorian Bushfires Royal Commission released its interim report. That report recommended that the Brumby government immediately act before the 2009–10 bushfire season on issues which had been previously identified in the 25 recommendations between 2002 and 2009. The very same issues which this government had failed to take action on, ignored or dragged its feet over for seven years were now being held up by the royal commission as issues which must be fixed immediately to make Victoria bushfire ready.

Consider we must this question: how much better would Victoria have managed and responded to Black Saturday if this government had acted on seven years of recommendations and reports to ensure that Victoria was better prepared for bushfires, instead of leaving them to gather dust in a cupboard? It has now been a year since the royal commission brought down its interim recommendations. The Premier committed to implementing all of those recommendations. A year later many have still not been implemented or fully implemented; 12 months later many communities across this state are still waiting for the full implementation of warning systems, emergency management plans, fire refuges and neighbourhood safer places.

The royal commission was so frustrated by this failure to implement key recommendations from its interim report that it made clear it no longer trusted this government to implement recommendations to protect Victoria and called for the introduction of an independent implementation monitor to try to force this government to act. This is what the commission had to say about the government's failure to prepare Victoria:

The recommendations from the interim reports that have not been fully implemented (such as those concerning refuges) should be given specific focus. Other recommendations of a long-term and continuous nature that should receive particular attention by the implementation monitor are those that governments have previously shown reluctance to implement (for example, increased fuel reduction targets, local solutions such as sirens, providing advice about the defendability of houses and contingency options such as community refuges and bushfire shelters) ...

and further:

This risk is highlighted by government responses to the implementation of some recommendations of previous reports. For example, inquiries into bushfires in Victoria in recent years made recommendations that recognised the significance of prescribed burning in managing bushfire risk and reducing the risks to life and property. Progressive recommendations have, however, had limited success in achieving suitable prescribed burning outcomes in Victoria. The Commission considers that a process is needed whereby government and the community have access to transparent, independently verified information on the response to the commission's recommendations.

No amount of spin or management can disguise what has happened. This government was told to prepare this state for bushfires and emergencies. It did not do so. It was told again after Black Saturday. It still has not done so. It is a government of weak leadership that has failed in its responsibility. This government lost sight of its basic responsibility to care for the safety, wellbeing and welfare of the people of Victoria.

The final royal commission report has now been released. One would expect that the government of the day would not only accept what are reasonable recommendations but would move quickly to implement them. But, no, we are back where we were before the fires. The Premier is resisting accepting many of the recommendations, even in principle. Victoria has just spent nearly \$40 million on a royal commission that has heard from 430-plus witnesses, held 26 consultations and received 1700 community submissions, 1000 evidence exhibits and 98 000 documents over more than a year of hearings — and the government now wants to start again.

Discussing the recommendations with the community is important, but that discussion should be about how to implement the recommendations, not how to avoid

them. The hastily organised meetings are being run by public relations experts. Those attending are confronted by a facilitator — a public relations professional — who manages them and insulates the government from criticism. What these consultations are in reality is a mechanism for the government to buy time and a mechanism for the government to actively undermine the recommendations by exaggerating and misleading Victorians over the cost and impact of some of the commission's recommendations.

I say again, this is the time to find ways to implement these recommendations, not search for excuses not to. Victorians are tired of the failure of leadership and the endless talk and spin that goes nowhere. Over the last 18 months one comment has been repeated over and over again: 'We have heard it all before, and nothing gets done'. Victorians want us to get on with it; now is the time for action. That is why the coalition supports every one of the royal commission's recommendations and we also support the guiding principles of the report: that we should be putting lives first and taking shared responsibility for that engagement.

The commission says itself the recommendations are deliberately 'broad'. I believe they are modest and common sense, and they are largely not new. I do not accept the view that over a 10-year period we cannot make powerlines in the highest risk areas safer in Victoria through a whole host of measures. I do not accept the view that we cannot help the small numbers of homeowners in unacceptably high-risk bushfire areas who want to avoid extreme danger and consider voluntary buybacks in the community interest. Recent media reports have made a flurry of wildly exaggerated and false claims of unprecedented costs, expenses and consequences of implementing the royal commission's recommendations. All those claims have been sourced back to the usual government sources.

We have reached an important turning point in our state. Are we to continue to be fed a diet of lies, spin, exaggerations and fear by the government to conceal a culture of incompetence, failure and inaction, or are we to reject the conduct of this government, which has been so irresponsible and reprehensible that its leadership has failed us all? In the aftermath of Black Saturday a mantra arose from the government: the fires were unprecedented; the day was unprecedented; the conditions were unprecedented; who could be expected to prepare for and manage such unprecedented circumstances? That was the claim.

Yes, the fires were atrocious; the death toll was appalling. But the royal commission chose to examine

this claim at some length, and this is what the royal commission had to say:

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.

and further:

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

and further:

... 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.

But as if that was not clear enough, the Premier was again on radio last week following the release of the report, claiming, 'we had a day that was unprecedented; the commission itself says that'.

It was a most extraordinary statement. It flies in the face of the explicit findings of the royal commission. Why is it that the government holds fast to this lie? It is because this is the last fig leaf of an excuse. If in fact neither the day nor the fires were unprecedented, how negligent was the government in having not acted on recommendations to prepare the state and to fix ailing systems and failing systems?

There is another claim that the government clings to. It is the other mantra that came from the government following Black Saturday — 'We will rebuild these communities brick by brick'. This is what the Premier had to say:

We need to rebuild these communities ... it will take at least 12 to 18 months in these areas ... this could be an 18-month task.

It is now 19 months on and these communities have not been rebuilt. They are, in many areas, struggling. There is enormous and continuing frustration and anger at the lack of progress and decisions. There have been many people assigned to the task of recovery but so very few decisions or results. Many have told me they have been let down by this false promise. Community facilities have still not been rebuilt. More than 2000 homes were destroyed by the fires. Barely 600 permits to rebuild have been issued by the government. Many bushfire survivors complain of frustration with government red tape, inaction and incompetence. For all the grave pronouncements and commitments by the Premier last year, a failure of leadership has left so many of those impacted by the fires desperately struggling. That is the legacy of this government's approach.

What should happen now to speed reconstruction and recovery? The Premier should have appointed, and could still appoint, a dedicated minister to the task — someone who could cut through the delay, eliminate the duplication and waste and stamp out any bureaucratic obstacles. That is what we proposed more than 12 months ago. The government should also acknowledge and accept that the reconstruction effort has stalled badly. The government must also ensure that the Victorian Bushfire Reconstruction and Recovery Authority, in whatever form it continues, is provided with authority to actually make decisions. A single line of authority is desperately needed to speed up outcomes in the fire zones.

In terms of future bushfire prevention, it is critical that the recommendations of the interim report are completed as soon as possible. All of these were accepted by the government at the time; not all have been adopted. These interim recommendations were advanced to provide greater immediate protection. The government should also accept in principle all the commission's final report recommendations. The government should also use its resources to establish an implementation program to deal with those recommendations, including resourcing all those measures. As of today there are 12 sitting days left to this Parliament. The opportunity exists for the government to introduce legislation to give effect to the most pressing measures and, where that is done in good faith and in line with the commission's recommendations, we will support those moves.

This is a turning point in Victoria's history. This is a critical report with critical recommendations. It is time to act. We cannot have a repeat of what occurred last year, and we, as a Parliament and as a community, have to do whatever is possible to prevent it from happening again. We cannot afford to shy away from these recommendations. It is time to find a way to implement these recommendations, not avoid them. We owe just that to those who died. We owe it to all of those who were impacted by the fires. We owe it to those who answered the call to fight the fires and those who were moved to offer their support. In particular, we owe it to those who will be called in the future to do so again.

**Mr HULLS** (Attorney-General) — Never before had Victorians experienced such devastation at the hands of the environment as they did in February last year. It is our fervent hope that they never do again, which is why the government immediately established a royal commission — hoping to receive bipartisan support — to help us learn from the horror and the tragedy of February 2009, Black Saturday, and to help us prevent such devastation from being repeated. Make

no mistake — this government established and invested in the royal commission because it certainly understands the seriousness of the responsibility we have to make Victoria as bushfire safe as possible.

We know that it is not a quick fix, that it will require sustained and collaborative effort and that we must all be in it for the long haul. That is why the government showed leadership. That is why this government is out there now talking to communities about their views — in particular in relation to the more contentious of the royal commission's recommendations. That is why we had hoped that the commission and the recovery effort might be bipartisan efforts which were beyond the reach of self-interest and party politics. It saddens me then — and I am sure it saddens other members on this side of the house — to see the way in which some have sought to use this for political purposes.

The announcement of the 2009 Victorian Bushfires Royal Commission only nine days after Black Saturday should have been a line in the sand — an opportunity to put self-interest aside and embrace bipartisanship, not for the sake of the government but for the sake of those who had lost so much and who continue to endure today. We owed it then to those people, to those families and to members of those communities that live with the legacy of the February fires to draw this line. Now we owe it to them to draw another line as we respond to the commission's recommendations, as we involve the community and as we seek their views. Victorians want to make sure that we understand what occurred in February last year and that we stop it from happening ever again. They are interested in rebuilding and recovering, as best as anyone can, from those horrific events. They are not interested in political opportunism.

The opposition had a historic opportunity to work alongside the community and fire agencies in a bipartisan effort. In my view the opposition should try to find the energy to stick to the higher ground and return to the call of the Leader of the Opposition the day after Black Saturday, when he said 'Victorians should join together' and that state and federal leaders should work cooperatively together. We do not want to witness another example of cynicism and laziness — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Polwarth!

**Mr HULLS** — Certain people demand the implementation of the commission's recommendations

sight unseen — without our talking to communities and without our doing any of the hard work to identify the implications. Make no mistake, Speaker, nowhere did the commission recommend that the government adopt all the recommendations without taking the time to work through their implications or consult with fire-affected communities. Nowhere did it suggest that we should abandon the role of responsible government. In fact, to use its own words:

... the commission chose not to constrain the state with undue prescription: it wanted to obviate the risk of narrowing policy-makers' vision.

In other words, the commission wanted the government to do exactly what it is doing now — examining, consulting and considering. We therefore wear this consultation and this careful approach as a badge of honour, as we believe we owe it to the communities that were affected by the bushfires to do just that. In turn, these communities demand and expect nothing less.

The Premier and ministers have travelled right around the state, listening to fire-affected communities — I had the privilege of being in Whittlesea and Arthurs Creek on Sunday — and indeed I know that the Premier will continue to consult and other ministers will travel the state in the next short while. The sheer numbers turning out to these consultations make it clear that Victorians want to be heard on these issues. They have strong opinions and their own particular suggestions, all of which need to be listened to and many of which will value add to the royal commission's recommendations.

To take just one example, anyone with the energy to read the papers would be aware of the concern many fire-affected communities have about the proposal for government-funded buyback of properties in these areas. You only need to consult with these communities to realise that many fear this would drain the lifeblood from those communities, which have already lost so much and which have fought to overcome tragedy and indeed fought to rebuild together. Yet some want to implement 'each and every recommendation' without further thought, claiming languidly that costs are 'a detail that can be worked out later'. This is not responsible government. This involves the Victorian community's money, and we owe it to all Victorians — yes, to those already affected by the tragedy, but also to all communities right across the state — to manage the risk of bushfire in their particular landscape and to do so responsibly.

That is why we will continue to consult and consider until we are sure we have got the response right — because we owe those fire-affected communities no

less. After all, this journey is about our shared responsibility as Victorians. As the commission rightly stated, this expression does not mean equal responsibility — it does not mean that ordinary Victorians assume a burden similar to that of the state.

What it does mean, however, is that we work together; that everyone — this government, municipal councils, statutory authorities, individuals, local communities and the broader population — assume together a responsibility for safety. This means government assuming costs and improving emergency management and advice. It means households acting on this advice and developing well-informed plans. It means all of us, as the commission also pointed out, identifying the specific needs of vulnerable people who might need assistance or separate consideration. We cannot do this, however, by imposing instruction from above. If this is a shared responsibility, it must also, to the extent that it is possible, be an agreed one.

Those communities affected by the events of February 2009 and its aftermath still, as I have said before, live with this legacy. Families are still in grief. Many people are still in temporary accommodation with homes yet to be rebuilt. Businesses are yet to be re-established in many areas, as are the normal patterns of life in small communities. Teachers will witness the effects of these changes on their pupils. Illness and other after-effects of such acute and sustained trauma continue to play themselves out, often with tragic conclusions.

I conclude on this note: the commission's recommendations are not a nice, neat package that we can use to draw this tragedy to a close, despite what some may hope — they are an important framework for the road ahead. In paying tribute to not only the commission but also those Victorians who continue to endure so much, I finish with this simple reassurance: this government is listening, and this government will continue to consult with fire-affected communities — they deserve no less. I give this assurance again to those fire-affected communities: we are with them for the long haul; we are with them whatever it takes. We believe the recommendations in the royal commission's final report need to be considered in detail. There needs to be consultation; we are doing that, and that is because we respect the communities that have been adversely affected by these tragic events.

**Mr RYAN** (Leader of The Nationals) — The genesis of today's debate was the appalling fires which struck in Victoria in January and February last year. On 26 January, Australia Day, last year I spoke to people who were gathered at Mirboo North to celebrate that great event, and we talked about the many wonderful

aspects of the nation, which is surely the greatest nation on the planet. We also talked about Victoria and its many attributes. Who was to know that only two days later fires would break out at the Delburn complex and in areas around Mirboo North and Boolara, which was almost lost to the fires in those early days, and that in various other small communities and hamlets in that immediate region we would see fires rage for a period of about 10 days, leading up to Black Saturday, 7 February 2009.

So it is that when we come to this debate today it is crucial — I am sure it is in the minds of all of us here in the Parliament — that we reflect on the fact of the Gippsland fires leading up to Black Saturday and that as a direct consequence of what occurred on that terrible day 173 poor souls lost their lives, so many others were injured and many others, literally thousands, lost property, businesses and their way of life. For so many of them those losses continue to this day, and many of them will see this sequence of events occur for many years to come. Indeed, it is a tragic fact that some will probably never recover from the events of Black Saturday in particular.

As a result of this cruel coming together of circumstances we have, ironically, been afforded an opportunity in Victoria, and we must seize what is happening now to honour the memory of those 173 folk who lost their lives. In the introduction to the 2009 Victorian Bushfires Royal Commission final report the commissioners referred to the implications of policy reform. They said:

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 those 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.

That is the core of what this debate is about. There lies the issue that the Parliament must grasp to ensure we pay proper homage to those whom we have lost and those for whom we continue to feel.

The royal commission sat for 155 days. There were more than 400 witnesses. Expert panels were gathered together to give evidence about the most contentious issues. There were more than 1000 exhibits, over 1000 pages in the final report and something in the order of \$40 million of public expenditure. Sixty-seven recommendations arose from this enormous effort. I pay tribute to the commissioners; it was a gruelling, harrowing experience for everybody who participated in the royal commission. I was up there for many days

to see and hear the evidence. It was a terrible experience for many people who gave of their time and memories. It was often terribly difficult for them to relate the evidence which underpins the findings and ultimately the recommendations of the commission. Therefore it is all the more important that the government adopt all the recommendations of the royal commission.

I take issue with the matter that the Attorney-General referred to earlier. We must embrace the totality of this: the strength of the work the commission has done and the recommendations that it has made lie in the holistic nature of it. You cannot pick and choose like that. It is not a supermarket — you cannot leave some things on the shelf and take others away. It is vitally important that, if we are to give full effect to the work of the commission, we ensure that all the recommendations which the commission has made are acted upon. That is why the coalition parties have accepted in principle those recommendations. But for its part, with the best will in the world, the government is equivocating on this. It should accept all of the recommendations, at least in principle.

This was the people's commission — that is how the Premier termed it — and the people's commission has spoken. It has made 67 recommendations, and it is now time to get on with their implementation. I respectfully say to the government that the message that is being sent is contradictory; it is a terrible message to the public at large. I agree strongly with the notion of consultation; I participate in consultation very strongly. I have done so since the terrible day of the fires, like all parliamentarians here have done. I have continued to do so to this day, but the consultation should be about the implementation of the report; it should not be second-guessing the commission. We risk ending up with having a commission about the commission. When you go along to the public meetings — as the reports that come to me say — of course there will be a competition of opinion among people who come with different points of view, but that is precisely why the commission was established in the first place. That is exactly why the Premier announced the establishment of the people's commission, so that we could have the people act as commissioners to sort this out, hear the evidence, make the recommendations and provide us with a pathway to ensure we minimise the threat of ever having to face this terrible event again.

We need consultation around implementation; we do not need consultation as a re-run of what the commission's work has involved. We do not need procrastination on the part of the government; we need action on the part of the government to give effect to

these recommendations. Worse, if I may say, the government keeps shifting its position on this. In the lead-up to the day when the commission provided its report the Premier gave different versions as to what the government would do upon receipt of the commission's report.

The Premier initially talked about a delay of anything up to three weeks or thereabouts before some sort of interim response would be made by the government. That shifted and shifted again until eventually, despite what the Attorney-General now tells us, it was on the Monday afternoon two days after the commission's report had been presented on the Saturday that we had 59 of the recommendations accepted by the government; there was no waiting several days or waiting until the end of that first week as had been flagged, let alone further discussions about other aspects. By 5 o'clock on the Monday night 59 of the 67 recommendations had been accepted.

Again, it is a shift in position away from what people want to see in relation to the commission's work. One need only look at the commentary from the commissioners themselves. They regard the recommendations they have made as sensible, common sense and affordable; that is what they continue to say, and the government should listen and act upon what the commissioners are telling us.

In some instances the verbiage within the commission's recommendations is of a generalist nature. It is the case, as the attorney has said, that the structure of those recommendations does allow for different interpretations. But make no mistake, there is a fist in the glove. Justice Teague, who is very experienced and renowned for his great contribution to the law, intends to ensure — as the primary commissioner — that these things are given effect. For the government to think otherwise is a mistake.

We need to get started immediately. We should start now with the appointment of the monitor. We should start now by having the legislation in the house to ensure that the monitor is there to oversight the implementation of the recommendations. This was a proposition which we, as an opposition, advanced in September last year, and we would be very pleased to support the government in enabling this role to be established as soon as possible so that we can get on with it. There is no reason not to do that.

There are various other elements from the interim report that remain outstanding: refuges, neighbourhood safer places, sirens and various other issues that are referred to particularly on page 404. I am not going to

go to it now; it is there for all to read. The principal thing is not to let this chance go by. We should get on with it and implement these recommendations now.

I want to deal particularly with some of the issues about which the government apparently continues to be troubled. The fire services levy should be abandoned. We should have a system in Victoria reflective of that which works so successfully in other jurisdictions. The government has dillydallied on about this for literally years. The HIH Royal Commission, the Henry review of taxation federally, the Victorian Bushfires Royal Commission, the Victorian Farmers Federation and other organisations are all saying the same thing. Deloitte has now prepared a report — underpinned in the commentary from the Insurance Council of Australia — which goes through the raw numbers and makes the case that we should move on and introduce into Victoria a system which is reflective of that which happens in other parts of Australia.

The current system of the fire services levy is unfair, unjust and inequitable. It particularly discriminates against country Victorians. You cannot have a circumstance continue where the fire services levy is now about 80 per cent of your premium if you are running a business in country Victoria. By the time you take the \$1000 premium, add on the extra \$800 for the fire services levy, the GST and the state government stamp duty you are paying in excess of \$2000 as opposed to the original \$1000 premium. Yet everybody expects the fire services to turn up if a fire breaks out, no matter whether they have paid their fire services levy or not. It is inequitable. A property-based system works well in other systems and other jurisdictions. This is why we support recommendation 64 and give our general support for the 67 recommendations in total.

It is important that members note recommendation 27 of the commission's report, which looks at the issues over the powerlines. It states that there should be:

the progressive replacement of all SWER (single wire earth return) powerlines in Victoria with aerial bundled cable, underground cabling or other technology that delivers greatly reduced bushfire risk. The replacement program should be completed in the areas of highest bushfire risk within 10 years and should continue in areas of lower bushfire risk as the lines reach the end of their engineering lives.

That is what the recommendation says. Instead this has been painted by the government as somehow requiring us to go out tomorrow and start digging trenches to get this done immediately. It is simply not the case. We need to have regard to the recommendations of the commission and work with them.

A further aspect of recommendation 27 is in relation to the 22-kilovolt distribution feeders. It talks about that happening over a period of time. The government should adopt that as a general principle, and it should move on.

The cost of the replacement of SWER lines is contrary to what is said by the government. On costings produced by the Department of Primary Industries in August last year, the total cost for the whole SWER line system to be undergrounded in the state of Victoria would be \$4.7 billion. That is the department's costing. As this government trots out this nonsense of extreme costs we should have regard to the facts.

Recommendation 46, the retreat and resettlement recommendation, states that voluntary buy-out is one option that should be explored. People are not going to shift holus-bolus out of these communities. They love where they live. That is why they went there in the first place. They are not going to pick up their households, move, re-establish — go through all of that — simply because of this issue. What people want to do is continue to choose where they live and ensure that they have the best way of life for their families. The government is painting this unfairly.

So it is that I say we need to get on with it. The government should adopt all the recommendations and not equivocate or prevaricate. The focal point of all of this needs to be protection of human life. That is what the commissioners have said, and they are right. We should implement the whole lot. You cannot take those you particularly want and not those you might think you do not want. The strength of all of this lies in taking the whole lot together. You make the whole thing unravel otherwise. This is a seminal moment in the history of Victoria, and I urge the government to get on with it.

**Mr CAMERON** (Minister for Police and Emergency Services) — It has now been one and half years since 7 February 2009 — the day that we now know as Black Saturday — a day when 173 people lost their lives, more than 2000 homes and houses were destroyed and over 400 000 hectares were burnt.

In discussing the tragedy it is important to acknowledge the outstanding efforts of emergency services personnel across the state that day and on subsequent days. They did their best to prevent the tragedy becoming even greater. Take, for example, the fast suppression of the Narre Warren and Upper Ferntree Gully fires by firefighters which meant that those fires did not spread into the Dandenong Ranges, which would have caused, unfortunately, far more loss of life. Alternatively, take

the Epsom incident management team's management of the Redesdale fires, which the commission described as being testament to good planning and agency cooperation, or Victoria Police's actions to warn residents in areas such as around the Bendigo fire, which were commended by the commission. There are a great many other examples of successful firefighting on the day that without a doubt saved lives.

The commission found that the response to the fires on 7 February was characterised by many people trying their best in extraordinarily difficult circumstances. In the days after the fires the Governor-General rang to pass on to the emergency services an acknowledgement of Australians of their work and dedication.

As members would know, other states and territories came to help. I would like to pay tribute to Australian Capital Territory firefighter David Balfour who lost his life helping his Victorian colleagues. He was a good Australian helping fellow Australians. As I travelled around the state after the fires, many people told me it took some time for the impact to fully sink in and become clear to them.

In October 2009 the respected American magazine the *New Yorker* ran a story called 'The Inferno', which said:

The devastation of Black Saturday became clear only over many days, unfolding for survivors as a disorienting nightmare. Devastation extended across Victoria. In places where the fire had passed, the countryside was completely silent, with no sign of animal life.

Certainly that was replicated by so many across the state. So many old CFA (Country Fire Authority) hands who had been at Ash Wednesday said how much worse Black Saturday was. There were people like group officer Neil Beer, who said that even if there had been 1000 more fire trucks that day, nothing could have stopped the inferno; in fact firemen would have been sent to places where they should not have been and they would have died. Houses that were acknowledged by everybody as being defensible simply were not.

As a consequence of those things, there needed to be a new approach. It was not good enough just to say that Victoria had policies and procedures which on 6 February people looked to as being world best practice. In the light of these events there had to be change. There would have to be a substantial change and a renewed focus. That is why the Premier called for a royal commission shortly after the Black Saturday fires.

We have a thoughtful report. At its heart it talks about a change of emphasis. The commission acknowledges

that traditionally and understandably the approach of fire services has been about fire suppression. But it says that on the worst of days there needs to be a change of emphasis to warnings, a change of emphasis to information, because that is what is going to be more likely to save lives.

We have seen substantial change already since 7 February. As the Premier has said, we have to use this commission report as a catalyst for further change. Certainly the commission acknowledged that the state has shown a strong commitment to implementing its interim recommendations, and we have seen substantial changes, for example, in command and control. We have seen a focus on incident control and coordination, with budget funds for additional and very important training and the upgrading of equipment for level 3 incident control centres.

We have seen a boost in community awareness and preparedness. We have the new fire-danger rating system where we now have a system of code red, which is an acknowledgement that even those who are the best prepared may not be safe on a code red day. Throughout all of those changes, the emergency services organisations have contributed, even though many parts of those organisations were shell-shocked as a consequence of 7 February, and they have worked hard to implement and to bring about that change.

We have seen a change in the communications. We have seen the emergency alert system established. The thing the commission commended in its first interim report was the leadership role adopted by Victoria. As you know, Deputy Speaker, this is something that Bruce Esplin, the emergency services commissioner, has advocated for years and the state of Victoria has supported. The Premier took this matter up nationally when he became Premier. As members know, last year we were allowed access to the federal telecommunications database, and within five months Bruce Esplin's team, on behalf of the state of Victoria and the other states, had put in place the first stage of emergency alert. That will be one of the most significant changes since 7 February. Victoria owes the people who worked on that project a great deal for what they have done to make Victoria a safer place into the future.

The commission acknowledged the vital role of Victoria's firefighters and the volunteer firefighters. We have an enormous surge capacity in this state, where some 10 000 firefighters were out on Black Saturday. That is because there are so many volunteer firefighters who are capable of being organised together. That was the big change that came out of the 1939 fires, and the

royal commission held then. There had to be a centralised and an organised system, and that is why the CFA itself came about.

There are many recommendations now before us, the vast majority of which the government has accepted. The government has said it will consult. That consultation takes many forms. It takes the form of round tables, it takes the form of consultations in communities across the state, it takes the form of people directly contacting us by emails or letters and people presenting views to their MPs, which no doubt will be presented during the course of this debate. But it is very important that we recognise the views of people as we consider all of the implications of those recommendations and how they fit in holistically to a Victoria which we, and I trust all honourable members of this house, are committed to making even safer by building on the changes that have occurred since 7 February. It is important for the community and the government to have a shared responsibility and acceptance of those, because shared ownership will ultimately bring about a better outcome, which is a safer Victoria — and that is what it is incumbent upon us all to provide, given the tragic events of 7 February.

**Mrs FYFFE** (Evelyn) — It is now 18 months since I made what was probably the most difficult speech in my life, during the condolence debate in this house for all those who had perished in the terrible nightmare of Black Saturday. We all expressed our sympathy for and condolences to all those who had been injured. We expressed sympathy for the loss of homes and the loss of domestic and farm animals, so much of the beautiful flora and fauna and the thousands of hectares of forest, much of which has not yet regenerated. We expressed our support for members of the emergency services for the hours they put in and for the courage, the valour, the decency and the compassion they showed to everyone.

For many who survived, the suffering caused by that terrible nightmare is ongoing. We heard this during the 2009 Victorian Bushfires Royal Commission hearings. I commend the commissioners on the way they handled those hearings. It was harrowing, but the dignity, compassion and understanding they showed and the way they made everyone feel they were listening to them was very important. I really thank the commissioners for the way they conducted the hearings.

Today I feel I have an enormous responsibility, given the expectations of those who have spoken to me during the past 18 months and those who have contacted me since the royal commission report was released, who want me to speak for them. These are

people who feel their voices may not have been heard or who may not have the confidence to have had their voices heard. Electorate boundaries do not count in times of disaster. Electorate boundaries mean very little to the general community in times of trouble, and they approach whomever they can. My doors, both the door of my office and the door of my home, have been open continuously to those who have just wanted a chat, to those who have just needed to get away from their problems and to those who have wanted assistance in handling the bureaucracy. I have had people from Marysville, Kinglake, Steels Creek, Dixons Creek, Yarra Glen, Toolangi, Taggerty and Christmas Hills approach me, either privately at home or in my office or when I have been out and about in the Yarra Valley. I will try to do justice to those who have placed this responsibility on me: to express what they feel and what they want and expect from the government following the royal commission's report.

First and foremost it was stated very forcibly at a meeting on Sunday night at Yarra Glen, which approximately 100 people attended, that they do not want any more consultations. Firstly, they want no more of being treated like children and seated at tables with sheets of butchers paper. They want no more controlled meetings, where the outcome is decided before they speak. They want no more calling of meetings that are so controlled that they cannot say what they want to say. Secondly, they want action. They want the promises made in the weeks after the fires to be honoured. They want the Premier to honour his commitment to implement all of the royal commission's findings, which is what they believed he said he would do when he announced the royal commission. They want the promise by the then Prime Minister, Kevin Rudd, to 'rebuild, brick by brick' to be honoured. Most importantly, they want the statement, 'We must never let this happen again' to not just be empty words but to actually mean that this government will implement the recommendations and do it now. Not one person has said to me that there must never be another bushfire, because we all know there will be. What they are saying is that we must have the will and the courage to do what is needed.

As to the report's recommendations themselves, most of them are common sense, some are very straightforward, some will be costly to implement and others require more detail. There will be vocal opposition to the report's statement about putting people first. There will be arguments against increasing fuel reduction burns and reducing fire risk in roadside vegetation. But what I have heard up until today is a Premier who is focusing on why he cannot do, not how he can do.

The report itself is critical of those who were at the top. Whilst it is widely acknowledged that the fire would have happened no matter who was in charge — and this has been repeated to me by several people — there are serious questions being asked about the performance of those who were in charge, not only during the fire but also in the preceding years. It is asked: how many of the 173 men, women and children would still be alive today if those in charge had issued clearer, stronger and timelier warnings; if they had had control of the situation and had shown leadership? The fact is that nobody said, ‘Abandon ship, man the lifeboats’ when the ship was rapidly sinking. The crew was not united on the bridge and the admiral was nowhere to be seen. How much would the devastating damage have been lessened if the state government had adopted the 25 recommendations that had been made since 2002 for an increase in fuel reduction burns and to take other measures to make Victoria bushfire ready and safer?

At the end of my condolence speech on 24 February 2009 I said that we had the knowledge and experience and that we needed to apply the knowledge and the collective wisdom. Sadly, Premier Brumby and this government have not used that knowledge or that wisdom, and this lack of action is unforgivable. When I go to the recommendations and look at the one about voluntary acquisition, I see that it is not widespread acquisition that is recommended. That recommendation is meant to apply to people like the lady who lost her home and who was insured but for whom, because of the new building requirements, rebuilding would cost \$120 000 more than she has. I will not name anyone, because many of these conversations were in confidence. This lady cannot afford to build a house on the block of land she owns. This block of land is in an area with a high fire rating, so there are not many buyers for it — in fact, there are no buyers for it. That leaves her in a position where she cannot afford to buy a house elsewhere.

On Sunday night in Yarra Glen I was sitting at a table next to a gentleman who, as the evening progressed, was becoming quite distressed. I said, ‘Are you okay? Can I get you a cup of tea?’, and all the things one does in such a situation. He said, ‘I am sitting here, and I wanted some answers tonight. I am retired; I am a self-funded retiree. My wife and I were sitting down this afternoon trying to work out how many years we have left to live’. I said, ‘I am sorry to hear that. Why are you thinking that?’. He said, ‘Well, to rebuild my house will cost me \$75 000 more than I got on the insurance for my house. How much of my superannuation can I put into that rebuilding and how much do I need left to live on?’. He then said, ‘What sort of house can I build?’. We talked a little bit more.

Then he told me that he was living on the block. I asked, ‘What sort of accommodation have you got?’. He said, ‘Well, the fire left us a carport. We had a two-storey house and sheds, and we were left with a carport’. He and his wife have been living in a carport since the fires. They have had neighbours help them put up a temporary bathroom and toilet and have had other friends help them. Here this man is at a time in his life when he should be relaxing after working — and he was a working man who had worked very hard — and he cannot afford to rebuild.

Here we are in such a wealthy nation and wealthy state, yet people are living up in the hills and in the valley in third-world conditions. We expect it in Haiti, we expect it in Indonesia and we expect it in the Philippines, which are much poorer and where people are left to live in temporary, flimsy accommodation for a long time. But we have people who have been living in caravans and sheds on these cold, cold nights, where the condensation on the inside causes the blankets to get wet and they cannot get them dry, and who are having to use shared facilities. If they go into a rented house — if they can find a rented house anywhere — they are using valuable money that they want to put into rebuilding. That is what ‘acquisition’ means: to help those people whose houses are in the most fire-prone areas.

I do not have much time left. I want to speak about the communications. After the wind storms in Victoria, the emergency services commissioner gave a report to this government that said that communications would break down if there were a disaster. It was ignored; nothing was done.

I look at the fire levy. There is great support for a more equitable way of collecting the fire levy. Personally, given the rating system we have, I think councils could collect it. Someone might come up with a better way, but it has to be more fairly shared. Why should just some areas have to carry it all?

I turn to look at Yarra Glen and the recovery. Yarra Glen traders are about 30 per cent down. They have had not just the bushfires but also the building of the north-south pipeline and a bypass. Where is the effort on the situation in Yarra Glen? Those people are suffering. Those businesses are looking at closing, and some of them are quite substantial businesses. Again, I do not want to highlight individuals by naming them, because I do not want it to appear that they are failures. Trade is down in Yarra Glen, which is obvious if you talk to any of the traders there. As a local person, and I am speaking as a member of the community in my area, not enough is being done.

**Ms GREEN (Yan Yean)** — I have had the painful privilege of speaking on many occasions in the past year and a half since the dreadful events of Black Saturday and its aftermath, and it still fills me with emotion each and every time I am called upon to do so. It was the day all my worlds collided. I was a mother fearful for her almost-grown-up son, trained, prepared and ready to defend our home under imminent threat. I was a firefighter, fearful for my own safety and that of my brother and sister firefighters, especially those who stared death in the face as I heard their maydays on four occasions on the Country Fire Authority (CFA) radio on that fateful day. I became one of the bereaved, having lost many friends on that day.

Today I remain proud to represent a still damaged but definitely not defeated community, especially the localities of Arthurs Creek, Christmas Hills, Humevale, Kinglake West, Strathewen, St Andrews, Whittlesea and the many surrounding communities that have opened their hearts and their arms to embrace their fellow citizens in their darkest hours.

The fabric of my community has been altered forever. It is often said that life is a rich tapestry. Many of the survivors of this tragedy have holes in the tapestry that is their lives. They have good days when they live in the colourful happy parts and other days when they are hanging from the threads of the holes left by the people who were lost.

It is crucially important that all of us in this place put the interests of the survivors and the victims who died first, and not play politics. It is counterproductive and silly to claim or construct a debate, or argue about whether or not Black Saturday's events or outcomes were unprecedented. Anyone who was there, particularly firefighters, knows that fire weather and behaviour of this magnitude had never been seen since European settlement. Like the member for Seymour, I was there, and I will never forget the heat, the noise or the smell.

To read the royal commission's five volumes was an excruciating reminder to me of that terrible day and the days after, in particular chapter 5 of volume I, which gives the harrowing details of the Kilmore East fires that ravaged my community where 119 people died, 1242 homes were destroyed and 168 542 hectares were burnt. Pine Ridge Road, Chads Creek Road, Yea Road, Coombs Road and Bald Spur Road are all etched in my memory.

I pay tribute to the royal commissioners for the time and care they have taken on this most difficult of tasks. I want to thank the survivors for their strength in the

face of enormous adversity, especially those who made submissions to the commission about the death of loved ones. The same goes for the firefighters and police and so many others who spoke to the commission about their most terrible experiences and treated this as a most serious task.

I am pleased that 59 of the 67 recommendations have been accepted in principle by the government — this is 88 per cent of the recommendations of the royal commission. I am pleased that the government, in agreeing to these recommendations, has then referred the more complex remaining recommendations to be the subject of consultation amongst the community. This shows an absolute respect for that community, and I want to thank the Premier and ministers for the time they have taken in attending these consultations with the community.

I want to thank the many community members who have taken the time to offer their views and ideas about the final report. I have accompanied the Premier and the Deputy Premier, as well as having gone on my own, to consultations, both public and private, at Kinglake, St Andrews, Arthurs Creek, Warrandyte and Whittlesea. These consultations have been with the community recovery committees like those of the Kinglake Ranges, Strathewen, St Andrews and Christmas Hills, and with CFA volunteers, police, educators, farmers and many local residents. In particular the community recovery chairs Ian Flack and Malcolm Hackett and CFA captains Ken Williamson and David McGahy were effusive in thanking the Premier and the Deputy Premier for the opportunity to have input and to be consulted. Captain David McGahy told me that it was the right thing to do, and I agree with him.

One of the issues raised at the consultations that the community has wanted to have its say on is fuel reduction. It supports absolutely the recommendation that there be an increase but thinks a 5 per cent measure will not necessarily deliver the outcome of a safer community and that there needs to be greater weighting given to burns that are done close to where people live. It could be very easy for any government in future to say they had burnt 5 per cent in the Mallee, but that would not make where the majority of Victorians live safer.

On the issue of powerlines, there was a great deal of support for the recommendations of the commission, but there was a lot of concern about the cost to individual land-holders and how this would be done, particularly in areas like Nillumbik and Whittlesea, where there is a lot of rock, which would require a lot

of drilling. People living in these communities are very environmentally conscious, so they really like the part of the recommendation that talks about new technologies and very much want the government to examine the options of solar and other technologies rather than the undergrounding of the powerlines.

There is a great deal of concern about retreat and settlement amongst the communities that have been consulted in my area, and we have an example of exactly what happens with depopulation of an area following a tragedy. The Shire of Murrindindi has suffered a reduction of a thousand people in the size of its community, partly due to people moving and forced relocations because of this tragedy. Many are moving back, but we have seen great difficulties for the local economies in keeping businesses going. There has been a loss of social capital through the loss of many community leaders who had been active there for a long time. For the longer term, we have seen what happens to small communities in times of drought when people move away: businesses struggle and schools close. People need to be quite clear that this recommendation from the royal commission does not refer just to areas that have been afflicted by the fires; it is about any area of fire risk in Victoria.

At the consultations people have said they do not necessarily feel that voluntary relocation will mean that the remaining residents will be any safer. Many individuals said they felt that private landowners were the best land-holders to keep the community and an area safe. They questioned relocating, given that the Real Estate Institute of Victoria says that now the average price of a house in Melbourne is \$500 000. At \$500 000 to relocate one family, that money might be better spent in supporting that family in a high fire-risk area. Building personal bunkers, improving roadside burning, improving the road network, maybe bituminising dirt roads and working with the powerlines might be the best way to spend that sort of money in the community.

On refuges, people said they believed strongly that refuges should not be seen as an alternative to leaving early. There was a great deal of concern about who would police community refuges. If there was room for 200 people in an established refuge, who would be at the door when the nos 201, 202 and 203 arrived in the face of a fire bearing down on them?

I thank the community recovery committees I mentioned earlier for their efforts in rebuilding. I thank my wonderful staff, Rosy, Jinane and Amanda, for the care they have taken along with so many others in looking out for people in my community. In particular I

refer to the words about Garry Bartlett that appeared in the Strathewen newsletter:

A wonderful member of our community, Garry Bartlett, who we lost on Black Saturday ... was a man who simply made things happen. He was most often found at the school finishing off a project with the children, fixing a leaking tap, rigging up irrigation for the garden ... Garry was the project manager for major building works completed at the school ...

We want to see his work continue. It is for the Garry Bartletts of the world who lost their lives on that day that we should all be working together for our community.

**Mr NORTHE** (Morwell) — Along with the member for Evelyn and the member for Yan Yean I consider this to be one of the most difficult tasks we have had to undertake in this Parliament, to speak about the devastation and destruction of the bushfires of 2009. Firstly, I place on the record my condolences to the families of the 173 persons who died as a result of the bushfires on Black Saturday last year. I pass on my condolences also to the thousands of Victorians who, as a result of the bushfires of late January 2009 in my area, the Delburn complex fires and the fires of Black Saturday, have suffered enormous hardship. Many still grieve, many are still rebuilding and many are still recovering both physically and mentally from the devastation that occurred during that time. Our thoughts and prayers are with them all, and it is with those people in mind that I make this contribution today.

As members know, as a result of the devastation in early 2009 the Victorian Bushfires Royal Commission was established, with a set of terms of reference. We saw the appointment of the commissioners, the Honourable Bernie Teague, AO; Ron McLeod, AM; and Susan Pascoe, AM. I take the opportunity to commend those commissioners on the fantastic work they did on behalf of the Victorian community. An enormous volume of evidence was received from a diverse range of persons, including many Gippslanders, and that culminated in the 67 recommendations we have before us.

The Morwell electorate was impacted on by two major fires in early 2009. One was the Delburn complex of fires, which commenced on 28 January last year. That impacted heavily on the communities of Mirboo North, Boolarra and Yinnar. Some 6500 hectares were burnt, and 44 homes were destroyed. Luckily there were no casualties. On 7 February we had the Churchill complex of fires. Unfortunately there was much greater devastation, with 11 fatalities, 35 casualties, 45 homes destroyed and in excess of 25 000 hectares burnt. The communities of Jeeralang North, Balook, Le Roy,

Koornalla, Callignee, Hazelwood North, Hazelwood South and Traralgon South, amongst others, were heavily impacted.

Firstly I wish to refer to the Delburn complex of fires and particular aspects of the commission's final report. On pages 45 and 46 of volume I, entitled *The Fires and the Fire-Related Deaths*, reference is made to a community meeting conducted in Boolarra on 30 January. I happened to be in attendance at that particular meeting on that day when a significant number of community members were present. The meeting was held to provide an update of the fires as they were heading towards the townships of Boolarra and Yinnar.

The meeting was addressed by Country Fire Authority and Department of Sustainability and Environment officers. Lou Sigmund, a CFA group officer, who was there in his capacity as a community member at the time, also addressed the audience. Interestingly, in his address to the community Lou Sigmund made it clear that the township of Boolarra was in danger if there was a wind shift, which was predicted for later that afternoon. Somewhat contentiously he indicated that he would sound a siren to warn the community of the impending wind shift if there was any danger to the town. Indeed that is what did occur. Whilst Mr Sigmund was chastised in some quarters for his actions, the commission has endorsed the utilisation of sirens as a warning mechanism. The report refers to sirens on page 28 of chapter 2 of volume II.

Further on the Delburn complex of fires, the commission noted some concerns about particular operational aspects of the firefighting effort, but it also noted some positive points, and I want to touch on those. They include the effective relief arrangements and communications between the municipal emergency coordination centre and the incident control centre. The commission also commended all firefighters and the incident management team involved in the suppression of the fires. Reading through the royal commission report gives some sense of the courage of our CFA crews and volunteers. On the Delburn complex of fires the commission also commended the Traralgon East tanker 1 crew, who were caught in a burnover. Obviously with their expert training they came through unscathed, which was particularly gratifying.

On the Churchill fire, I have mentioned the townships that were devastated as a consequence of the fires on Black Saturday. To think that both those fires were deliberately lit is just appalling. One cannot understand the nonsensical nature of somebody doing something like that. I wish to note the courage and dedication of

the firefighters and all emergency service personnel who fought that fire in the face of adversity. The commission recognises that fact. We have stories of CFA crews being caught in burnovers. There is a story in the report about the Glengarry West CFA crew, which describes the absolutely horrifying and scary experience of the members placed in that predicament. Luckily the three tankers involved in the burnovers got through unscathed. The report noted that a fourth tanker was also placed in a very dangerous situation.

In relation to the Churchill fire, the commission also commended Hancock Victorian Plantations for its firefighting efforts, which went above and beyond the call of duty. Members will be aware that in the southern areas of Churchill there is a quite substantial amount of plantation. Craig Ward from the Willung South CFA was also commended on his bravery during the fires, particularly on overcoming the challenges of the asset protection work he was able to undertake in the course of the day for not only the Traralgon South community but also the Loy Yang power station, which of course is an important and integral part of Victoria's energy supply.

The commission noted that there were some shortcomings in the management of the Churchill fires, but as I said, it also noted the courage and commitment of those who fought the blaze, particularly those caught in the burnovers. The commission also commended the Churchill incident management team and Hancock plantations on their teamwork.

Of the 67 recommendations contained in *2009 Victorian Bushfires Royal Commission — Final Report — Summary*, we know the Liberal-Nationals coalition has supported all 67 in principle and the Brumby government has supported 59 recommendations. From a government perspective, some of these recommendations are seen as contentious. In seeking the opinion and guidance of my community on these recommendations, there is no doubt people want us to adopt them in full. One view I want to put forward — not from me but from the community in general — is the point that while it is all well and good to have community consultations for people to be given 24 hours notice to turn up is something that should not be applauded. The community I represent is very angry with that aspect; essentially it only has 24 hours to prepare to participate in those community consultations.

Some of the more contentious recommendations, from the government's perspective, have been outlined by previous speakers, and they include fuel reduction burning. We know the Parliament's Environment and

Natural Resources Committee previously recommended a 5 per cent target. In regard to recommendation 4 about refugees, again in principle the people I talk to within my community want us to get on with the job and make sure we do those things. I am mindful of the fact that we urgently need to identify refugees in another 23 of the 52 high-risk towns. We are still waiting on that from the government. Other speakers have spoken about the fire services levy. I can assure the house that from the Morwell electorate perspective many businesses and residents want a fairer and more equitable system. The position of the coalition with respect to that has been endorsed by the royal commission.

In conclusion, I make mention of the fact that the terms of reference of the royal commission stated in part:

... we direct you to make such recommendations arising out of your inquiry as you consider appropriate, including recommendations for governments, emergency services, other entities and the community on:

6. The preparation and planning for future bushfire threats and risks, particularly the prevention of loss of life.

We owe it to the 173 people who died, their families and friends and the communities impacted by these bushfires to adopt the 67 recommendations proposed by the royal commission. It is essential we do so. The community is sick of governments sitting on recommendations. It is time we implemented them.

**Mr HARDMAN** (Seymour) — When the Premier announced in Marysville the Victorian Bushfires Royal Commission, I was there. Marysville looked a lot different to what it had ever done before: it was before the clean-up and there were skeletons of buildings. At the time I felt — and I still do — that this was the best course of action for the Premier to take; it was a good decision. We all knew there would be criticisms in the royal commission and ideas that would be hard to implement and that the government would be open to scrutiny. The royal commission was also going to ensure that the details of why and how the event happened would be analysed and put forward in a way the community was confident with. The royal commission has done that. It has also looked into how we can ensure that we do not have the same event occur in the future. The interim and final reports of the 2009 Victorian Bushfires Royal Commission provide good advice on how to prevent a disaster of this scale in the future.

As I was travelling around my electorate at the time — and the trips were very long because of road blocks — I felt the debate was tending towards a blame game. I felt that with a royal commission the blaming would at least

become part of a more considered discussion and ensure that it happened in a proper place, but also that it happened at a different time and not in these immediate weeks and months when it was important that we looked after the recovery of those communities and the initial needs of people who at that time were homeless or lacking very basic necessities and experiencing an intense grieving period.

A big part of the Seymour electorate is made up of bereaved communities of people mourning those who died; people who were injured, people who lost everything and people who saved their homes but still suffer ongoing trauma from their experiences on Black Saturday. Those people deserved to have this royal commission, and I thank the commissioners for the wonderful job they have done. The 67 recommendations have been given to the government in good faith, and I am pleased the government has approved in principle 59 of those recommendations.

It is important that the government has said it wants to consult with communities on eight complex and controversial recommendations. I am pleased the government has ensured that in its consultations we have gone right across bushfire-prone and bushfire-affected areas. I have participated with the Premier in six consultations across my electorate. We met with Kinglake rangers and chairs of the community recovery committees. We, along with the member for Yan Yean, met with community recovery committees in St Andrews and Strathewen. We also met with members of the Marysville triangle communities and recovery committees at the Black Spur Inn in Narbethong, as well as with Marysville businesses, the shire of Murrindindi and impacted businesses in Alexandra.

Then we had major consultations in Kinglake, where I worked with the Minister for Water, and in Wandong later on that evening I was with the Premier. Unfortunately I was unable to attend the Marysville event with the Minister for Health because that was on at the same time as the Kinglake meeting. I was not able to attend the Whittlesea meeting with the Deputy Premier. Another meeting was in Yarra Glen where the Minister for Public Transport attended.

I thank all of those people who have taken time to go out and do that genuine consultation. Those events were not a show for the media. I did not see much media at those events. I know when the Premier was visiting my area he was there to have a serious consultation in a genuine attempt to give people who were impacted by the fires an opportunity to raise points and give

opinions not only on the 8 recommendations but all 67 recommendations along with their views on recovery and reconstruction. He used that opportunity well. This is an example of very good strong leadership. He stood up in front of a crowd of people at Wandong. It was not controlled by anybody else. The Premier ran the meeting. There was no control over which people were there. I felt that was a great show of strong leadership. It gives me great confidence that, because of this work that has been done, the government will give a very detailed and good response to the total recommendations in the report of the royal commission.

Without the wisdom of those local people — that is, the people who have lived in country areas, the people who understand the bush and understand fire and live in those communities; they know of the dangers but also of the benefits — I do not think our government would be able to give as good a response as we are going to. We thank the Premier for his leadership on that.

It is important that the people of Victoria not only hear us say we accept or approve the recommendations but that they believe we will implement those recommendations. It is important we give a response that is about what we are going to do to implement those recommendations. As members know, at this stage we are only saying we are approving in principle 59 recommendations. At this stage doing that is a far more detailed and complex activity than it may seem at first to the eye.

One of the strong messages that has come through the consultation processes has been the importance of educating people about the environment they live in, the importance of a shared responsibility of individuals for themselves, their families and communities and also the responsibility of the government to make sure we provide adequate resources and provide training and preventive measures. Some things that have been put in the royal commission report are neighbourhood safer places, refuges and our provision of those things.

We have talked about recovery and reconstruction in this debate today. Because every day since the fires I have lived and breathed that process, I know it is slow. It is complex and there are competing views about the best way to go. Every day people will communicate to me via phone, email and when I am out and about and at public gatherings. In terms of the different aspects of their recovery, they will come to me and ask me to help them to make a change and to do something. As the local member and Parliamentary Secretary for Bushfire Reconstruction, it is my role to listen and make representations to appropriate authorities, including the Premier or the minister. Whilst the process is not

perfect, it is important to be able to cut the red tape, make things happen quickly and look at the rules applying to a particular person if they have a genuine case.

The manner in which the Victorian Bushfire Appeal Fund, the Victorian Bushfire Reconstruction and Recovery Authority, the Department of Human Services and all of the different departments, including Sport and Recreation Victoria, have worked hard to try to make things fit has been absolutely astounding. I think an honest account of this reconstruction and recovery in the future will show this as a strong point in the recovery. I thank all those people involved in those organisations. Many people, including the volunteers, have played a big part in the reconstruction and recovery. But we often forget to mention the Victorian Bushfire Reconstruction and Recovery Authority people. It has very committed, creative and innovative staff. They are dedicated beyond belief. I thank them.

**Mr TILLEY** (Benambra) — I rise on the motion regarding the final report of the 2009 Victorian Bushfires Royal Commission. I would like to place on record recognition of the work of the royal commissioner, former Supreme Court justice Bernard Teague, AO, and assistant commissioners, Ron McLeod, AM, and Susan Pascoe, AM, as well as the commission's staff and all associated parties who have made efforts, I hope, in good faith to ensure that as a community we learn from the disaster Victoria faced on Black Saturday, 7 February 2009.

As I have done before, I place on the record my profound thanks to the members of the CFA (Country Fire Authority) and our emergency services who were on the front line on that day doing their best, despite a total failure in the leadership by their most senior commanders, and who remain on the front line today protecting our community. These men and women are a vital and special part of our community. No amount of words can properly express the debt we owe them.

The coalition supports in principle every one of the 67 recommendations of the bushfires royal commission final report. As the Leader of the Opposition has said in the chamber today, we owe it to those who suffered terrible loss in these bushfires to accept the royal commission's recommendations and get on with the job of implementing all of them. When arriving at the decision to accept the recommendations handed down by the commission, the coalition looked beyond the rhetoric. We have listened to community members and have conducted a real consultation with them. We have spent time analysing the recommendations in detail, the

reasoning of the commissioners and the evidence supplied to the royal commission during its hearings.

I, like my coalition colleagues, believe the commissioners when they say their recommendations can be implemented at a modest cost to government. The hysteria those opposite have sought to whip up about the exorbitant cost of implementing these recommendations is highly exaggerated, incorrect and smacks of a government which has run out of puff and which is not willing to put in the hard yards to ensure that the Victorian community is as safe as it can be. Needless to say, this government has form when it comes to failing to implement critical bushfire recommendations. Today is the day to begin thrashing out how we can move forward; we owe it to the victims.

I turn now to the forgotten north-east of Victoria. All of Victoria suffered loss on Black Saturday. In terms of sheer statistics, the majority of the death and destruction on Black Saturday centred on the Kinglake and Marysville communities. However, it must be remembered that other parts of Victoria were deeply and directly affected by the Black Saturday fires. Let it never be forgotten that the Mudgegonga community lost two of its own on Black Saturday, and many of our towns in the Alpine and Indigo shires came under attack from fire.

There is a growing concern in the Benambra electorate that, while due resources and effort are being dedicated to the areas of Kinglake and Marysville, the victims of the Beechworth-Mudgegonga fires feel as though they are being forgotten because these fires are not, for one reason or another, as prominent in the public's mind. The growing feeling of neglect in the community is no doubt being cultivated by the terrible record the Brumby Labor government has when it comes to delivering in north-east Victoria.

For its entire term in office Labor has treated north-east Victoria as the poor cousin. Scant regard has been shown by this government to the many and significant contributions the north-east makes to the wider Victorian community, whether through manufacturing, agriculture, tourism or through the pivotal role my local community plays with its water resources. The Brumby Labor government's contempt for the north-east reached new heights last week, and this served to confirm the worst fears of my local community about being forgotten by the government in the rebuilding.

As my colleague the member for Gippsland South and shadow minister for bushfire response pointed out last Monday, prior to the royal commission handing down

its final report the Premier said 'it would be disrespectful not to listen to the community' and that he would consult with the fire communities 'within the next few weeks'.

It became public knowledge late last Wednesday that the government was going to conduct a public meeting in Beechworth last Thursday evening, so within less than 36 hours the community was expected to prepare for this so-called important consultation. Let me again remind the house that the Premier made it clear he was going to consult — he said it would be disrespectful not to. But of course he said this before he had his pride and ego dented.

A Callignee resident, Tony Mann, who lost his home on Black Saturday, resolved last week to blow the whistle on the Premier's sham public consultations during one of the Premier's photo opportunity tours of Gippsland. In the wake of his confrontation with Mr Mann the Premier decided to shirk the hurriedly organised public meeting in Beechworth last Thursday, undoubtedly not wanting to attract further bad press. But the lowest depths of the shallow and cynical approach Labor has taken to the bushfire recovery efforts were not reached until the next day when the Premier, stung by the bad copy in local media outlets, tried to cover his tracks by organising a clandestine meeting in Stanley the very next day — closed to the public and the media.

The shallow and cynical nature of the Premier's performance was no better evidenced than by the words of the mayor of Alpine shire, Cr Nino Mautone. Mayor Mautone is reported in the *Border Mail* of Saturday, 7 August, as saying:

But we didn't know anything about this (meeting in Stanley at 2.45 p.m.) and I received a phone call at almost 1.30 p.m.

What sheer and absolute disrespect the Premier has shown. How can we as a community rebuild and move on with this prevailing attitude at the highest offices of the government? Victorians deserve much better than this. We need to rebuild together; everyone needs to be involved, and every community and every family affected must be included in the rebuilding effort. Labor's attitude in relation to north-east Victoria must change. Many residents who were affected on Black Saturday are struggling to rebuild their lives after the fire, and they must not be forgotten.

I turn now to the government's performance. Labor's record on bushfires is at best abysmal. The Leader of the Opposition, before the release of the final report, catalogued Labor's list of bushfire failures, which has become common knowledge in Victoria. The Premier

and Labor members sat on their hands and ignored 25 key bushfire safety recommendations made over the course of the decade they have been in office. These recommendations covered such issues as the need for a single, multi-agency portal for bushfire information, adequate funding for the Victorian bushfire information line, improved bushfire warnings and a standard emergency warning signal. The Premier has spent his time in office sitting on his hands, which means the community was not fully armed and was fighting with one hand tied behind its back on Black Saturday.

The royal commission made several recommendations in its first interim report, all of which were enthusiastically endorsed by the Premier with a solemn promise to implement them as fast as possible. As the Leader of the Opposition quite rightly pointed out, in November last year the Premier claimed that:

Government departments and agencies are working quickly to implement recommendations of the royal commission's interim report ...

But, as the Leader of the Opposition detailed the same day, the job is not being done: recommendations remain unimplemented, which means Victorians are not being protected as they should be. Even the royal commission criticised the Premier and Labor for not getting on with the job and implementing the recommendations in the interim report.

In the brief time remaining to me I want to focus on some of the issues raised in the report such as fuel reduction. To state the bleeding obvious: no fuel equals no fire. It cannot be much simpler than that, but the Premier's ignorance and arrogance on the issue for the last 11 long years has been astounding. The final report condemned the Brumby government for disregarding prior advice and recommendations on prescribed burning. In its final report the royal commission states:

... the state has maintained a minimalist approach to prescribed burning despite recent official or independent reports and inquiries, all of which have recommended increasing the prescribed burning program.

All in all, this is a polite way of saying that Labor has done nothing.

Another issue is the fire services levy, which has been the bane of many lives in the Benambra community for a long time. The member for Scoresby and shadow Treasurer has led the way in developing a reforming policy for the coalition on this matter. However, in recommendation 64, the royal commission recommends:

The state replace the fire services levy with a property-based levy and introduce concessions for low-income earners.

In government the coalition will implement a fairer and more equitable system of funding fire services.

A further issue is the powerlines. I support the stated vision of the Leader of the Opposition that we need to make our electricity supply networks safer. The Beechworth-Mudgegonga fire was caused by a failure in the network, and I applaud the Leader of the Opposition for his willingness to take on such a tough issue as improving such a large system to improve the community's safety.

In conclusion, Victorians are tired of endless talk. Victorians want action. The Brumby Labor government must accept all the recommendations and as a matter of urgency start work on implementing them. The bushfires royal commission went through a comprehensive process to reach its final recommendations, and Victorians are now looking for leadership.

**Ms LOBATO (Gembrook)** — As I rise to speak on the 2009 Victorian Bushfires Royal Commission final report I am conscious of the impact that my words today may have on all those Victorians who lost family members, property and animals or whose communities were destroyed or altered forever. I say to all those Victorians: you are uppermost in my mind today. I speak from the heart with the privileged duty of communicating feedback from my constituents on the royal commission's recommendations. I can only say that I wish members of the opposition had considered their words more carefully.

I pay tribute to the members for Seymour and Yan Yean, who spoke before me, for their massive contributions to the rebuilding of our fire-affected areas. I thank the commissioners for their work over a substantial period of time in thoroughly analysing the numerous issues raised as being relevant to the Black Saturday fires. It has been an onerous and difficult task with much complexity, and I appreciate all the diligence and dedication that that has taken. I also thank all the other workers who dedicated themselves to the royal commission, whether in a role of supporting the commission's work or reporting on it.

The Premier's speedy decision to establish a royal commission has meant that everyone in Victoria and throughout the country has been able to gain enormous knowledge and insight into what happened on that fateful day, and many workers have assisted with this process.

The electorate of Gembrook has a long history with bushfire, with the area around Warburton being one of

those most impacted during the 1939 fires and the Cardinia Hills and Dandenong Ranges bearing the brunt of the 1983 Ash Wednesday fires in towns such as Cockatoo and Upper Beaconsfield. In 2009 my communities, especially Gembrook and Warburton, were threatened by fire for weeks on end, particularly by the fires in the Bunyip State Park and the flanks of the Murrindindi fire. Many residents evacuated numerous times, although thankfully townships were not destroyed. Once the immediate crisis period was over, many of my constituents became very active in providing feedback to me about what could and should be done to ensure that we never experience another Black Saturday. Others had many questions to ask and were desperate for answers.

To provide settings for community discussion and feedback I conducted two forums — one in the Upper Yarra region and one in Gembrook — in the immediate aftermath of Black Saturday and the peak fire-danger period, not only to provide information from local service providers but also to hear about some of the difficulties experienced by residents during and after Black Saturday. Following the Premier's decision for a royal commission to be conducted, this crucial information from residents was later properly utilised in forming the basis of my own submission to the commission.

Amongst many other initiatives undertaken by the government after Black Saturday and prior to last fire season the government led a dedicated whole-of-state Fire Action Week from 11 to 18 October to increase awareness and preparedness for bushfire threat as well as the rollout of an intensive education and awareness campaign. This was a very important week for my communities, as an enormous amount of information and advice was provided to them about how to prepare for the fire season and how to respond to fire. During that week I engaged the support and assistance of the emergency services commissioner's office, the Country Fire Authority, the Department of Sustainability and Environment, Parks Victoria, the Shire of Yarra Ranges and the Shire of Cardinia to hold two fire-ready forums, which attracted several hundred residents from throughout the Upper Yarra region and Gembrook.

However, many people understandably approached the following summer with trepidation. It soon became apparent to me at both these forums that my local communities firmly believed in and were receptive to the idea of an ongoing community dialogue centred around bushfires by getting representatives of various agencies to sit down together and develop shared understandings about each other's roles, which would also provide a means of support and information

dissemination. Two local bushfire reference groups were established prior to last season and remain active in anticipation of the coming season.

Many of the commission's interim recommendations have been addressed, implemented or budgeted for. I will not go through them as other speakers have, except to repeat a quote from Neil Comrie's assessment of the implementation of these interim recommendations. It states:

...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.

Furthermore Neil Comrie stated:

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.

I am pleased with the Brumby government's prompt and decisive response to the commission's final recommendations, which entails the in-principle adoption of 59 of the 67 recommendations. Some of the recommendations have already been enthusiastically welcomed by many of my constituents and go to the heart of some of the topics that have been under discussion for the past 18 months: the need for enhanced warnings that take into account local needs, with special attention to be given to radio black spot areas; improved communication between the various agencies and emergency services involved in bushfire response and preparation; and the inclusion of local knowledge and expertise in devising solutions for communities. All of these are very important issues for the electorate, and they are welcomed.

I also welcome the decision by the Premier to consult with communities further on eight other recommendations which are not only complex but have far-reaching ramifications for many of my constituents. I was pleased to be able to attend one these consultations in Pakenham on Saturday with the Minister for Environment and Climate Change, and I look forward to being present at a further consultation to be held in Warburton East tonight with the Deputy Premier. From that consultation, and from representations made separately to me, it is clear there are quite differing yet firmly held views about the implications of some of the commission's recommendations, one of which is the prescribed burning issue, which has been referred to here.

As a member of the Environment and Natural Resources Committee I recall there were strongly held views during that consultative process as well. That process recommended an increase in the prescribed-burning program. Others look to the environmental effects of enhanced burning and also the impacts on our tourism industry. Just as our individual psychological make-up differs, certain people are more risk averse than others. While some people want every protection possible to be in place, others are inclined to live with more risk when these protections may affect their way of life so that they may continue to enjoy the landscape as they know it. The situation is not clear cut.

Another example of widely differing views centres around the commission's recommendations for a resettlement strategy for existing developments. It has been referred to previously here today. That is a concept that is not well received throughout our many and different communities, many members of which live in these areas knowing the risk — some having experienced Ash Wednesday — and would be devastated at the prospect of moving. Even more so, they worry that if neighbours were resettled and their properties vacated, their own fire risk would be increased. Further, they fear that the very fabric of towns that rely on small but active populations to field a footy team, to volunteer at a community centre or to run a viable kindergarten may be affected if a resettlement process is implemented.

Other recommendations worthy of further community discussion are those around building regulations. A concerning situation exists for my constituent David Gowland, who in September 2008 purchased a vacant block of land zoned for residential use in Cockatoo. Briefly, the situation there is that the Country Fire Authority has determined that because the land is in an area with a wildfire management overlay, a building permit cannot be issued for that property. That is the cause of many contentious issues, including that Mr Gowland can no longer build what he was seeking to build. We need to consider issues like that.

There is also other feedback on the fire services levy, which has been spoken about a lot. Many of my constituents deem this unworkable and unfair, given that only those who insure their properties are made to pay it. The impact of the levy on primary producers in my electorate, particularly those on farming properties, has been onerous, and they are hoping for further progress in this area, given the government's readiness to examine other options. Much consultation is occurring around that. It is not as though we do not acknowledge that.

In contrast to this government's thoughtful and practical considerations is the politicisation of this issue by an irresponsible opposition, which is once again scaremongering in order to score points in the community. It is irresponsible. The opposition should be going out and listening to the community, as we are doing. We are receiving the very important feedback from fire-affected and fire-prone areas that will guide our decisions. We will continue to listen to our communities to provide the best response to ensure community safety in times of bushfire.

**Mr DELAHUNTY** (Lowan) — The lives of many Victorians were changed forever on Black Saturday, 7 February 2009, and also in the weeks around that period of time. As we know, there were 173 unfortunate deaths. I acknowledge these losses — of family members, friends and fellow Victorians — and I have to say I pray for those lost and their families most days. Many others have been scarred for life. They will have lasting memories of that tragic day of 7 February, now known as Black Saturday. They are scarred both physically and emotionally.

Victorians also lost many homes, businesses, animals and treasured items — things they held dear to them. The 2009 Victorian Bushfires Royal Commission — the people's commission — was set up to learn from experiences about ways to improve the way we prepare and respond to bushfires. Community voices were heard during this 18-month period. The royal commission has now made 67 recommendations. As a member representing a country electorate I am pleased to see that the Liberal-Nationals coalition has supported in principle all the recommendations of the bushfires royal commission. We owe it to those who lost their lives and those who are living with the scars to get on with implementing the recommendations of the royal commission's report.

At this stage I again have to say a big thank you to emergency services personnel, particularly our volunteers, for their outstanding efforts during that period of time 19 months ago. They were supported by members of many other organisations, who provided food, comfort and the like. I also say thank you to those people.

On that day there were two fires in my electorate of Lowan — one in Coleraine and the other in Horsham. The Horsham fire is covered by an extensive report in *2009 Victorian Bushfires Royal Commission — Final Report — The Fires and Fire-related Deaths*, volume I, on pages 94 to 102. The report says the temperature in Horsham that day was 47.6 degrees Celsius and the maximum grassland fire-danger index was 312. The

fire was started by electrical failure. Thankfully there were no fatalities or casualties. Thirteen houses were lost and nearly 2500 hectares of land was burnt. The fire started at about 12.20 p.m. and, thankfully, stopped at about 6 o'clock.

It was interesting to read the report and it highlights the preparation that was done. Unfortunately during my time as a member of this chamber — 11 years — there has been a major bushfire in my electorate about every two years, so there has been a lot of action in relation to working with various agencies, which is mentioned in the conclusion on page 102 of the report. It says:

The commission was impressed with the preplanning and pre-positioning that ultimately contributed to successful suppression of the fire.

As a result of experience with a bushfire in the Grampians in 2006, Horsham Rural City Council had a representative at the Horsham incident control centre.

This representative was working with others like Dale Russell, operations manager for Country Fire Authority (CFA) region 17; Geoff Evans, from the Department of Sustainability and Environment; and Sergeant Damien Ferrari of Victoria Police, the municipal emergency response coordinator. All these people had had experience working together before. The report highlighted their good cooperation on that day.

The people of Horsham lost a lot of buildings, and one of the symbolic losses of the Horsham bushfire was the Horsham Golf Club. Not only did we have damage to the golf course but also the loss of the clubhouse. There was more than \$6 million worth of damage. With an enormous amount of community support and volunteer effort, the golf course was back in action about a month later. Unfortunately because of problems the golf club has still not been able to start rebuilding the clubhouse. This was an important facility not only for golf players but also for community events. Whether they be weddings, 21st birthday celebrations, various government forums or events held by non-government organisations, this excellent facility hosted many community activities.

While there was some insurance for the building, building costs have escalated, as we all know, whether it be because of the fires or because of the enormous amount of money going into the Building the Education Revolution program and pushing up costs. About \$35 million was donated to bushfire relief by sporting groups right across Victoria and Australia. It is pleasing to see the Minister for Sport, Recreation and Youth Affairs at the table, because he might know more details about this. However, I believe about \$35 million was donated by sporting groups and others across

Australia. Unfortunately, because of tax laws, a lot of that money will not reach sporting clubs like the Horsham Golf Club. It is still working with government, trying to get some support. I thank the minister for his support on this issue, and I hope we will get a good conclusion to this work. The building is a symbol of the fires, and hopefully it can be rebuilt shortly.

The other fire in my electorate was the Coleraine fire. It was 43 degrees Celsius at Hamilton and 42.1 degrees Celsius at Casterton, at either side of the fire. The grassland fire-danger index was over 100 at that stage. This fire was also started by an electrical failure. There were no fatalities. Unfortunately there was one casualty, and I will come back to that casualty in a minute. A total of 713 hectares of land was burnt on that day. The fire started at about 12.30 p.m., and with the good work of the firefighters, emergency services personnel and the like it was contained at 5.30 p.m. This also showed the good cooperation between many of the organisations involved. Attending the fire were 44 Country Fire Authority brigades, 55 CFA appliances, 279 CFA personnel and a large number of farmers and other land-holders with private firefighting equipment, who were able to assist in the controlling of the Coleraine fire.

I want to talk about the person who was injured. John Smeets was trying to help a friend when he unfortunately got caught up in the fires and received burns to 50 per cent of his body. I have kept in contact and spoke to John and his wife Lorraine today. John said he is making good progress — in his words, he is 'going okay'. This guy has a fantastic spirit; he is always positive. He has received tremendous support, not only from the Coleraine community but also from the Alfred hospital. He would like me to pass on his thanks to staff at the hospital for, to use John's words, their wonderful support. He said they have been magnificent. They have also supported his wife, Lorraine. Often hospital staff go unrecognised, but he wanted me to pass on his thanks to the Alfred hospital. John still has more appointments at the Alfred hospital. He has had an unbelievable amount of support. It was a tremendous effort.

Many events have been held in Coleraine since the fires. One special event was on Saturday, 24 April, the day before Anzac Day, when 54 kurrajong trees were planted to replace trees burnt along the Avenue of Honour on 7 February. With the support of townspeople, the local RSL, school groups and family members, it was a great day.

I want to quickly focus on three recommendations in the report. The report entitled *2009 Victorian Bushfires Royal Commission — Final Report — Fire Preparation, Response and Recovery*, volume II, at pages 381 to 385, deals with the fire services levy. It is an extensive report. I want to highlight something for which I have been lobbying for many years. The report highlights that a country householder pays a \$100 premium, and by the time you add the fire services levy, GST and stamp duty it is \$158. A country business pays a \$100 premium, the fire services levy, GST and stamp duty, and some businesses also pay the terrorism levy, so together with the original \$100 premium they pay over \$220. The fire services levy is a great disincentive to insure against fire. As we know, some of the people who suffered in the fires on Black Saturday were not insured; up to 30 per cent of them were not insured.

The other recommendation I want to talk about concerns prescribed burning. It is dealt with on pages 278 to 295, part 2, volume II, of the report. We need prescribed burning. The member for Gembrook spoke earlier about her time as a member of the Environment and Natural Resources Committee. In June 2008 the committee suggested that we need more fuel reduction burning. This report gives a good summary of the lessons learnt from earlier fires in Victoria and in other areas around Australia and overseas. The recommendation on page 295 is that:

The state fund and commit to implementing a long-term program of prescribed burning based on an annual rolling target of 5 per cent minimum of public land.

This must happen. In 2006 we had a wildfire in the Grampians which took out nearly 70 per cent of the Grampians, not only public land but also a lot of private land. My cousin lost his woolshed to that fire. The reality is that when that wildfire happened we lost not only public and private land but also a lot of native animals because there was no ability to control it.

The other recommendation in part 1 of volume II at pages 101 to 104 concerns roadblocks. The Horsham South branch of the Victorian Farmers Federation is concerned about this. We must do something to improve the way roadblocks work.

Victoria needs a monitor. We want to ensure that the monitor reports on the implementation of the royal commission's report. People are saying to me that they have had enough of reports; they want action. Let us talk to the affected people about the implementation of the recommendations of the royal commission report. Please, let us get on with it and do something.

**Mr BATCHELOR** (Minister for Energy and Resources) — The horrific and catastrophic fires of 7 February 2009, Black Saturday, caused the loss of 173 lives. This represents an unparalleled tragedy for Victoria. I want to acknowledge the pain and loss this represents to the families and communities that lost loved ones on this occasion. I offer my condolences. They have my respect.

Another great tragedy occurred today when the Leader of the Opposition misused parliamentary privilege and sought to politicise the tragic events of 7 February 2009. It was a low act in relation to the memory of those who lost their lives. From my view it was the most reprehensible act I have seen occur in this Parliament.

The royal commission identified that 5 of the 11 major fires investigated by it, including the devastating Kilmore East fire, were caused by the failure of electricity assets, which resulted in 117 deaths. The commission identified that there is a history of electricity asset failures being implicated in causing a proportion of major and catastrophic fires. This is unacceptable to the government, and it is unacceptable to the community. The lessons of Black Saturday must be learnt. There must be a major reduction in the risk of electricity assets causing catastrophic fires. The government has already introduced many changes to substantially improve bushfire safety.

In respect of electricity I have moved to enhance the regulatory regime applying to distribution companies in light of the early evidence before the royal commission and its interim report in anticipation of its recommendations. I have already introduced into this house of Parliament a bill, including amendments to the Electricity Safety Act, which has passed this chamber. This bill will strengthen the regulation of electricity safety with respect to bushfire mitigation. It will do this in a number of ways, such as providing Energy Safe Victoria with greater powers and increased penalties; requiring public reporting of electricity safety performance by distributors; and establishing the so-called F-factor, an economic incentive scheme that will provide direct financial incentives and penalties for distribution businesses to reduce fire starts.

I have also appointed a new director of energy safety, giving him a strong mandate to drive improved safety performances across the energy sector in general and in relation to bushfire mitigation in particular. There has also been increased staffing of Energy Safe Victoria in order to improve regulatory oversight. The Premier referred to the need for this earlier today.

The final report of the royal commission made eight recommendations to reduce the risk of catastrophic fires being caused by electricity assets in future fire seasons. In respect of the existing SWER (single wire earth return) and 22-kilovolt systems the commission recommended four important risk-reduction measures. They are, firstly, recommendation 28, the inspection of all SWER and 22-kilovolt feeders in areas of high bushfire risk at least every three years; secondly, recommendation 29, to ensure that the registered training organisations provide appropriate theoretical and practical training for asset inspectors; thirdly, recommendation 32, to disable the automatic reclose function on all SWER lines for six weeks of the greatest fire risk every fire season and to adjust the reclose function on all 22-kilovolt feeders on total fire ban days to allow only one reclose attempt; and fourthly, recommendation 33, to fit spreaders to any lines with a history of clashing or the potential to clash and that vibration dampeners be fitted on all spans greater than 300 metres.

The commission also made two recommendations to reduce the risk posed to electricity assets by hazard trees that are located outside the existing clearance zones but which could come in contact with powerlines in foreseeable local conditions. They are, firstly, recommendation 30, that the government require distribution businesses to adopt measures to reduce the risks posed by hazard trees as part of their bushfire management plans; and secondly, recommendation 31, that for areas of high bushfire-risk municipal councils be required to include in their fire prevention plans the identification of hazardous trees and notification to the responsible entities.

The commission put forward recommendation 34: that the government strengthen the mandate of Energy Safe Victoria to mitigate the risk of electricity-caused bushfires and require ESV to achieve that mandate.

As the Premier has announced, the government has accepted all these recommendations in principle. The government is undertaking further consultation on how the recommendations to suppress automatic circuit reclosures (ACRs) should be implemented. The government recognises the importance of a reliable electricity supply to rural communities and the potential reduction in reliability that will be associated with suppressions of ACRs.

This leads us to recommendation 27: that the government require the progressive replacement of all SWER and 22-kilovolt powerlines with aerial bundling, underground cabling or other technology that delivers greatly reduced fire risk. The commission noted the

high potential cost of this recommendation and observed that it was not in a position to take these matters into account.

I would like to quote from page 149:

The commission is not, however, in a position to take into account cost implications and the impact on communities; those are matters for government to determine and assess.

Let me stress that again: the commission says that these cost matters are for the government to determine and to assess. It says that very explicitly on page 149.

Indeed the wholesale replacement of the existing SWER and 22-kilovolt systems with, say, underground cables would have a very significant impact on the community. If applied across the state to all powerlines this would cost close to \$60 billion. The estimates are huge. If applied just to the rural areas the costs would be in the order of \$20 billion. The impact on consumer bills would be large. Even if it were spread across the whole of the state it would mean an increase of up to \$500 per year on the average customer bill. An average customer bill today is about \$1200, so this would mean an increase of more than 40 per cent.

If costs were borne by Powercor and SP AusNet customers alone, their bills would actually double; if the costs were met only by customers in higher bushfire-risk regions, they would be astronomical. There would also be significant environmental and social impacts from such a large and widespread construction project.

The government has said this warrants more detailed investigation of appropriate risk reduction technologies and their associated costs and benefits in close consultation with affected communities. The commission highlighted that it did not take into account the detailed costs of its proposals. The government will; the government must. We should not blithely rush down a path that will have such a significant impact on power prices for Victorian families.

The commission itself recognised the need for further analysis and suggested that a task force be established to investigate the costs and benefits of a full range of replacement options. The government will do that. Consistent with the commission's recommendations, I will establish a powerline bushfire safety task force to investigate the costs and benefits of the full range of options to reduce the risk of catastrophic bushfire from electricity infrastructure. The director of Energy Safe Victoria will lead the task force and report to me. In preparing the recommendations the task force will be required to consult effectively with the community,

obtain expert advice, conduct detailed analysis and undertake technology trials.

There are a whole range of things which the government has already committed to do, including moving amendments in the upper house to the Energy and Resources Legislation Amendment Bill. Those amendments will improve the proposed actions and the government's response to the interim report and are based on the bushfires royal commission final recommendations. We appeal to those parties in the upper house to live up to the commitments that they have given today in this chamber and to make sure that those amendments that we are proposing for the upper house are passed as expeditiously as possible. We think they deserve nothing less.

**Mr BLACKWOOD** (Narracan) — I appreciate having the opportunity to respond to the findings of the 2009 Victorian Bushfires Royal Commission, which were handed down on Saturday, 31 July, this year. My response will be mindful and reflective of the impact of the Bunyip Ridge fire on many families and individuals in my electorate of Narracan. This contribution will be delivered against a backdrop of the incredible loss of 173 lives across rural Victoria and the pain and suffering of all bushfire survivors and their families, relatives and friends. I would also like to put on the record my acknowledgement of the contribution made by my colleagues on both sides of this house in the recovery effort of those communities in their electorates devastated by the fires.

Justice Bernard Teague, chair of the royal commission, nailed it. When summarising the outcomes of the commission he said:

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.

For Justice Teague to see the need to refocus or reprioritise what one would expect to be a given when looking, as he said, at ways to minimise 'the prospect of a tragedy of this scale ever happening again' suggests that in the years leading up to Black Saturday there had not been enough emphasis placed on the protection of human life. The Brumby government's appalling record in public land management over the last 11 years is clear evidence that the public land managers — that is, the Department of Sustainability and Environment and Parks Victoria — have been hijacked by the dark green influences from within their departments and have placed flora and fauna preservation at the forefront of their decision making at the expense of fuel reduction

burning. The protection of human life has been clearly compromised by the inaction of governments to implement recommendations following the fires of 1939 and 1983 and, even more recently, the fires of 2003 and 2007.

The Brumby government has presided over ineffective government departments whose activities and responsibilities have been paralysed by competing interests and conflicting interpretations of policy when they are charged with the responsibility of implementing the recommendations of successive inquiries following recent bushfire events. That is why the recommended increase in fuel reduction burning following the 2002–03 and 2006–07 fires has not occurred. That is why Justice Teague, like Judge Stretton after the 1939 fires, once again has to reinforce the need for fuel reduction burning. Sadly on both occasions this has come after the massive loss of life and property.

It is no surprise to hear that the response from the Victorian National Parks Association and the Wilderness Society has been to call for further scientific analysis before the increase in fuel reduction burning is carried out. These groups have an insatiable desire to increase our national park estate, and yet at the same time they will use stalling tactics to prevent the treatment of these areas in the way that will achieve what Justice Teague calls for — the protection of human life and the minimisation of the prospect of such a tragedy ever happening again. By their very demands these radical environmentalists clearly indicate that flora and fauna have a higher value than human life.

This was very evident in the Bunyip Ridge fire. The fire had been burning for three days before Black Saturday. There have been a number of stories relayed to me by locals and firefighters on the fire line that strongly suggest that this fire was not attacked hard enough or early enough given the early warnings of the expected conditions for Black Saturday — for example, it has been reported that Parks Victoria staff chose to try to round the fire up with a rake hoe or manually constructed fire break rather than using bulldozers. One bulldozer was called in on the Thursday afternoon, well after valuable firefighting time had passed. I fear the national bushfire research centre, as proposed in recommendation 65 of the royal commission's report, will be used as another way of stalling the implementation of increased fuel reduction burning.

These radical green groups have not only successfully frustrated effective fuel reduction burning but have also effected the removal of a recognised fire management tool from our bushfire-prone areas of public land and

are determined to remove another. I refer to cattle grazing in the high country and timber harvesting in our native forests. The Brumby government has demonstrated its lack of courage and lack of commitment to governing for all Victorians by caving in to pressure from radical green influences from both within and outside government. Both fuel reduction burning and cattle grazing can and have been carried out in an environmentally sustainable way, and both have very positive influences in reducing the impact of fire by reducing fuel.

As I have said, the radical green groups which have such an unbalanced influence over this Brumby government are also hell-bent on ending all timber harvesting in our native forests. Not only is timber harvesting a proven fire management tool but it serves to provide the firefighting force with the expertise, local knowledge and equipment that have played a critical role in firefighting over many years.

In fact one could quite reasonably assume that the royal commission has demonstrated its lack of faith in this Brumby government's ability to act on its recommendations. The commission clearly indicated this by saying:

This risk is highlighted by government responses to the implementation of some recommendations of previous reports. For example, inquiries into bushfires in Victoria in recent years made recommendations that recognised the significance of prescribed burning in managing bushfire risk and reducing the risks to life and property. Progressive recommendations have, however, had limited success in achieving suitable prescribed burning outcomes in Victoria. The commission considers that a process is needed whereby government and the community have access to transparent, independently verified information on the response to the commission's recommendations.

In a clear and very specific direction to the government, the commission says:

The state should nominate an independent implementation monitor or the Victorian Auditor-General to provide to the people of Victoria a report on implementation of the commission's recommendations.

The commission goes on to specifically mention other recommendations from the interim report that were not fully implemented and also those of a long-term and continuous nature that should be monitored by the Auditor-General or an independent monitor.

Fire refuges get a deliberate mention here, and that is quite understandable given that the responsibility for establishing neighbourhood safer places was handballed by this state government to local government and only a very small number have been identified. The next bushfire season is only two months

away. This recommendation was made to the Brumby government by the royal commission in the first interim report handed down 12 months ago. Is it any wonder that the commission has directed the Brumby government to implement an independent monitor?

The commission also identified the importance of other government agencies such as VicRoads accepting responsibility for taking steps to minimise risk and protect human life. The commission indicated that VicRoads does not carry out any systematic roadside bushfire-risk assessment. It has not considered whether particular stretches of road carry increased fire risks and require different or additional treatments. This was particularly evident in the Bunyip Ridge fire where the intensity of the burn along roadsides in Labertouche was incredibly severe and significantly increased the risk to property in close proximity to roadsides.

Recommendations 2 and 6 from the royal commission's final report deal with education. This is an area that certainly needs addressing. The Bunyip Ridge fire was burning for some days prior to Black Saturday, and this provided an opportunity for the Country Fire Authority to conduct extensive planning and community engagement. Thanks to this planning and community engagement, not one life was lost in the Bunyip Ridge fire.

I support the commission's recommendations to broaden education to include bushfire history in the national curriculum and add bushfire studies to the existing curriculum of geography, science and environmental studies. An essential part of fire preparedness must be a better understanding of and therefore education in fire awareness.

The commission also made some very constructive recommendations regarding leadership based on a perceived lack of leadership on Black Saturday and in the lead-up to it. The appointment of a fire commissioner will not only enhance our response to a major fire event but assist in ensuring the preparation and fire-ready status of the state is continually monitored and upgraded.

The commission was not able to deliberate on the aspect of post-Black Saturday recovery, but there is a great deal of concern about the way help was and is being delivered. Michelle Buntine from Labertouche, the secretary of the community recovery committee there, provided an excellent submission to the royal commission regarding her experiences and those of many residents in the Labertouche area during the recovery process. I believe it is terribly important that a review is conducted into this aspect of bushfire

recovery with a view to learning and improving and implementing more efficient and appropriate methods of assistance delivery to those impacted by wildfire in the future.

Just as sure as we will have another major bushfire event, so we will find ourselves in another recovery phase. We must take this opportunity to learn from the mistakes and gaps that are evident in the current recovery process. We must become more effective and efficient in delivering the help to those battling to resurrect their lives after such catastrophic events.

**Ms NEVILLE** (Minister for Community Services) — I seek leave to speak for 5 minutes, with the Minister for Regional and Rural Development to speak for the allocated 10 minutes, as previously agreed.

#### **Leave granted.**

**Ms NEVILLE** — I am pleased to have the opportunity to speak on the 2009 Victorian Bushfires Royal Commission final report today. I want to particularly focus on the components of the report that deal with relief and recovery efforts. The report captures the scale and enormity of the relief efforts in the days after the fires, with the opening line of volume II stating:

The destruction caused by the bushfires in January and February 2009 has resulted in one of the largest recovery efforts seen in Australia. All tiers of government, in combination with many other agencies, community organisations, individuals and the affected communities, have been engaged in the relief and recovery efforts in Victoria.

The fires and their aftermath really rewrote how government and agencies respond to major fires and indeed any major disaster.

I talked earlier today about the many and ongoing support services in place to assist bushfire-affected communities, so I will not go through those again, but I do want to mention a couple of the reflections that were made by the bushfires royal commission. For example, the report talks about ‘the chaos caused by the disaster’ and ‘relief and recovery form a complex process that is made more difficult when the emergency is rapidly escalating’. Reading these comments in the report really takes me back to those days immediately following the fires and my experiences of the relief centres and the discussions with bushfire-affected people at the centres. I just want to put on record my appreciation of the many people who shared their stories with me on those days immediately following the fires and how many of those stories will certainly stay with me for a very long time.

Certainly when you looked around those relief centres you saw a lot of shock and bewilderment on the faces of the people who had experienced the trauma of the fires. We saw volunteers and members of community relief organisations and emergency staff trying to bring support and resources to help people.

The report raises some very important areas for further work on how we can improve the relief and recovery process. Importantly, the report also talks about some of the innovative things done to improve coordination of services. In the few days that followed the fires we put in place for the first time ever a more coordinated approach to relief centres, with the appointment of hub captains. This led to much more coordinated and better managed relief centres. This is reflected in the report where it talks about how this led to much more organised and better coordinated responses. I think the evidence also provided in the report shows that given the very traumatic circumstances that people had come from, the relief centres were able to provide the support and assistance they needed.

The other area I want to comment on is the Victorian Bushfire Case Management Service. The case management service was set up very quickly. By Friday, 13 February 2009, the Premier and I had announced its commencement. It was the biggest program of its type ever set up in Australia, and it was built from scratch — from the ground up. In a very short time we had hundreds of case managers, and over that period they have worked with over 5500 individuals and families. We put in place a whole range of improved quality measures as well to ensure that we had a quick response to any issues, to enable us to address complaints or issues that people may have been facing in accessing case management services. But overwhelmingly, case management has been a critical part of the recovery process, and the commentary in the royal commission report bears that out.

I want to turn briefly to the recommendations of the report that relate to the bushfire safety policy, particularly recommendation 3. This relates to how the community plans for and responds to bushfire risk and how vulnerable members of the community can be assisted and protected. It is supported in principle with further consultation on how we implement this recommendation. Over the last few days I have been holding a number of meetings with stakeholders — like the Red Cross, local government and community organisations — about how best we can do this and how best we can identify and support and respond to vulnerable members of our community. There have been robust and healthy consultation sessions, which

are a very important part of finalising the government's response in this very important area. Any processes that we put in place will build on those that we already put in place in relation to the code red days last year and also to any future bushfires.

Finally, I thank the Victorian Bushfires Royal Commission for its report. It will make a significant contribution to the way we respond to and plan for future bushfires across this state for many years to come.

**Dr SYKES (Benalla)** — My contribution to the debate on the Victorian Bushfires Royal Commission final report should be considered in the context of first of all acknowledging the pain of the tragic loss of 173 people. They include two people from the electorate of Benalla, Sue and John Wilson. As others have said, thousands of people have had their lives scarred forever as a result of this experience.

I also wish to acknowledge the magnificent effort of the thousands of volunteers, both the emergency services volunteers and the many others — the Country Women's Association, the Red Cross — who kicked in and helped for a long time, during both the combat phase of the fires and the recovery phase. I acknowledge the fantastic intellect and compassion of the bushfire royal commissioners and their assisting counsellors and staff and also the people who contributed to the process, which was often a very painful experience for them. I acknowledge their effort and thank them.

Of the issues that I would like to focus on, no. 1 is: the time has come to act. Enough of the talk. Now the Premier, now the Brumby government, should act and implement all 67 of the recommendations. Any further debate that has been flagged should be about the implementation rather than 'Will I or will I not proceed?'.

This is not what is happening at the moment. What we have at the moment was evidenced by the way the public meeting at Beechworth played out the other night, as mentioned by the member for Benambra. First of all, the location of the meeting was Beechworth, perpetuating the myth that the so-called 'Beechworth fires' were in that area, when in fact it was the areas of Mudgegonga, Rosewhite and Kancoona that were burnt. Secondly, the lead time of less than 24 hours was an insult to local people, such as the CEO of the Indigo council, who made that clear publicly on ABC radio.

The approach taken on the evening was somewhat structured and carefully avoided any discussion on the

contentious issue of the fire services levy, and discussion around the undergrounding of powerlines proceeded on the miscomprehension or misunderstanding that that was to be accepted 100 per cent and that there were no other options. Similarly, discussion on the buyback was along the lines of it being compulsory and accepted 100 per cent. No effort was made to correct those misunderstandings.

After the meeting several local people expressed to me their concern that the government was using this process to justify its predetermined positions and would be cherry picking responses to achieve this. As the member for Benambra pointed out, the Premier, Mr Brumby, stung by the public criticism of the Beechworth meeting, sneaked into nearby Stanley the next day and had a meeting, which was discourteous behaviour in terms of giving the mayor of the Shire of Alpine something like an hour's warning to get there. The Alpine shire mayor, Cr Nino Mautone, would be one of the most polite and quiet gentlemen I know, and for him to go public expressing his concern tells you how much people in our area are hurt by the Premier's approach to them.

I look at the recommendations arising from the royal commission. Major concerns of mine include the issue of cost shifting. I am particularly concerned about the potentially unbearable financial impact on local government of being expected to put in place neighbourhood safer places. I note that the Alpine shire has not received one cent from the state government towards the cost of putting in place neighbourhood safer places. Our small local government areas will also be required to put in place municipal fire plans and roadside vegetation and fuel reduction activities. In my area there are five financially stretched local councils: Alpine, Mansfield, Murrindindi, Strathbogie and Benalla. Strathbogie council has had the courage to speak up and say it cannot stand the burden of this cost shift, and Murrindindi has said that at this stage it is \$12.6 million down the gurgler in terms of the cost of recovering from the fire — this fire, let alone doing the preparation for future fires. What we need is for the government to step up and immediately confirm that a substantial amount of money will be put towards local government to help it implement these recommendations.

Another issue that comes out in the recommendations is the need for local input in the decision-making process, particularly during the combat phase. These issues were raised with me way back in 2003, after — in fact, during — the 2003 fires by long-term local residents such as Harry Ryder from Tawonga, a mountain cattleman steeped in experience of doing back burns,

and Syd Dalbosco, CFA fire captain for the Porepunkah brigade for many years. They were concerned about the lack of local input in the decision making. They were concerned about the complex and long decision-making process for doing things like back-burns — to the point where often the window of opportunity was lost.

These and many other issues were raised by me on behalf of my constituents in writing, in letters to the Premier, and by raising them in Parliament in 2003, 2006, 2007 and 2009. The Premier did not listen to me then, just as he has not listened to residents in recent times, and just as he has not listened to the people who put forward 25 significant recommendations from previous inquiries which have not been adopted.

A couple of ongoing local issues of concern need to be addressed. There is significant gully erosion in the Mudgegonga area. There are now gullies 2 to 3 metres deep which have formed in the 18 months since the fires. That is a result of the hot burns on the Crown land country denuding the bush country; the land is just washing away. There has also been the silting up of dams on private property. Some owners have cleaned their dams three times, and they have run out of both patience and the financial ability to continue to do that. We need financial help to address these problems.

The other issue I would like to spend a little bit of time on is the issue of mental health. There is an ongoing need for mental health services, and others have touched on it. It was brought to my attention vividly when I attended a meeting at Kinglake on 1 August. The meeting started off fine and individuals were engaging happily, but within 5 minutes one particular person who had sought to engage with me started to melt, and as you looked into their eyes you could see the continuing hurt that person was experiencing.

This look in their eyes is something that is not new. Anyone who has had any experience in life will realise that this is serious hurt that needs to be addressed with mental health counselling. I have seen it in my veterinary career on a number of occasions when I have had to do very unpleasant tasks in destroying a lot of stock. To see that look in the owners' eyes then told me — as the look on Sunday told me — the people I was dealing with needed help.

The problem is that the people who need this help are complaining to me that it is now much more difficult to access this help than it had been immediately after the fires. Rather than being able to get the help easily, they now have to initiate a request for help and then go through a process that seems to involve up to six steps to get that help. I contrast that with an alternative that

we have in the Benalla area with a drought outreach worker called Ivan Lister. In that case, Ivan Lister gets a heads-up that someone is in need of help. He goes to visit them, sits down where they are comfortable around the kitchen table and gets the person to agree on what needs to be done. Ivan then rings up a specialist, and the person who needs help has that help within 24 to 48 hours. He or she is not put through stress to get that help. We need that sort of approach if we are going to provide fair dinkum help to people in need in this protracted recovery period after the bushfires.

Many have touched on the fire services levy. I commend the member for Gembrook for having the courage to stand up and call it as we see it, and that is that the fire services levy is dead and should be buried, cremated and burned. We should be moving on to a property-based system with concessions for people of stretched means.

In conclusion, the time has come for the Premier to show leadership and not continue to consult about whether he will or will not implement these recommendations — the remaining eight on which he is not prepared to commit. The time has come for the Premier to commit, and in the words of the great Victorian Football League coach John Kennedy, now is the time for the Premier to 'do something'.

**Ms ALLAN** (Minister for Regional and Rural Development) — It is a great privilege to rise and contribute to the discussion the house is having on this important royal commission report. At the outset, I commend the work of the commissioners and the team who worked throughout an extensive and no doubt exhausting process in making sure that everything, from the views of the local grassroots level of people who are affected all the way through to some of the significant policy issues that need to be considered and debated, was put together as part of the report. They have put together a powerful piece of work, and it is now the responsibility of the government to consider and respond to the report. Of course an important part of that is the Parliament having an opportunity to give its views through this process. That is why the government thought it was very important to consult widely; not just to do it promptly after the handing down of the royal commission report but to consult widely with local communities right across the state of Victoria.

By no means was the handing down of the royal commission's report the end of the discussion. It was indeed just the beginning of another chapter in what is a long journey. We know we are still reflecting on what was written in the 1939 royal commission report, so we

know that we need to continue to have discussions and keep talking, and that is why it is absolutely appropriate that the government has been holding these discussions. It has only been 18 months since the fires, and those 18 months have gone by quickly, yet there is still so much more to do. It is very important that we reflect that.

I have been travelling around the state over the past 18 months. Particularly in the past week I have been out visiting many different regional communities, and I also had the opportunity last Friday evening to attend the Bendigo consultation. Over the past week, what has come through very clearly to me, and I am sure to many other members of the house, is that the people who are affected by the fires — whether they were directly affected, whether they knew people who were affected, or whether they are affected by being part of the community — still want to talk and to tell their stories. That shows very clearly that the healing process is continuing for those who are affected.

One of the things that I took away from the consultation in Bendigo last Friday evening was how each individual person who was affected — many of them lost their own homes — just wanted to tell their story. One of the people who was at the Bendigo consultation was Anna Macgowan, who was also a lay witness at the commission hearings, and she told her story about how nothing prepared her for that fire and how she has been impacted on in the aftermath. I know that is why this consultation is important. The communities want this consultation to continue, and I know that opposition members do not want to hear this. They have chosen to arrogantly ignore and shut out the views of people in the local communities. We have rejected this approach. We want to hear from people like Anna; we want to hear from people right across the community, because they know that this is an ongoing part of the journey.

The report also very powerfully captured the circumstances around each individual fire. There were two fires that directly affected the area that I represent, being the fires in Redesdale and in Bendigo. To each of the families of the 173 people who lost their lives I would like to extend my sympathies but particularly in this instance to the family and friends of Mick Kane, who lost his life in the Bendigo fire, and also to his wife, Carol.

What came out of the pages of the royal commission's report was commendation for the work of the emergency services personnel and volunteers who responded immediately and in the days proceeding the fires. I would like to echo that commendation and also thank them for their ongoing work and particularly the

ongoing work of local governments in the area not only in responding to this emergency but also in continuing to do so 18 months later. Again I know the opposition scoffs that we are continuing to talk 18 months later, but we know the services continue to be delivered 18 months later, and I would like to commend those agencies for their work.

It was interesting to note that one of the comments on the Bendigo fire in the royal commission's report was that a fire reduction burn had been undertaken in Pascoe Street in Eaglehawk, and there was some reflection on how that slowed down the passage of the fire somewhat. That is certainly what Country Fire Authority members on the ground said anecdotally in the days after the fire. That is obviously why there is great focus on the role fuel reduction burning can play in protecting life and property and why I have just come from a round table hosted by the Premier of many people who are considering this issue and how best to implement this recommendation. That once again demonstrates the great value of sitting down and talking to people now that the royal commission has handed down its recommendations. It is not a matter of just moving on and not listening to people with expertise in the field; it is about making sure their views are taken on board as we implement these recommendations.

I point out one of the other recommendations that has caused great concern amongst communities in regional Victoria — that is, the retreat and resettlement recommendation. Once again this demonstrates why we need to consult with communities. There is widespread angst and concern. I must say that I am struggling to find someone in regional Victoria who supports this approach, because it has the potential to have a major and profound effect on local communities. Again, yesterday there was a discussion hosted by the Premier with people across a range of different organisations. Many more questions were raised through that discussion about what criteria should be used to determine the buyback of properties and what safety and services are provided to those people who remain. It is only appropriate that the government continues to discuss those issues in detail before finalising its position.

One of the things that is already under way that can support our work more broadly in implementing the recommendations of the bushfire royal commission's report on the planning system is the announcement of a new settlement framework for regional Victoria that was identified in the government's blueprint *Ready for Tomorrow*, which was launched back in June by the Premier and myself. We have a new settlement framework, and it was recently gazetted by the Minister

for Planning. The hinterland areas — those areas within 100 kilometres — are very attractive areas where more and more people are choosing to live and to raise their families. Through this new settlement framework the government has identified that development and population growth needs to be managed and the environment and associated risks need to be taken into consideration. Discrete settlement needs to be designed to minimise the risk from natural hazards such as bushfire and flooding. The settlement framework articulated through the blueprint and the recent gazettal of the amendment by the Minister for Planning positions Victoria well to respond to the recommendation in the royal commission's report that refers to statutory planning.

I am sure that many other speakers have referred to the ongoing work. In a number of areas in my own portfolio we are continuing with that extensive rebuilding process. There is the partnership we have with the Bendigo Bank through the community infrastructure program and the business recovery program that is helping small and medium size businesses. There is the Victorian Bushfire Business Investment Fund, a \$10 million program in partnership with the commonwealth that is designed to stimulate private sector investment in those bushfire-affected communities to stimulate tourism activity and bring more economic activity into those areas.

Then of course there is the ongoing work of the Small Business Mentoring Service. I know the Minister for Small Business was very keen for me to identify this. He is attending a round table consultation tonight, and he was very keen for me to identify that work alongside the other work that is going on across government. We have just heard from the Minister for Community Services about the extensive amount of work that is going to support individuals and families as they go through the recovery and rebuilding process.

In conclusion, the handing down of the bushfires royal commission final report is another milestone on a very long, difficult and painful journey for those people directly affected by the bushfires. We must be respectful of the different stages of the recovery process that people are at. Some are rebuilding straightaway, some do not know if they want to rebuild and some are just sitting back and wanting to take stock. We should not criticise them for those decisions; we should be supporting them as they make those decisions. No doubt our response to the royal commission's report will be seen as another milestone. It will be informed by what we have heard through the consultations and through our own discussions over the past 18 months.

That is an entirely appropriate course of action that a responsible government should take.

**Ms WOOLDRIDGE** (Doncaster) — When the Black Saturday bushfires swept through our state they ravaged our land, our communities and our people, destroying more than 2000 homes and claiming the lives of 173 people — the highest ever loss from any bushfire. While Victoria and Victorians have a long history of living with and fighting bushfires, we unfortunately were not prepared for the enormity of the fires, and Victorians certainly were not prepared for the magnitude of the loss and devastation that was felt in each and every community across the state.

We are now 18 months on from the Black Saturday fires. We have had a royal commission and we have an extensive report to show for it. But the reality is that individuals and communities are still suffering, still struggling to cope with their grief and loss and still unable to progress their lives. In recent days the Premier has bustled through his consultations, but many of the families he has spoken to are still living in sheds and caravans on their burnt-out properties. They are still waiting for building permits, still waiting for permission to move on with their lives and start rebuilding their hopes and dreams.

The February 2009 fires, which ravaged so much of our state, were a tragedy. But the magnitude, ferocity and extent of the devastation may have been reduced had this government heeded the repeated warnings from experts about the need for immediate prescribed burning. In fact the 2009 Victorian Bushfires Royal Commission found the government's efforts to be minimal, claiming the government had ignored several recommendations for additional preventive burns. Specifically the report states that:

The state has allowed the forests to continue accumulating excessive fuel loads. Not dealing with this problem on a long-term and programmed basis means that fuel loads continue to increase, adding to the intensity of bushfires that inevitably eventuate and placing firefighters and communities at greater future risk.

Where fuel reduction burns had occurred, areas were saved from total destruction. For example, fuel reduction burns prevented the Beechworth fire, which burnt over 32 000 hectares of land, from potentially destroying the entire Ovens Valley on Black Saturday. The government's own 2008 bushfire strategy, *Living with Fire*, found that the government's efforts to undertake prescribed burning were insufficient and increased planned burning was needed to reduce risks to life, property and public assets when a severe bushfire does occur. Similarly, the Department of

Sustainability and Environment's corporate plan for 2008–11 also calls for increased and improved prescribed burning practices. The report identifies that fuel reduction burning would need to increase to between 4 and 6 per cent of public land each year.

However, the bushfires royal commission report confirms that the government is a very long way off meeting its target. The land on which prescribed burning takes place still represents 1.7 per cent of total public land. Labor's 11 years in government have left many parts of Victoria with high fuel loads: areas such as the Mornington Peninsula, the alpine region, the Yarra Ranges, the Dandenong Ranges, western Victoria, the Otway ranges, the Latrobe Valley and Gippsland. We recognise that many of these locations are rich in native flora and fauna, endangered wildlife and precious habitat and that fuel reduction burning needs to take this into account and to be done in a thoughtful and appropriate way suited to local conditions. However, one of the implications of not doing appropriate fuel reduction burning is that habitat and wildlife are wiped out by out-of-control bushfires, as we saw on Black Saturday. We have here a government which is prepared to leave our state, our communities and our environment dangerously unprepared and exposed to the threat of bushfire.

I also want to take the opportunity to mention the impact that these fires have had on those who are most vulnerable. The commission found that 44 per cent of the people who died in the fires were classed as vulnerable because they were aged less than 12 or more than 70 years of age or because they were suffering from an acute or chronic illness or a disability. Sadly, the frail elderly and those with disabilities could not always get assistance to relocate from their homes. We must have a better system to protect the vulnerable. And then there are those who have made it through the fires but need assistance. The reality is that the mental health of many individuals affected by the Black Saturday fires will continue to be affected and have an impact into the future. This is incredibly long term, and it is important that individuals and families can access ongoing community support, mental health support and appropriate case management to ensure they are able to deal with their trauma and loss.

Finally, while there were no fires in Doncaster, many Doncaster families lost friends, loved ones and fellow community members. I thank them for their amazing contribution to those who were affected by the Black Saturday fires.

The coalition welcomes the report entitled *2009 Victorian Bushfires Royal Commission — Final*

*Report — Summary.* We have accepted all the recommendations made by the commission; we believe we owe it to those who suffered terrible losses in these bushfires to get on with the job of implementing them so we have a safer Victoria in the future. The Premier cannot pick and choose; he must accept the recommendations in full to ensure that such a tragedy never happens again.

**Ms PIKE** (Minister for Education) — I want to talk this evening about the work of the Department of Education and Early Childhood Development in response to the Black Saturday fires and the work of the 2009 Victorian Bushfires Royal Commission. As we know, on that devastating day three schools and three kindergartens were destroyed. As I visited those sites I saw schools in ruins, but I also knew that the work of teachers, often accumulated over many years; the work of little kids, their pictures and all of their memories; and the huge investment made by families to schools was also destroyed.

Since that time our department has been working very closely with the Victorian Bushfire Reconstruction and Recovery Authority and with local authorities and communities to rebuild those schools and develop more comprehensive plans for services in those communities. The community reference groups and school rebuilding committees have worked hard to make sure people were consulted and that the new developments were an improvement on what was there previously. Members will be aware that Marysville Primary School was officially opened on 12 April 2010, and, as the Premier said today, that is the pride of the town. The reconstruction of Strathewen Primary School and Middle Kinglake Primary School, which I visited last week, is also well under way.

Within hours of the tragedy, the department mobilised the student support services officer program to provide counselling and psychosocial support. Schools did an absolutely amazing job supporting their students. I attended amazing memorial services at Whittlesea Secondary College and Eltham Secondary College, and I visited a number of schools which acted as host schools, providing material support for students who were affected.

Following the fires the department immediately reviewed all policies and procedures surrounding bushfire preparedness in schools — and we have embarked on a substantial program of work to improve bushfire preparedness in schools. This work has included the development of a brand-new emergency management system under which every school has had to revise its individual plan, the revising of the

emergency management plan manual and the establishment of the bushfire at-risk register. That work is continuing. We are currently finalising the statewide bushfire attack level (BAL) assessment project, which will rate all 1555 government schools. That assessment measures the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact.

The recent state budget allocated \$41 million to bushfire protection measures in government schools. Once the BAL assessment is completed for those projects, combined with additional bushfire-risk assessments for school localities, we will be distributing that funding. We have been working with schools on the kinds of measures that will improve their safety, and we are consulting with them at the moment.

In its final report the bushfires royal commission recommended that:

Victoria lead an initiative of the Ministerial Council for Education, Early Childhood Development and Youth Affairs to ensure that the national curriculum incorporates the history of bushfire in Australia ...

I am pleased to say that I will be taking that matter to the ministerial council as a matter of urgency. In the meantime we have embarked on a full review of all curriculum material available within our schools to enable us to work with children at all levels to help them understand the causes of bushfires and the way they can appropriately deal with these terrible situations. Schools will also undertake a range of activities aimed at increasing student awareness of bushfires in this year's Fire Action Week. Schools have been the focus of a huge amount of work since the bushfires; they have done an amazing job in supporting their students. I commend all the principals, teachers and families from our schools who have helped our young people through this very difficult time.

**Mr MULDER** (Polwarth) — Firstly, I thank the commissioners for their work in producing this report following the horrific bushfires of 7 February. Again I offer my sympathy to those who lost loved ones and to those who continue to endure the effects this life-changing event has had on them.

I represent one of the most bushfire-prone areas of the state, which includes the Otway Ranges, and we escaped by the skin of our teeth on 7 February. If communities in country Victoria are to remain the custodians of forests and national parks and if our farming communities are to flourish, then it is only fair and reasonable that these communities get the support of the entire state and ongoing support from the government to ensure all that is possible to be done is

done to protect the lives and property of those who face the greatest danger of bushfires.

Following the bushfires, our community conducted a bushfire forum attended by Mr David Packham, OAM; the local fire prevention officer with the Colac Otway Shire Council, Mr Mark Gunning; and others. The forum was chaired by Mr Peter Hay, a well-known Country Fire Authority (CFA) volunteer with 42 years experience. Throughout our bushfire forum the issue of fuel reduction burning was raised again and again as the best level of protection for towns such as Carlisle River, Lorne, Aireys Inlet, Deans Marsh, Barwon Downs and other areas identified as high risk. Fuel reduction burning has not kept pace with the amount of dry material on the floor of our native forests.

The same concern was raised in relation to the difficulties in carrying out roadside burns in farming areas — it is too hard and the process is too bureaucratic and too tricky. Nothing will change unless there is attitudinal change within government ranks. David Packham pointed out that a forest that is well managed via fuel reduction burning should be maintained to a state whereby workers carrying out such a burn should be able to walk through the burn as it is taking place.

Following 7 February, I went to look at fuel reduction burn sites in the Otway Ranges and at Bannockburn common. They were mini-bushfires. This is the outcome you get when the fuel reduction burns are not carried out at the intervals they should be. The monitoring of these burns — for which targets must be met — must ensure that the entire area identified has been burnt; just having the fuel reduction burn started should not be used as a measure of success.

In relation to recommendation 38, the state implementing a regional settlement policy, residents in the hamlets and townships of the Otways do not want to leave their homes. These residents want the area surrounding them managed in such a way that they are protected from a worst case scenario — that is, heavy fuel loads and ageing power infrastructure — that could bring a fire to their doorsteps.

The scaremongering by the government surrounding this recommendation should be seen as it is — an insult to the commissioners and political opportunism at its absolute worst. No doubt there will be some cases in the badly affected bushfire areas in the state where some individuals or families who have lost homes and even family members and who just want to get on with their lives cannot sell their blocks and cannot afford to rebuild, or just want to move on and draw a line in the

sand. I believe in these cases there is an obligation for the government of the day to assist with their resettlement.

Recommendation 34, dealing with a regulatory framework for electricity safety to strengthen Energy Safe Victoria to prevent electrically caused bushfires, was addressed in a bill before the Parliament during the last sitting week. The bill required distributors to put in place bushfire mitigation plans and to submit those plans to Energy Safe Victoria. As I said in my contribution, switching off power to remote areas as a means of protecting ageing power infrastructure would have dire consequences for those affected. The recommendations are clear in this area. A long-term strategy to deal with these assets needs to be put in place. The bundling of overhead powerlines, undergrounding and other technical improvements need to be evaluated and implemented as a matter of priority in high-risk areas.

The condition of ageing power infrastructure is not new. The distributor that operates in my area previously applied for assistance to address the infrastructure upgrade requirements and was knocked back by the Brumby government.

My community was lucky. As Peter Hay described, the Weerite fire moved very quickly across the grassed areas, and if it had got to Mount Pondon there was no doubt in his mind that the fire would have hit the bush at Irrewillipe and burnt right through to the coast. This fire was backed by winds travelling at 90 kilometres an hour and record temperatures. It was only a sudden change in wind direction and the Country Fire Authority volunteers and Department of Sustainability and Environment staff that saved the community.

The implementation of these recommendations is imperative. Confusion surrounding fire warnings and issues in relation to sirens have to be addressed. Once again I pass on my condolences to the families and friends who lost loved ones in this horrific event. May they have closure and peace as they rebuild their lives.

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I rise to speak on the final report of the Victorian Bushfires Royal Commission into the devastating Black Saturday fires.

As we have heard a number of times, the government has agreed in principle to 59 of the 67 recommendations. In preparing our position on all of the commission's recommendations, the government has undertaken a short, sharp consultation with the community, particularly

around the more complex or controversial remaining issues.

Last night I attended one of those community consultation meetings in Olinda in my electorate. It was a packed meeting; more than 200 people attended. A very informative and constructive discussion was held. I take this opportunity to thank everyone who was there last night. It absolutely confirmed in my mind the importance and necessity of conducting this final round of consultations before we respond in full to the report. It is the responsible, respectful and right thing to do.

Opinions varied on the issue of vegetation removal, although most people agreed on the importance of a localised approach to vegetation management. There was in my opinion some consensus on issues such as the negative impacts if the government agreed to the recommendations in regard to the acquisition of land; the inability to conduct an emergency evacuation of the Dandenongs — it is simply impossible in an emergency to get everyone off the mountain because it would take something like 8 hours: evacuation must happen the night before or early in the morning — and the importance of early warning and improved communications.

There was also significant discussion around places of last resort and what that means, neighbourhood safer places, the townships along the ridge and refuges. There was quite a bit of discussion around warnings and their form — that is, sirens, audio, communication through the phones and fuel reduction burning. A number of other issues were discussed, such as the recommendations about electricity, roadside clearing, the importance of education and digital communication and the current use of scanners. It was quite instructive. More than 200 people were there. A question was asked about how many people have a scanner. The vast majority of people in the hall said they did. That is just a small snapshot of last night's meeting. As with all of the 24 community consultations, the issues, concerns and ideas raised will be examined and will inform government as we conclude our response.

In terms of the report, I refer to one incident and one page of this massive group of documents: I refer to page 191 of volume 1 on fires and fire-related deaths, which is an analysis of the fire in Upper Ferntree Gully. I think it is the best illustration of one of the key things we need to do to keep the Dandenongs safe now and in the future. It states that prompt warnings were issued before the fire:

At 17:04 a helitack on its way to Moorabbin for refuelling made a number of rapid drops on the fire, obtaining water from a nearby disused quarry. The helitack's assistance was

vital. Mr Brown explained that when the aircraft arrived the fire had begun to spread to the northern side of Quarry Road and was heading towards residential properties. The helitack made a single drop and caught the fire right on the cusp of a wind change from the south-west:

Colin Brown, the incident controller, said:

By pulling that fire up they prevented the fire possibly spreading ... into the Tremont-Ferny Creek area. We estimate probably within 10 to 15 minutes ... [it] would have been impacting on those houses up there and this would have been a significant event.

A red flag warning was issued at 17:14.

At this time there were wind gusts of up to 90 kilometres an hour.

By 17:30 there were eight tankers, three slip-ons and three pumpers on the ground. The helitack was still working over the fire as it burned towards Lady's Walk and the boulevard.

The fire was contained by 18:00...

The conclusion of the commission was:

The commission notes the opportune arrival of the helitack and commends the efforts of firefighters. This averted possible widespread damage to the Ferny Creek area and the Dandenong Ranges which posed a very significant potential threat to human life.

It is one page in the whole document but it is an extraordinary story, similar to the one we have just heard from the member for Polwarth. In the Dandenongs we live in one of the most fire-prone areas in the world. On Black Saturday we dodged a bullet. How did we dodge it, and what can we learn from the fire in Upper Ferntree Gully? we learnt that we need to identify the fire early and hit it hard and fast with everything we have from the air and from the ground, keep attacking it until it is contained and ensure our firefighters are as skilled, resourced and responsive as they were on that day. There is no second chance in the Dandenongs, and that is what we saw in the Upper Ferntree Gully fires.

I conclude by thanking the commission for its work. I again express my sympathies for and condolences to all of the families affected by the Black Saturday fires. We will conclude the work with the community, make our recommendations and ensure that this will never happen again.

**Mrs POWELL** (Shepparton) — This is the second time this Parliament has spent extensive time discussing the bushfires of Black Saturday, 7 February 2009, and those that started in January 2009. It is appropriate that we do this, because it enables us to pay our respects to the families, friends and neighbours of those 173 people who tragically lost their lives, to the many hundreds of

people who were injured and to those who lost their properties, their businesses and their homes. It is also a time when we can acknowledge the acts of bravery from our firefighters, our police and members of the rest of the community, displayed acts of bravery in trying to protect their neighbours and their fellow community members.

The Victorian Liberal-Nationals coalition supports in principle every single one of the 67 recommendations of the bushfires royal commission final report, and we urge the government to do the same. The community wants the government to get on with it, to implement the recommendations and to provide leadership and certainty to those people who are trying to rebuild their lives and to recover from their losses and their grief. As shadow Minister for Local Government, I have travelled around the state and spoken to many local councils whose communities were affected drastically by the bushfires. They are still struggling with the extra responsibilities. Many of the councillors and council staff were also affected during that time. They lost relatives, friends and neighbours, and some of them have also lost their own homes.

The bushfires royal commission also acknowledges the important role of local government, and I quote from page 21 of the final report:

The commission envisages that councils would take a much greater role in local planning and preparation for bushfire and in implementing existing planning and building laws within a framework that takes better account of bushfire risk, while continuing with their existing role in bushfire relief and recovery.

The commission makes some suggestions that would also help to clarify processes for municipal councils in areas such as clearing roadside vegetation, but it is also sensitive to the imbalance in the financial capacity of various municipal councils and the difficulty they have obtaining technical expertise in relation to bushfire. In a perverse way, those councils that have the most pressing need to apply substantial resources and effort to make their communities more bushfire safe are in many cases those that are the least well resourced. The state should examine whether local government requires greater support, including funding, to ensure that individual councils have the capacity to implement the agreed changes.

The councils are struggling; they need more support and more funding, particularly with the issue of neighbourhood safer places. As I spoke to councils around the state, I found they were still struggling to find and implement neighbourhood safer places. They actually said to me that these places should be called 'places of last resort', because calling them 'neighbourhood safer places' gives a community a false sense of security. The royal commission's first interim report recommended that the state government identify, establish and advertise designated community refuges

and neighbourhood safer places. The state government immediately passed this responsibility onto local councils and only allocated \$500 000 to those councils for that purpose. This is taking cost-shifting to the extreme.

Some of these councils cannot meet the criteria for neighbourhood safer places. If the neighbourhood safer place is an open space, there has to be a distance of 310 metres from a fire hazard, which is bushland or vegetation. If it is a building, the distance should be greater than 140 metres. The Municipal Association of Victoria (MAV) has stated that it could cost small shires in high-risk areas up to 10 per cent more in rate revenue, which their communities cannot sustain, particularly those rural shires with large geographic areas and small populations who are really doing it tough at the moment and do not have the capacity to pay increased rates.

The MAV has said that councils may need \$20 million a year to expand their current responsibilities to deliver on the royal commission's recommendations. When I spoke to Murrindindi shire, which was one of the badly affected bushfire communities, its representatives said they have over 100 people still in temporary accommodation. There are no employment opportunities — the hotels and guesthouses have gone. There is a lack of affordable rental public housing, and the community still needs counselling. All councils in high-risk areas have had to significantly increase their workloads. They are slashing roadside vegetation, appointing more specialist staff to deal with the new obligations, signing off on permit conditions imposed under the new bushfire rules and regularly assessing landowners' compliance with those conditions, developing new databases to get information to the community and preparing township protection plans and emergency plans.

The government must do more to support local councils, otherwise their rates, fees and charges will increase or their services decrease. I call on the Brumby government to support local councils.

**Mr DONNELLAN** (Narre Warren North) — First and foremost I would like to pay my respects to all the people who lost their lives and who lost their loved ones, houses and businesses. The devastation on that day was substantial, and 173 people lost their lives. That day and the period of time leading up to the fires were unique in the history of Victoria after so many years of drought.

I congratulate all those involved in the emergency services who fought valiantly on that day, including

local members of the CFA (Country Fire Authority), SES (State Emergency Service) and the police. I also congratulate the DHS (Department of Human Services) and others who worked in the recovery process for their attention to detail and the way in which they took care of people after such a difficult situation.

We lost three houses in the fires that day, but I briefly want to mention the actions of the Narre Warren North CFA, ably led by Captain Shaun Trotter, who was previously also a naval fire officer, who did a marvellous job on the day. Elvis was headed to Ferntree Gully at the time, coming back from the Bunyip fires, and in a very forceful way he called it to come to Narre Warren. If he had not done so, I believe the fires probably would have moved up through the Dandenongs and into Upper Beaconsfield, a place that previously suffered enormous loss of life in the Ash Wednesday fires. In many ways this one action protected my area; we lost three houses, but we did not have the loss of life suffered nearby. I congratulate Shaun Trotter and his team on their foresight that day in demanding that Elvis come across to Narre Warren.

I also congratulate the royal commissioners, who started their first day of hearings on 20 April 2009. Over 155 days of hearings across five venues, including three regional venues, they looked at the causes and circumstances of 13 fires, heard from 434 witnesses, including two expert panels and 100 lay witnesses, received over 990 exhibits and produced 20 000 pages of transcript. They certainly did a very thorough job. They also held some very sad hearings in relation to fire-related deaths over 23 days. It would have been very difficult for the commissioners to undertake that — but perhaps more difficult for the people who suffered and who probably still suffer very much today.

The key royal commission recommendations which will be implemented for the next fire season include that priority be given to establishing neighbourhood safer places in the 52 towns identified as being most at risk in next year's fire season; establishing a new fire-risk index; limited broadcasting of the standard emergency warning signal; introducing a common alerting protocol to ensure that bushfire warnings are founded on life-saving principles; developing guidelines to support CFA and DSE incident controllers; establishing CFA and DSE procedures so the most experienced, qualified and confident people are appointed as incident controller for each fire; and having Victoria Police work with the CFA and DSE.

The response of the government to date is very appropriate in terms of what are very difficult issues to deal with. Those include: refuges, which are very

difficult to get absolutely correct; local government, which obviously has a large part to play, but there are substantial costs associated with it; evacuations, which are fraught with danger, have to be done in a very logical and sensible way and are very difficult to get right; powerlines, which relate to occupational health and safety issues and cost; and acquisitions, which is a very difficult area. An acquisition process was attempted in the Dandenongs in the early 1970s and discontinued in the 1990s because of the difficulty of getting it right in terms of impact on towns, but it is appropriate that the government continue that consultation process. There is also the issue of getting fire reduction right. I am thankful for the opportunity to make a short contribution.

**Mr O'BRIEN (Malvern)** — In speaking to the Premier's motion to take note of the final report of the 2009 Victorian Bushfires Royal Commission, I wish to again record my condolences for those 173 people who were lost in the tragic events of February 2009 and for the many others who lost family members, friends, homes and communities. However, we owe it to those people to do far more than merely take note of this report. Taking note will not do anything to reduce the prospect of such a horrendous loss of life being visited upon us again. Taking note will not save a single life, a single home or a single town, but taking action will. That is why the coalition is committed in principle to implementing the royal commission's 67 recommendations, while the Brumby government is committed to talking about them.

I commend the royal commission for conducting a comprehensive examination of the causes of the Black Saturday bushfires and for making a series of practical recommendations. Whatever spin the government is now running, the recommendations, properly examined and understood, are practical.

As the shadow Minister for Energy and Resources I will focus on those matters relating to bushfires caused by electrical assets. The royal commission found that 5 of the 11 major fires that began on 7 February were caused by failed electricity assets, including the Kilmore East fires, which took 119 lives. In fact, over 200 fire starts every year are attributed to faulty electrical assets. The royal commission was crystal clear that these fires were the result of ageing infrastructure and inadequate maintenance overseen by a weak and underresourced regulator, Energy Safe Victoria.

The commission made eight recommendations relating to electricity-caused fires. The government claims to have accepted six, and half-accepted one relating to

adjusting reclose functions. Time does not permit me to go through all the relevant recommendations at this stage, but I note that the government is yet to accept recommendation 27, which relates to improving the safety of powerlines in areas of highest bushfire risk.

The royal commission has left no doubt as to the consequences if we do not act to reduce the incidence of electrical asset bushfires, yet the Premier and Minister for Energy have misled the public, undermined the royal commission and told falsehoods about the recommendations.

The *Australian* reported today:

The Brumby government now says it would cost \$60 billion to put powerlines underground in bushfire-affected areas as it moves to reject key findings of the Black Saturday royal commission.

The extraordinary figure comes just a week after the government suggested it would cost \$20 billion to do the same thing.

In fact a report by the Department of Primary Industries dated 28 August 2009 suggests that undergrounding SWER (single wire earth return) lines in Victoria would cost less than \$5 billion.

Recommendation 27 does not call for the undergrounding of all SWER powerlines in Victoria now or at any time, yet this Monopoly-money figure of \$60 billion that has been put about by the Brumby government assumes just that. Recommendation 27 talks about undergrounding SWER lines as just one option, along with aerial bundled cables and other technologies, to deliver greatly reduced bushfire risk. Nor does it ask for it to be done everywhere but sensibly suggests that it should occur in the areas of highest bushfire risk over a decade. The recommendation also calls for the 'progressive replacement' of 22-kilovolt distribution feeders with similar alternatives to those proposed for SWER lines. Let us be clear: the Minister for Energy and Resources and the Premier are not telling the truth when they try to scare the Victorian community as to the cost of accepting the royal commission's recommendations. In seeking to hide its embarrassment over its own failures, the Brumby government risks condemning Victorians to a repeat of them.

A further failure identified by the royal commission relates to Energy Safe Victoria (ESV), which the Brumby government has left underresourced and lacking the authority necessary to fulfil its statutory obligations in relation to bushfire mitigation. Section 4.7.1 of *2009 Victorian Bushfires Royal Commission — Final Report — Fire Preparation*,

*Response and Recovery* is even entitled 'A weak regulator'. The report exposes an environment in which ESV's auditors found failures in Powercor and SP Ausnet's inspection and maintenance regimes, but these were ignored without sanction. When Powercor sought to improve bushfire safety by seeking financial approval for undergrounding powerlines in areas of high bushfire risk, what was the response of the ESV? It went missing. It had no opinion. To quote the royal commission:

In that instance ESV was neither co-regulatory nor proactive in its approach: it simply did nothing.

Perhaps it is not surprising that ESV did nothing when, again quoting the royal commission, 'out of ESV's 90 staff, the equivalent of two full-time staff are devoted to matters relating to bushfire mitigation'.

I will leave my final words to the royal commission, which issued a chilling warning of 'the potential for tragic consequences if the Victorian government and distribution businesses do not take decisive action and explore the full range of alternatives'. The task is clear. The time to act is now.

**Mr HOWARD** (Ballarat East) — Black Saturday was a horrendous day when many Victorians were traumatised as they experienced the devastation caused by the fires across the state. Much needed to be done in response, and the Premier and ministers acted straightaway, first of all by providing a response of support for those who lost so much. The work of rebuilding started pretty much straightaway. While we have achieved a great deal, there is still much to be done both in rebuilding the physical environment for those who lost so much and in supporting them emotionally with their needs into the future.

We all want to ensure that we never experience such devastation again. That is why only nine days after Black Saturday the royal commission was established as a major means of collecting the learnings from that day and presenting recommendations for action to make Victorians more fire safe in the future.

Not waiting for the recommendations to be made, the government and the community have already taken many actions to make Victorians more fire safe. Only a fortnight after Black Saturday a fire broke out in my electorate, in the Muskvale area just south-east of Daylesford. From my visits to Daylesford over the following days it was clear to me that many people had already reviewed their own fire policies — their home fire actions — and clearly reviewed the stay or go policy, most deciding it was better to leave. They recognise that the saving of life is more important than

the saving of property. Fortunately no lives were lost in the Muskvale fire, and, thanks to the great work of firefighters, the loss of housing was also minimal.

Before and after this the government continued to commit unprecedented funding in support of the Country Fire Authority, the Department of Sustainability and Environment and other firefighting agencies. In fact over our term of government we have tripled the CFA's funding. In addition we have extended the fuel reduction burning that has taken place across the state. In recent years we have worked to ensure that we have been able to do more fuel reduction burning, although more needs to be done. However, as the community recognises, there are only so many days in a year when it is safe to do fuel reduction burns. There have been unfortunate cases where fuel reduction burns have been attempted but weather conditions have changed and those fuel reduction burns have burnt out of control and caused more problems than they were meant to.

We have to make sure that in responding to the report we get the balance right. The royal commission released an interim report last year ahead of the fire season, and in response to that the government announced that it would support all of the recommendations. It then appointed former Chief Commissioner of Police, Neil Comrie, to monitor the implementation of those recommendations, and in his report that came out in March he was able to say that the vast majority of those recommendations had been satisfactorily implemented. As we now know, a little over a week ago the final report of the royal commission was released, and the government said that it would accept in principle 59 of the 67 recommendations. The other 8 recommendations are to be discussed with the community, not over a long talkfest but over a short period and in a confined way so we can get that response back as quickly as possible.

I am pleased that we have had two consultations in my electorate over the past week, with one in Ballarat and one in Daylesford. I have been pleased to attend both and found that they have been well attended. A number of senior government employees attended so they could get direct feedback from the community. The Minister for Police and Emergency Services attended the Ballarat consultation, and Bruce Esplin was at the Daylesford consultation last weekend. Certainly those from the community who attended were pleased to be able to share their views. They had obviously given serious thought to the issues that need to be dealt with, and they felt that it was a good opportunity for them to share their viewpoints. They were concerned about

some of the recommendations, and I am pleased that the feedback will be going to the government.

**Mr INGRAM** (Gippsland East) — On behalf of my electorate of Gippsland East I would like to join the debate and speak on this important issue. I have a long, strong interest in fire management and policy and public land management from living and growing up in areas of high fire risk in East Gippsland. I have also worked on fires as a dozer operator, and I am a not very active member of the Country Fire Authority. My electorate is made up of national parks and state forests.

Since becoming a member of this place I have dealt with fire issues too regularly — the aftermath of the Caledonia fires, the 2002–03 fires, the 2007 fires, and the last two fires which burnt over 1 million hectares, and a large portion of that was in my area. I have been involved in discussions around this as the deputy chair of an Environment and National Resources Committee (ENRC) inquiry, and I was a submitter to both the 2009 Victorian Bushfires Royal Commission and the Esplin inquiry.

In my submission to the royal commission I raised a number of issues, including the maintenance and clearance of powerlines, the impact of privatisation, the failure of successive governments in relation to prescribed burns and public management and the regulations in relation to the management of native vegetation on roadside clearances. I made a number of comments around those issues to the Esplin inquiry and the royal commission. I am thankful that the royal commission has effectively endorsed some of the positions that I took; we came to the same conclusion.

A number of issues have come out of this royal commission. There have been a number of discussions around the fire services levy. I have long held the view that it is important that we move to a broader based policy to ensure that there is more equity in the funding system for fire services, and I support the coalition's position on that.

One of the issues I have some concern about and will make some comments on is around recommendation 27, which is in relation to underground powerlines. Many commentators on this issue have got it wrong in my view because it will not affect all consumers in Victoria; it will affect only Powercor and SP AusNet consumers as they will pay for the majority of it because of the way the metropolitan areas have been ring-fenced out. You can see it will involve an extraordinary cost. There is a lot of debate around this place, but on my view of it, using the \$20 billion estimate reported in the *Herald Sun* and

*Weekly Times* last week, even if the state pays 50 per cent of that, we will be talking about a \$7500 direct tax on each and every rural consumer. It is hard for me to stand up in this place and recommend to my constituents that this should be accepted. I will use a comment that is going around fairly often at the moment and gaining a bit of political traction: this will be one mother of a great big, new tax on every person living in regional and rural Victoria. I am sure that my constituents will not support that.

I have some concerns about the stay or go policy. My view is that we need to better communicate. We need to have clear communication to explain to people what the risk is. I have some concerns with the way the royal commission has made its recommendations around this. I cannot support the evacuation policy. If the policy becomes more complicated, it will be harder for people to understand it. Because of the length of time since the last major fire that caused people to lose their lives, the community was not aware enough of the real threat that fire posed to the environment. Too many people in the peri-urban areas did not understand the real risk that fires pose. This is a wake-up call; we have to learn from it. Any rules we make must be equally applicable to Omeo or Bendoc. I use the comment of one of my predecessors in this place, Bruce Evans: it is clear that you have to apply the Bendoc test; it has to be equally deliverable to Bendoc as it is to the peri-urban areas around Melbourne. That is something that we have to make sure we get right. I cannot stand here and say that the recommendations around this are right at present.

I will make some comments around prescribed burning. Clearly this is something the government must do. There has been a long history of failure to do this. We must make sure that the resources are there and fully endorse the recommendations made by the royal commission. It is something for which I have long been advocating in this place. The report endorses the recommendations made by the ENRC inquiry. It is time the government deliver on this. I made basically the same comment in 2003 when I said that the government had breached its duty of care to the people of Victoria.

**Ms DUNCAN** (Macedon) — Firstly, I would like to acknowledge those people who died or were seriously injured on Saturday, 7 February; their families and friends who are still grieving; and their communities, which are still rebuilding. As a representative of the Macedon electorate I point out that our communities are acutely aware of the risks we face from bushfires. Many members of our community remember Ash Wednesday, and we all need to do everything we can to prevent a recurrence of that.

While the opposition believes it can agree to all of the recommendations sight unseen, I do not think it is unreasonable for this government to want, or for it to be considered as a time-wasting exercise, to see the recommendations, understand what they will mean and engage the community in discussion on at least some of them. While the opposition agreed to the recommendations before it knew what they were, the people attending the consultation in Woodend last night certainly had a lot of questions and had varied views on many of the recommendations that were being discussed. While the opposition states that it accepts all of the recommendations, some of the recommendations are general in nature and require further clarification. I note the opposition is not providing that clarification. It simply states that it is supporting the recommendations in principle. The discussions at my table last night were about trying to clarify many of those principles. The discussions were not about how we could avoid the recommendations, but once you get away from the principles you need to address the practicalities, which is what we were trying to do last night.

I will put forward one example. While the opposition accepts in principle the abolition of the fire services levy, it has not enunciated the model that it would use. Also while the opposition has accepted the principle of 5 per cent burning across the state, from some of the contributions that have been made in this chamber it would seem to be an oversimplification and shows a lack of understanding. It reduces things to the most basic level to the point where they become meaningless.

I will give a flavour of some of the issues that were discussed in Woodend last night. I would like to thank all of the people who attended that consultation in Woodend. I would suggest that over 60-odd people attended, and I thank them for the time, patience and care they took in going through some of these issues.

I will just give people a flavour of the sorts of things that are being discussed around some of these recommendations. One of the issues was about neighbourhood safer places and refuges. The views were varied in our discussions, but again we talked about neighbourhood safer places. A number of questions were asked about them. What are they safer than? Are they safer than your home? Are they safer than staying and defending? Are they safer than leaving early? Which way is the fire coming? How do we know whether a designated safer place is actually going to be a safer place on that day with that fire? How long do we need to stay in these places for? How many people need to fit into them? What facilities would be provided? Are these a last resort? If they are a last resort, are they

intended for people whose plan it is to stay and defend? Different parts of the community require different solutions. Who maintains these places? Who will be there to open them? Does it mean that if people understand or believe that there is a neighbourhood safer place in their neighbourhood, they will prepare less? Will there be high expectations of these places, which may or may not be safer during that fire at that time? Who opens these facilities if they are a building?

In terms of evacuation, what sort of right of return do people have if they do evacuate? What about vulnerable people? How do you determine who those people are? How do you maintain lists of vulnerable people? If you do maintain a list, does that list become out of date the minute it is published? If I am on a list for vulnerable people, do I just wait for someone to come and knock on my door? These were many of the questions that were being asked at the consultations last night. With regard to the undergrounding or bundling of powerlines to make them safer, whatever form that might take, no-one at our table thought it was reasonable to accept that regardless of the cost. People did believe that cost mattered and that there were existing maintenance regimes that should be better enforced. This is the flavour of some of the discussions that we need to have.

**Mr WELLER (Rodney)** — I rise tonight to speak on the 2009 Victorian Bushfires Royal Commission final report. In particular I will refer to the findings in the report in relation to the Redesdale fire, part of which was in my electorate of Rodney.

Firstly, I would like to commend the three commissioners — the chair, Bernard Teague, Ronald McLeod and Susan Pascoe — on the outstanding work they have done. The detail in the report is both chilling and tragic in reporting on the loss of life and the property destruction caused by the fires. It also highlights the courage and heroism of so many ordinary people who were called on to perform extraordinary deeds on what will be forever known as Black Saturday, 7 February 2009.

The Redesdale fire caused the loss of 14 houses, 50-plus sheds and outbuildings, the Baynton church, a bridge, a vineyard and two olive plantations. Thankfully, due very much to the brave efforts of our firefighters, there was no loss of life. However, the report states:

Fire agencies' response to the Redesdale fire was ... impeded by communication difficulties.

These difficulties occurred in both radio and mobile phone communications. According to the report, the same problem occurred with Victoria Police officers

trying to assist in ensuring the safety of residents. The lack of effective communication equipment could have had disastrous results, and the government must act immediately to rectify it, as per recommendation 23.

It was pleasing to note in the report the praise for the work done by farmers who used their own equipment to help protect their property and that of others. It states:

Private farm units are usually not formally organised but operate in support of the local CFA. They often arrive at fires before the CFA because they are responding from nearby farms. They are an integral element of the fire response ...

I wholeheartedly agree, and I commend the farmers for this often unrecognised but very valuable contribution to the safety of fellow Victorians. On behalf of the people of my electorate, I wish to formally place on the record our thanks and admiration for the wonderful work of the emergency services on Black Saturday.

But by its nature the report also points out glaring deficiencies across a whole range of areas. It cuts quite clearly through the tired old government defence line that the fires were unprecedented. The commissioners are clear in saying that this was not the case and that in fact the fires of 1939, 1983, 2003 and 2007 gave ample warning of what could come. The report goes further. It states:

The two most recent of these fires each burnt four times as much of the state as the 7 February fires ...

The critical point here is that the reports written after those particular fires also contained a number of recommendations, which in most cases this government virtually ignored. Those reports indicated that the burning-off programs needed to be at least three times their previous level, but the government, even on its own figures, did not achieve half that level, putting lives and properties in Victoria at risk.

Recommendation 64 of the report is that the state replace the fire services levy with a property-based levy and introduce concessions for low-income earners. In government we will implement a fairer, more equitable system for funding fire services. The current fire services levy has burdened homeowners and businesses, particularly in country Victoria, with an unfair and inequitable tax. For every \$1 you pay in fire insurance you pay another \$1.24 in taxes. That is how it is set up currently. It is a disincentive to insuring.

We have also heard about recommendation 27. Members on the other side and even the member for Gippsland East, talk about recommendation 27 as referring to undergrounding. It does not say that. It actually says:

The state amend the regulations under Victoria's Electricity Safety Act 1998 and otherwise take such steps as may be required to give effect to the following:

the progressive replacement of all SWER ... lines in Victoria with aerial bundled cable, underground cabling or other technology ...

That does not refer to putting it all underground; it also refers to 'other technology'. It also says:

...the progressive replacement of all 22-kilovolt distribution feeders with aerial bundled cable, underground cabling or other technology ...

What we need is a government that actually listens and acts. The people of Victoria are sick of procrastination. They want to see action, not hear more talk.

**Mr CRUTCHFIELD** (South Barwon) — At the start of my contribution I want to record my condolences for the families, friends and communities of the 173 people who died on Black Saturday. I also pay my respects to the hundreds of other people who have physical and mental injuries as a consequence of this very dramatic day and the ensuing days. Certainly the commission's findings awaken old wounds for these families. Whilst the immediate effects of Black Saturday were not directly felt in my electorate, there were many people in the Geelong region — and the member for Geelong as well — who were directly affected. In fact four people from South Barwon perished that day, and as well many others had immediate family or friends affected in many different areas, whether near Horsham or in the east.

I would like to put on record my thanks and congratulations to the commissioners. They had the broadest possible terms of reference. I thank the Premier for a very swift intervention in establishing a royal commission on 16 February, some nine days after the fires. I congratulate the commissioners on focusing on the lessons we can learn from this tragic consequence and not necessarily, as some people in here have articulated, on searching for bitterness and people to blame. The commissioners targeted systemic problems, and rightly so.

As an ex-permanent firefighter and a current volunteer firefighter in Connewarre, it was particularly upsetting for me to see many of my former colleagues being emotionally stripped naked, rightly, in front of the commissioners. Having worked with a number of these people, that was very emotional for me, let alone for the individuals who were in charge of those fire fights. I put on record my untold respect for the volunteers and permanent staff right across the fire authorities. Whether they be from the Country Fire Authority (CFA), the Department of Sustainability and Environment, a metropolitan fire service or the State Emergency Service, they step forward when others are running away or attempting to leave.

It is instructive to reflect briefly on the impact this experience has had on these groups. Anecdotally there has been an effect on morale, particularly in the CFA, and not just among the volunteers. The CFA is working very hard as an organisation to encourage people back to volunteering for their communities, but the impact on the permanent staff has also been quite extensive. A number of people, particularly amongst the senior incident controllers, need to be nursed back to being willing to take on positions of responsibility, because they know that when incidents like this happen they are rightly under scrutiny.

Sadly, whilst we all hope this type of incident never happens again, there will be deaths in bushfires in the future, and certainly the lessons we have learnt from this will minimise the possibility that a fire of this magnitude will occur again. There are individuals in my patch who are not necessarily traumatised but are still reflective about the effects of Ash Wednesday. Many people in my communities volunteered in that particular week.

I want to centre on the fact that there has been no agreement and certainly no unanimity even between CFA professionals and volunteers about a response to the recommendations. Yes, the government has accepted 59 of the 67 recommendations and is rightly consulting on the remaining 8. I refer to an article in the *Geelong Advertiser* of 9 August where two CFA captains, one from Wye River and the other from Anglesea, who do not agree on the recommendations, say the government should proceed with caution rather than rush to a response to appease survivors and voters. These volunteer captains are suggesting we take time to reflect on these recommendations.

**Dr NAPTHINE** (South-West Coast) — I rise to speak on the 2009 Victorian Bushfires Royal Commission report. Firstly, I wish to acknowledge the tragic death of 173 people due to these terrible fires and again extend my sympathy and that of the people of South-West Coast to families and friends who are still grieving their tragic losses. I acknowledge the many thousands of Victorians who lost homes, property and livelihoods and who are still suffering the serious consequence of these fires.

In the limited time available I want to concentrate on two key recommendations of the royal commission. Recommendation 56 is:

The state fund and commit to implementing a long-term program of prescribed burning based on an annual rolling target of 5 per cent minimum of public land.

This recommendation echoes advice given to government after the Ash Wednesday fires. The review committee said the amount of fuel reduction burning was ‘too low’. It also echoes the 2007 state parliamentary Environment and Natural Resources Committee, which recommended a 5 per cent target. That recommendation has been echoed in report after report.

What we need from government is a commitment to action on this recommendation — not equivocation, not prevarication, but real action. For example, Nelson, a township at the mouth of the Glenelg River, is in one of the 52 highest risk areas. The biggest risk to Nelson is the 27 300-hectare Lower Glenelg National Park to its northern boundary. The community of Nelson and I have been fighting for two years to get DSE (Department of Sustainability and Environment) and Parks Victoria cooperation for a significant firebreak to be constructed on the southern boundary of the park, and hence the northern boundary of the township, to protect that township. We have raised it, we have raised it and we have raised it, but still there has been no response and no action from government. Those inactions are putting that township and those people at risk.

In the Bolwarra-Gorae area there are risks from the Cobboboonee National Park, the railway line and the roadsides, but there has been no fuel reduction burning in the Cobboboonee area by DSE and Parks Victoria for a number of years and no proper fuel reduction along the railway line and the roadsides, which are again putting individuals and communities at risk.

For the Bay of Islands Coastal Park the community and I have again raised the lack of fuel reduction in this overgrown coastal park, which is putting property and lives at risk, and there is a lack of a fire access track on the southern edge of the park between the park and private land to act as a protective barrier and also as a route for fire trucks to travel along.

There is also a small area of Crown land in Dutton Way which local residents have been seeking to burn for some years. Again they have been frustrated by DSE and the government. The government is one of the bodies causing a lack of action on fuel reduction burning.

I also want to refer to recommendation 64, which is:

The state replace the fire services levy with a property-based levy and introduce concessions for low-income earners.

The current system of the fire services levy is unfair and inequitable, for a number of reasons: about 30 per

cent of people do not insure their properties and therefore do not contribute; people who underinsure do not pay their fair share; people who are self-insurers do not contribute; and those who insure overseas do not contribute to the fire services through the fire services levy. It is unfair and inequitable.

A recent report by Deloitte using data from the State Revenue Office and the Department of Treasury and Finance shows clearly that the average household and business, whether they be in rural or metropolitan Victoria, would be better off financially if a fairer, more equitable system was adopted, because everybody would pay their fair share. This would be better for our fire services and better for all Victorians — for Victorian households and Victorian businesses.

The system we should adopt needs to be based on the built assets or capital improvements on a property, and we ought to look at the systems that operate effectively in the Western Australia and South Australia models to see how we can replace the outmoded, outdated, unfair and inequitable fire services levy with a system which is fairer for all, which is more equitable and which will deliver the funding outcomes we need for our fire and emergency services. What we need is real action on the 67 recommendations to protect lives, property and our environment. The time for talking has gone. The time for action starts now.

**Mr R. SMITH** (Warrandyte) — I start by paying tribute to those whose lives were lost during the fires of Black Saturday, and I hope the work of the commission is acted on so that we can avoid as much as possible similar tragedies in the future.

The first issue I wish to raise is that of the government's reluctance to implement some of the recommendations raised by the commission and the Premier's suggestion that more community consultation is needed on these issues. I want to talk about one such meeting that I attended last night in my electorate of Warrandyte. Let me say that Warrandyte residents are passionate about the bushfire issue. In November last year around 200 people turned up to a public meeting just before the bushfire season started. Prior to that over 600 came to a meeting to listen to bushfire expert Dr Kevin Tolhurst, and in May last year almost 300 met to discuss and put together a submission from the community to the royal commission.

It is unfortunate therefore that last night's meeting was arranged with such short notice, with the president of the Warrandyte Community Association being told of the meeting only last Friday evening, leaving that community group with the responsibility of informing

the community over the course of the weekend. The result was that only about 60 people attended the meeting — certainly a very low figure by Warrandyte standards.

It is an indictment of the government's process that the local police sergeant, a man absolutely committed to the Warrandyte community, was made aware of the meeting only 3 hours before it started. The government has already been criticised in a number of local newspapers around Victoria for the lack of notice it has given of previous meetings. In Anglesea, for instance, the lack of notice meant that members of the local Country Fire Authority could not attend. Despite this, the government has persisted in running these meetings at short notice. I could not help but be sceptical when the facilitator said last night that the concerns about late notice would be fed back to government. The government is already well aware of the problem.

The purpose of these meetings is supposed to be to get the community's views about the recommendations of the commission that the government has not supported up to this time. During last night's meeting, however, no information whatsoever was given about the recommendations. Residents were asked to give their views on broad topics such as powerlines or acquisition. Not at any time were these topics put into the context of the recommendations.

I found when moving around the room that there were people who thought the discussion was about all the powerlines around Victoria being put underground, not just in high-risk areas over the 10-year period recommended by the commission. I also found there were a number of people who did not know that the recommendation to acquire homes specified a voluntary process, again in high-risk zones. While I did my best to inform participants about the correct context, the facilitator did nothing to clarify these misunderstandings, and of course this lack of information skewed the results.

I was also very disappointed to see a government member of Parliament at a table discussing the issue of voluntary acquisitions. I noted that when the discussion was not going the way of the government's preferred course — to ignore this recommendation — this particular government member clearly argued the government's case and caused the government's view to be written down on the notes of the table's participants and presented to the meeting — so much for listening to the community's view.

The Premier is quoted in today's *Age* as saying that he does not see too much community support for the

undergrounding of powerlines. This is in stark contrast to the Warrandyte community's view, which is that this recommendation would tackle bushfires at their root cause in many circumstances. The community is strongly of the view that this recommendation should be supported.

The government has already failed to implement a number of key recommendations from the commission's interim report, recommendations that were made in order to give the government time to implement some of the more urgent measures before the last bushfire season. The government has also failed to implement a number of recommendations made to it over several years from a variety of sources on a variety of issues.

Most telling has been the reluctance to implement recommendations regarding controlled burning, despite numerous past reports which agree with the commission's recommendations, including the 1939 royal commission's report into the Black Friday bushfires, the 1983 review into Ash Wednesday, a 1992 Auditor-General's report, a 1994 CSIRO report, a 2003 federal report and, more recently, the 2008 Environment and Natural Resources Committee report. With its record of ignoring previous recommendations and reviews, Victorians would be justified in having very little confidence in the Brumby government's ability or desire to follow through with anything it says it will.

It is likely that this lack of action prompted the following sentiment from last night's meeting. At the conclusion of the meeting in Warrandyte one resident made a very important point. He said a consultation process had already been going on for the last 18 months involving many people and costing a great deal of money. This particular consultation was called the bushfires royal commission. He said it was time that a party showed leadership, accepted the recommendations and just got on with it.

I am proud that the coalition is showing that leadership. It is very easy to find ways not to begin the process. It is much harder to find reasons just to get on with the job. The coalition believes the royal commission did a fine job in recommending very sensible options that can be implemented, and the coalition is committed in principle to implementing those recommendations to help ensure the safety of communities in the event of Victoria experiencing another tragedy like that of Black Saturday.

**Motion agreed to.**

## CONFISCATION AMENDMENT BILL

### *Introduction and first reading*

**Mr HOLDING** (Minister for Finance, WorkCover and the Transport Accident Commission) — On behalf of the Minister for Police and Emergency Services, I move:

That I have leave to bring in a bill for an act to amend the Confiscation Act 1997 and for other purposes.

**Mr McINTOSH** (Kew) — I seek a brief explanation from the minister about the bill.

**Mr HOLDING** (Minister for Finance, WorkCover and the Transport Accident Commission) — The bill makes a series of amendments to improve and clarify the operation of the Confiscation Act 1997 to ensure that it remains an effective tool in deterring and combating serious crime.

**Motion agreed to.**

**Read first time.**

## JUSTICE LEGISLATION FURTHER AMENDMENT BILL

### *Introduction and first reading*

**Mr HOLDING** (Minister for Finance, WorkCover and the Transport Accident Commission) — On behalf of the Minister for Police and Emergency Services, I move:

That I have leave to bring in a bill for an act to amend the Children, Youth and Families Act 2005, the Coroners Act 2008, the Corrections Act 1986, the Country Fire Authority Act 1958, the County Court Act 1958, the Crimes Act 1958, the Drugs, Poisons and Controlled Substances Act 1981, the Emergency Management Act 1986, the Gambling Regulation Act 2003, the Gambling Regulation Further Amendment Act 2009, the Guardianship and Administration Act 1986, the Infringements Act 2006, the Interpretation of Legislation Act 1984, the Legal Profession Act 2004, the Liquor Control Reform Act 1998, the Magistrates' Court Act 1989, the Metropolitan Fire Brigades Act 1958, the Prostitution Control Act 1994, the Serious Sex Offenders (Detention and Supervision) Act 2009, the Supreme Court Act 1986, the Victims of Crime Assistance Act 1996, the Victorian Civil and Administrative Tribunal Act 1998, and for other purposes.

**Mr DELAHUNTY** (Lowan) — I ask for a description of this bill.

**Mr HOLDING** (Minister for Finance, WorkCover and the Transport Accident Commission) — As the honourable member can appreciate, the bill covers a

large number of acts of Parliament. It contains a number of different amendments, some of which repeal sections of certain pieces of legislation; some of which correct cross-referencing where it is inadequate, such as in the Emergency Management Act; some of which will improve the operation of the activities of the sheriff's office and contract staff working in the sheriff's communication centre; some of which will amend the Serious Sex Offenders (Detention and Supervision) Act 2009 to clarify some of the arrangements around the operation of that legislation; some of which will improve the operation of the Crimes Act and the Drugs, Poisons and Controlled Substances Act banning the sale of certain substances; and some of which will amend the Supreme Court Act, the Magistrates' Court Act, the County Court Act and other acts to clarify and extend the arrangements around statutory immunities. The bill also contains a number of other amendments to a range of other pieces of legislation to improve the operations of those acts.

**Motion agreed to.**

**Read first time.**

## OCCUPATIONAL LICENSING NATIONAL LAW BILL

*Introduction and first reading*

**Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) introduced a bill for an act to provide for a national law to regulate the licensing of certain occupations and for other purposes.**

**Read first time.**

## ROAD LEGISLATION MISCELLANEOUS AMENDMENTS BILL

*Introduction and first reading*

**Mr PALLAS (Minister for Roads and Ports) — I move:**

That I have leave to bring in a bill for an act to amend the EastLink Project Act 2004, the Melbourne City Link Act 1995, the Road Management Act 2004, the Road Safety Act 1986 and to make amendments to other acts and for other purposes.

**Mr McINTOSH (Kew) — I seek a brief explanation from the minister about this bill.**

**Mr PALLAS (Minister for Roads and Ports) —** The bill seeks to improve road safety by extending the operation of licence suspension provisions to certain drug-driving offences and by increasing licence suspension periods for failing a drug-driving test. It improves access to operator-onus systems. It enables VicRoads to participate in national information sharing initiatives, and it clarifies powers of state road authorities under the Road Management Act 2004 in relation to the removal of vehicles that are illegally parked or causing an obstruction or danger. It removes potential loopholes in relation to the offence of driving an unregistered vehicle in a toll zone in respect of EastLink and CityLink.

The bill gives greater flexibility to arrangements involving Crown land leased as part of CityLink. It facilitates involvement by VicRoads in the operation of ramp meters that form part of the freeway management system installed on CityLink as part of the M1 upgrade, and it clarifies the intended operation of regulation-making powers in the Transport (Compliance and Miscellaneous) Act 1983, previously the Transport Act 1983, to facilitate the operation of evidential provisions relating to the smartcard ticketing operation system.

**Motion agreed to.**

**Read first time.**

## MARINE SAFETY BILL

*Introduction and first reading*

**Mr PALLAS (Minister for Roads and Ports) introduced a bill for an act to provide for safe marine operations in Victoria and to consequentially amend the Marine Act 1988 and other acts and for other purposes.**

**Read first time.**

## EDUCATION AND TRAINING REFORM AMENDMENT (SKILLS) BILL

*Introduction and first reading*

**Ms PIKE (Minister for Education) introduced a bill for an act to amend the Education and Training Reform Act 2006 in relation to vocational education and training and other matters and for other purposes.**

**Read first time.**

## FAIR TRADING AMENDMENT (AUSTRALIAN CONSUMER LAW) BILL

### *Introduction and first reading*

**Ms PIKE (Minister for Education), on behalf of the Minister for Consumer Affairs, introduced a bill for an act to amend the Fair Trading Act 1999 to apply the Australian Consumer Law as a law of Victoria and to make consequential amendments to that act and other acts and for other purposes.**

**Read first time.**

## RESIDENTIAL TENANCIES AMENDMENT BILL

### *Introduction and first reading*

**Ms PIKE (Minister for Education) — On behalf of the Minister for Consumer Affairs, I move:**

That I have leave to bring in a bill for an act to amend the Residential Tenancies Act 1987 in relation to certain occupier-owned movable dwellings, to provide for standards in rooming houses, to provide for a national residential tenancy database and to make other amendments to that act, to make consequential amendments to other acts and for other purposes.

**Mr DELAHUNTY (Lowan) — I ask the minister to give a brief outline of this bill.**

**Ms PIKE (Minister for Education) — This bill implements certain objectives to enhance the security of tenure for owner-renters and provide certainty of contract for park owners or operators by prescribing a minimum term of five years that must be offered to owner-renters in newly registered parks. It increases the notice period for no-reason notices to vacate from 120 days to 365 days for owner-renters in all parks.**

**Motion agreed to.**

**Read first time.**

## PETITIONS

**Following petitions presented to house:**

### **Graham Street, Wonthaggi: traffic management**

To the Legislative Assembly of Victoria:

Graham Street, Wonthaggi, is a main street and is used by drivers to access roads to Melbourne, Inverloch, Cape Paterson and South Dudley and for people to visit shops.

Including regular traffic, many heavy vehicles access Graham Street and this is creating safety issues for pedestrians trying to cross the road and also for vehicles reversing out of car parks. It has been observed that the construction of the desalination plant at Wonthaggi and the increasing number of tourists and shoppers to the Bass Coast region have significantly increased the flow of vehicular traffic along Graham Street.

We, the undersigned concerned citizens of Victoria, ask the Victorian Parliament and the Minister for Roads and Ports to support our petition and act immediately to install a suitable pedestrian crossing at Graham Street, Wonthaggi, and to consider allocating an alternative route for heavy vehicles.

**By Mr K. SMITH (Bass) (19 signatures).**

### **Buses: Venus Bay–Wonthaggi service**

To the Legislative Assembly of Victoria:

A bus service is needed for residents of Venus Bay to travel via Tarwin Lower to Wonthaggi three times a week for doctors, dentists, other medical services, employment, shopping and cultural events. A bus operated by V/Line services is running from Venus Bay to Leongatha three times a week on a Monday, Friday and Sunday but will be withdrawn due to lack of support. Leongatha does not provide the same opportunities for the people of Venus Bay and Tarwin Lower. Wonthaggi is the business, employment and cultural hub of South Gippsland.

We, the undersigned concerned citizens of Victoria, ask the Victorian Parliament and the Minister for Transport to support our petition and act immediately to offer a weekly bus service from Venus Bay via Tarwin Lower to Wonthaggi.

**By Mr K. SMITH (Bass) (447 signatures).**

### **Rail: Mildura line**

To the Honourable Speaker and members of the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house for the reinstatement of the Mildura–Melbourne passenger train.

The petitioners register their request that the passenger service be suitable for the long-distance needs of the aged and disabled who need to travel for medical treatment, for whom travelling by coach or car is not a comfort option and for whom flying is financially and logistically prohibitive.

The petitioners therefore request that the Legislative Assembly of Victoria reinstate the passenger train to service the needs of residents in the state's far north who are disadvantaged by distance.

**By Mr CRISP (Mildura) (8 signatures).**

**Tabled.**

**Ordered that petitions presented by honourable member for Bass be considered next day on motion of Mr K. SMITH (Bass).**

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

**Tabled.**

**Ordered to be printed.**

**PLANNING: MINISTERIAL INTERVENTION**

**May 2009–April 2010**

Mr ANDREWS (Minister for Health), by leave, presented statement.

Laid on table.

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**

**Regulation review 2009**

Mr CARLI (Brunswick) presented report, together with appendices.

**Tabled.**

**Ordered to be printed.**

***Alert Digest No. 11***

Mr CARLI (Brunswick) presented *Alert Digest No. 11 of 2010* on:

- Bail Amendment Bill**
- Climate Change Bill**
- Consumer Affairs Legislation Amendment (Reform) Bill**
- Control of Weapons Amendment Bill**
- Liquor Control Reform Amendment Bill**
- Local Government and Planning Legislation Amendment Bill**
- Mineral Resources Amendment (Sustainable Development) Bill**
- Personal Property Securities (Statute Law Revision and Implementation) Bill**
- Personal Safety Intervention Orders Bill**
- Plant Biosecurity Bill**
- Private Security Amendment Bill**
- Subordinate Legislation Amendment Bill**
- Superannuation Legislation Amendment Bill**
- Tourist and Heritage Railways Bill**
- Traditional Owner Settlement Bill**
- Transport Accident and Accident Compensation Legislation Amendment Bill**

together with appendices.

**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**

**Public Finance and Accountability Bill**

Ms GRALEY (Narre Warren South) presented report, together with appendix, minority report and extract from proceedings.

**Tabled.**

**Ordered to be printed.**

**DOCUMENTS**

**Tabled by Clerk:**

*Bushfires Royal Commission (Report) Act 2009* — 2009 Victorian Bushfires Royal Commission Final Report, July 2010 (five documents and CD) — Ordered to be printed

*Crown Land (Reserves) Act 1978* — Order under s 17D granting a lease over Sandringham Beach Park Reserve

Melbourne Cricket Ground Trust — Report year ended 31 March 2010

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

East Gippsland — C68, C85

Horsham — C50

Hume — C124

Maroondah — C105

South Gippsland — C46

Victoria Planning Provisions — VC66, VC69

Wellington — C53 Part 1, C60

Statutory Rules under the following Acts:

*Electronic Transactions (Victoria) Act 2000* — SR 70

*Victorian Civil and Administrative Tribunal Act 1998* — SR 73

*Water Act 1989* — SRs 71, 72

*Subordinate Legislation Act 1994*:

Minister's exception certificate in relation to Statutory Rule 73

Ministers' exemption certificates in relation to Statutory Rules 62, 69

*Water Act 1989* — Koo Wee Rup Water Supply Protection Area Groundwater Management Plan under s 32A.

## ROYAL ASSENT

### Messages read advising royal assent to:

**3 August**

**Electoral Amendment (Electoral Participation) Bill**

**10 August**

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

## APPROPRIATION MESSAGES

### Messages read recommending appropriations for:

**Climate Change Bill  
Consumer Affairs Legislation Amendment (Reform) Bill  
Liquor Control Reform Amendment Bill  
Plant Biosecurity Bill  
Private Security Amendment Bill  
Traditional Owner Settlement Bill  
Transport Accident and Accident Compensation Legislation Amendment Bill.**

## BUSINESS OF THE HOUSE

### Standing orders

**Mr ANDREWS** (Minister for Health) — By leave, I move:

That so much of standing orders be suspended to allow the matter of public importance due on Wednesday, 11 August 2010, to be omitted from the order of business on that day and on Wednesday, 1 September 2010, and Wednesday, 6 October 2010, the matters of public importance due to be proposed under standing order 39 to be proposed by the opposition.

**Mr McINTOSH** (Kew) — This motion comes about as a result of the peculiar circumstances of today in that many members of the house have had the opportunity to contribute to the debate on the motion to take note of the report of the 2009 Victorian Bushfires Royal Commission. That debate effectively took up the whole day, which could otherwise have been used to deal with government business. The opposition was of course keen to facilitate the debate and participate in it. As a result, because the government business program

contains 11 bills, there was some concern about the amount of time it would take and whether there would be an opportunity for members to speak on bills. Accordingly, I agreed with the Leader of the House. To ensure that this opportunity would be provided to the opposition, we have forgone our matter of public importance for this week, which was scheduled for tomorrow. That will be replaced with an opposition matter of public importance on 1 September. We have facilitated the government business program by agreeing to this course.

### Motion agreed to.

## Program

**Mr ANDREWS** (Minister for Health) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 6.00 p.m. on Thursday, 12 August 2010:

Climate Change Bill  
Consumer Affairs Legislation Amendment (Reform) Bill  
Liquor Control Reform Amendment Bill  
Local Government and Planning Legislation Amendment Bill  
Mineral Resources Amendment (Sustainable Development) Bill  
Plant Biosecurity Bill  
Private Security Amendment Bill  
Traditional Owner Settlement Bill

**Mr McINTOSH** (Kew) — The opposition does not oppose the government business program. As I indicated previously, it has been the subject of considerable discussion between the parties. The most important thing is to recognise that with eight bills it is an unusually long business program, but the government was very keen to deal with these bills, and, as I just mentioned briefly, accordingly we will forgo the opportunity of discussing a matter of public importance tomorrow. By way of agreement, the Plant Biosecurity Bill will not be debated until after dinner tomorrow.

The other important part of the agreement entered into is that while the government has given notice of a number of bills which it wishes to have second read during the course of this week, those second-reading speeches will not be presented until after 6.00 p.m. on Thursday, which is the scheduled time for the

completion of government business. It is a matter of concern for the opposition that members have been prevented from speaking in relation to bills during valuable debating time in past weeks, so it was important for the opposition to secure this agreement that the second-reading speeches will not proceed until after the government business program has been completed by 6.00 p.m. on Thursday.

**Mr LUPTON (Pahran)** — I rise briefly to say that the agreement reached between the government and the opposition is a very positive way to conduct our business this week. It has given members an opportunity to contribute to the debate on the final report of the 2009 Victorian Bushfires Royal Commission and some extra speaking time tomorrow and Thursday in relation to these bills with the change in the program for tomorrow. I think it speaks well for the house, and I commend this business program.

**Mr DELAHUNTY (Lowan)** — I want to make a few brief comments about the government business program this week. As outlined by the member for Kew, we will be debating eight bills, and importantly we had the debate today in relation to the final report of the 2009 Victorian Bushfires Royal Commission. The member for Prahran spoke about the fact that members were given an opportunity to speak on the report, but I have to say that some members — I know the member for Swan Hill was bumped off — did not have that opportunity. The other thing is that we do have a big week, but with cooperation between the opposition and the government there is an agreement, as has been said, to give up the matter of public importance tomorrow and also to go later on Thursday night. In relation to the agreement, I also note that the second-reading speeches will not be done until after 6.00 p.m. on Thursday.

The Minister for Health is worried about something being said about my electorate. I have to say we were excited when we looked at today's notice paper. On the front page of the notice paper, halfway up the page, the second order of the day under government business is the Water Amendment (Critical Water Infrastructure Projects) Bill 2006 — amendments of the Legislative Council. Not only that but the Minister for Water is at the table and with the shadow minister for country water resources here in the house we could bring that debate on now! The item has been sitting on the notice paper for four years, and there is a bit of a bet going on here — the minister reckons he knows more than the member for Swan Hill, but I will take the member for Swan Hill any time!

Seriously, there is a lot to get through with eight bills. Unfortunately during the last sitting week not every

member had an opportunity to speak, and I am sure that is going to be the case again this week. Again, we will not oppose the government business program because there has been agreement between the parties to ensure that we get as many people up to speak on these bills as we can this week. With those few words, The Nationals in opposition will also not be opposing the government business program.

**Motion agreed to.**

## MEMBERS STATEMENTS

### Rail: Melbourne–Albury standard gauge line

**Mr MULDER (Polwarth)** — I refer to the announcement on 8 August 2010 by the New South Wales government-owned CountryLink that it will indefinitely cancel its two daily return XPT train services between Albury and Southern Cross railway station in Melbourne. Since the new Minister for Public Transport was appointed in January 2010 Seymour, Euroa, Benalla, Wangaratta and Albury-Wodonga residents have been left in the dark about when their V/Line service between Seymour and Albury — which stopped operating in November 2008; 640 days ago — will resume.

CountryLink New South Wales has now deemed the standard gauge line so unsafe that it will not operate its passenger trains on it, apparently for months. One of these XPT train sets is owned by the Victorian government, but it is now not going to be seen in Victoria for months. Public Transport Safety Victoria is responsible for overseeing the safety of this line. The minister needs to explain what oversight Public Transport Safety Victoria exercised and why it allowed passenger trains to operate over what is a rail line riddled with numerous mud holes and other problems and which by 20 July 2010 had speed restrictions as low as 40 kilometres per hour instead of the normal top speed of XPTs of 130 kilometres per hour.

This comes on top of other disasters overseen by the minister, such as the more than three years late and at least \$352 million over budget myki ticketing system and the regional fast rail project whereby Geelong line trains have run 'officially late' for 46 consecutive months, with similar poor performances on the Seymour, Bendigo, Ballarat, Bairnsdale, Latrobe Valley, Swan Hill, Echuca and Warrnambool lines. It does not seem to matter what rail project this government looks at. Project after project turns out to be an absolute and utter disaster with money going down the drain.

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

### **Royal District Nursing Service: achievements**

**Mr LANGUILLER** (Derrimut) — I am pleased to represent the Minister for Health in being invited to an event honouring the Royal District Nursing Service and its staff, especially in this its 125th year. The RDNS has cared for people across multiple generations and has touched literally millions of lives. Its members are trusted and respected wherever they are called.

The organisation has gone from a single nurse to being one of the largest employers of district nurses in Australia, with over 1500 staff in three states — Victoria, New South Wales and Tasmania — and New Zealand. In 2009 the RDNS conducted 1.7 million visits in Melbourne alone, with over 33 000 people being cared for. I am aware that at any one time its staff are looking after about 10 000 people. It is a truly remarkable service.

RDNS introduced Melbourne's first family planning clinic and the first maternal and child health centres. Its constant commitment to clinical excellence, research and education has meant that Melbourne can be confident it has world-class home nursing at hand. It offers specialist services geared for clients who have everything from age-related illnesses to terminal disease and from cystic fibrosis to HIV. The organisation also reaches out to Melbourne's homeless and marginalised populations through its homeless persons program.

RDNS enjoys a positive relationship with the state government through the Department of Health with the bulk of RDNS services being purchased under the home and community care program.

I commend the work of Dan Romanis, the CEO of RDNS, and Paul Montgomery, the chairman of RDNS board of directors.

### **Murray Darling Basin Authority: basin plan**

**Mr WALSH** (Swan Hill) — People in my electorate are questioning the integrity of the Murray-Darling Basin Authority. Obviously the Prime Minister, Julia Gillard, has been shown a copy of the draft of the Murray-Darling Basin plan, particularly the amount of water that will be taken under the sustainable diversion limits in that plan. How else could she have been able to determine what will be required and commit to fully accepting recommendations for buyback promises made in the Murray-Darling Basin draft report on the river system?

The Prime Minister calls the Murray-Darling Basin Authority independent, but obviously it is not. The people most affected by the plan have not had an opportunity to see the plan because the Murray-Darling Basin Authority believes it would be inappropriate to release it when the commonwealth government is in caretaker mode.

Committing to buy water from food-producing communities without any socioeconomic study of the impact of doing that is totally irresponsible. It shows the PM and the Australian Labor Party have no understanding of or care for those who live outside the capital cities of Australia.

Communities in northern Victoria will be devastated by the loss of water which is needed to grow food and create jobs. I condemn the Murray-Darling Basin Authority for playing politics with the lives of the people I represent. I call on it to release the plan for everyone to see, not just the Prime Minister of Australia who plays electoral politics with it.

### **Altona Day VIEW Club: anniversary**

**Ms HENNESSY** (Altona) — I rise today to congratulate and recognise a wonderful local group of volunteers in my electorate, the Altona Day VIEW Club. VIEW stands for voice, interests and the education of women. VIEW clubs in Australia were established in 1960 by the general secretary of the Smith Family. Members of the club work to help break the cycle of poverty in families through boosting education. They work with children in homework clubs, assist with reading and literacy for struggling students and fundraise for the Smith Family.

The Altona Day VIEW Club, which is now over 70 members strong, uses get-togethers and tours to promote social interaction between its members. Through their community work, members strive to meet their club pledge to promote the interests of VIEW, extend friendship to all and help those in need.

I wish the Altona Day VIEW Club all the best for its 11th anniversary this week. I particularly recognise club president, Gloria Edis, Karin Albrecht and the rest of the committee for their warm hospitality during my recent visit. Most importantly, I would like to congratulate all the members for their ongoing vital and appreciated local community work.

### **Economy: government performance**

**Mr WELLS** (Scoresby) — This members statement condemns the Brumby Labor government and in particular the Treasurer and Premier for their paranoid

hypocrisy when it comes to comparative economic performance data and commentary regarding Victoria.

Whenever good economic news is released the Brumby government gloats on and on about how good things are. However, when data or commentary is released which is contrary to the government's spin and does not paint the Victorian economy in the best light, even when it is produced by highly respected economists and financial commentators, the Treasurer and other government members whinge and whine.

This hypocrisy was further demonstrated recently when it was revealed on page 8 of the *Australian Financial Review* of 3 August that the Treasurer and his equivalent Labor cohorts from New South Wales and Queensland had jointly complained in writing to CommSec about its chief economist, Craig James. In particular the three Labor state treasurers queried Mr James's methodologies and recent economic performance analysis of the states and territories which, in no great surprise to the opposition, placed the three whingeing states in the bottom four. Yet when it suits the Brumby government it is happy to quote Mr James and CommSec. On 10 December last year in relation to Victoria's economic performance the Premier stated in Parliament:

CommSec chief economist Craig James said:

Job seekers have received an early Christmas present.

What sheer hypocrisy and arrogance on the part of the Brumby government!

As the opposition has been pointing out for some time, CommSec's recent analysis of our state economic performance ranking reinforces the view — —

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

### **Eltham electorate: Bhopal fundraiser**

**Mr HERBERT** (Eltham) — I rise to acknowledge the contributions of a number of terrific local residents in raising in excess of \$4000 to provide hope and opportunity for slum children at the Muskaan school in Bhopal, India.

Since its establishment in 1998 the Muskaan school has brought some hope of escape from lives of unremitted misery for hundreds of slum community children through its targeted education programs and activities. Unfortunately, despite its great work, the school desperately needs funds for a permanent home.

The Eltham fundraiser was the creation of Eltham residents Kevin and Marion Hadingham — two tremendously compassionate people who have had extensive experience working with the Bhopal community, improving the lives of the poor and disadvantaged. But despite their driving force this incredibly successful event could not have happened without the help of volunteers from a range of fantastic local community groups including members of the Eltham Rotary club, the Diamond Valley Rotaract club and Southern Cross Community Church, as well as relatives and friends of the Hadingham family. The success of the event demonstrated everything that is great about the Eltham community — that is, terrific people banding together for an important cause and having a great night out in the process.

The food provided by the local Machan Indian Restaurant was delicious, and a number of generous local businesses donated gifts for a silent auction. The highlight of the night was undoubtedly the Jhoom Bollywood Dance Company dancers, who had us all up and dancing, building up a sweat to the rhythm of Bollywood beats. It was a great night for a great cause.

### **Boating: safety**

**Dr NAPHTHINE** (South-West Coast) — I call on the Brumby Labor government to respond quickly and positively to the comments of Coroner Peter White in respect of his findings into the tragic deaths of Jenifer and Alexander Elliott on 3 May 2008. Alexander and Jennifer Elliott died when a motor cruiser exploded following refuelling at pier 35 on the Yarra River.

In his findings, dated 5 August 2010, Coroner Peter White said with respect to ongoing compliance with safety requirements:

... we have had an understaffed and underresourced marine police unit, tasked to investigate and prosecute instances of regulatory non-compliance.

The coroner also highlighted serious inadequacies in the current marine safety legislation and the need for the establishment of 'an appropriate dealer accreditation program'. Coroner Peter White commented in his findings that 'a combination of enforced regulatory control supported by adequate policing and prosecution in appropriate cases' is needed to better achieve the marine safety objectives and calls for a review of resources available to police marine units. Clearly action is needed to boost marine safety policing resources and to immediately introduce legislation to improve boat safety, particularly in relation to the sale of second-hand vessels. We need action to respond to

the calls of the coroner in response to these tragic deaths.

### **Avalon Airport: upgrade**

**Mr EREN** (Lara) — I was very pleased to be able to represent the Minister for Regional and Rural Development earlier this month when Avalon Airport once again became the talking point of my electorate with the news that it was receiving an \$11 million infrastructure upgrade, \$2 million of that being contributed by the Brumby Labor government. Avalon continues to be a key driver of investment throughout the Geelong and surrounding areas, and this funding will deliver a number of much-needed upgrades, securing a bright and prosperous future for Avalon Airport.

### **Lara Lake Community Preschool: expansion**

**Mr EREN** — Another piece of good news for my electorate is the \$200 000 grant for the Lara Lake Community Preschool. This grant will help expand current facilities so the preschool can deliver increased kinder hours, ensuring that every child has access to a high-quality kindergarten program.

### **Lara Recreation Reserve: upgrade**

**Mr EREN** — The township of Lara, home to the largest sporting club in Geelong, received a \$100 000 boost from the Brumby Labor government to upgrade Lara Recreation Reserve. This grant will contribute towards the construction of a \$600 000 multipurpose sports field to be used primarily as a soccer pitch.

### **Toorloo Arm Primary School: funding**

**Mr INGRAM** (Gippsland East) — I rise to call on both sides of politics to commit to funding the rebuilding of the Toorloo Arm Primary School, which is a small but growing school near Lake Tyers. It delivers a very good quality education in that community, and the school council is extremely disappointed that it has not had the support it believes it should have had from the government. This school has been on the Building Futures merry-go-round for a number of years and has missed out on being funded in the last two budgets.

To make matters worse, the school has had to watch other local schools have significant works undertaken as part of the federal stimulus Building the Education Revolution program while it waits for its school rebuild to be funded. The school has received funding under the BER, and it would make real sense to combine this funding and do all the work at the same time, as the

BER buildings will ultimately be incorporated into the final design for the new school. In the interests of the children who live in Lake Tyers and north of Lakes Entrance, it is essential that they have access to good-quality school buildings for the future. It is incredibly important that this school be funded in the next state budget. I call on both sides of politics to make this commitment.

### **Dollybelle Werkmeister Chapman**

**Ms MUNT** (Mordialloc) — I rise this evening to pay tribute to the life of Dollybelle Werkmeister Chapman, who was born in Colombo, Ceylon, in October 1923 and who passed away on 2 July 2010. She was the fifth child of seven born to her parents Muriel and Juvenal Chapman. I knew Dollybelle for many years. She was a great friend and help to me, and a wonderful and giving member of the community.

Dollybelle had three great loves in her life. Her dearest love was her daughter, Rachele, and her family of three sisters and three brothers. She was also a very active member of the community at St David's Uniting Church where she was an elder from the mid-1970s until around 2004. Her other passion was politics. She was a true believer in social justice and a member of the Australian Labor Party for over 30 years. Dollybelle will be sorely missed by all those at the church, in the ALP and her family. My deepest condolences go to her family. She lived a very good and faithful life.

### **Rail: Dimboola level crossing**

**Mr DELAHUNTY** (Lowan) — The Brumby government again stands condemned for its inaction to ensure the safety of train drivers, motorists and people who rely on the boom gates on the main Melbourne to Adelaide railway crossing in High Street, Dimboola. Concerns have been raised with me that the boom gate problems have been reported to VicTrack on many occasions by individuals, railway staff and the Shire of Hindmarsh; however, the problem remains.

The gates come down when the Overland comes through in mid-afternoon. They then rise after the train passes, but as the vehicles move across the line, the gates drop down again, hitting the cars that have not been quick enough to move through. A headline in the *Dimboola Banner* of 28 July reads 'Time bomb ticking!' and the article asks when the boom gates will be fixed and how long it will be before the problem is rectified. Most Dimboola people are aware of the boom gate problem, but what about visitors, particularly interstate visitors to the area?

I know the Brumby government is tired and out of touch, but the Minister for Public Transport must take action to repair these boom gates before more damage is done to cars or there is loss of life. The Nationals have a great saying, 'If you fix country roads, you save country lives'. In this case, if you fix the Dimboola High Street railway boom gates, you will save country lives.

### **Albert Lee**

**Ms BEATTIE** (Yuroke) — I take this opportunity to recognise an extraordinarily conscientious young man from Yuroke, Albert Lee of Greenvale. Albert was recently recognised as a 000 hero for his fast thinking and action in an emergency. Albert's father was bleeding post-operatively and Albert had the presence of mind not to panic; he phoned 000 for assistance. Young Albert's actions showed tremendous courage for a young man who is only six years old. I am pleased Albert took control of the situation on his father's behalf, and it is wonderful to see his actions rewarded.

On 22 July 2010, 22 young Victorians between the ages of 4 and 13 were recognised for taking action to contact specialist help in an emergency. These brave young men and women were honoured and recognised as 000 heroes. Not only is the Lee family very proud of Albert, but I can safely say that Yuroke is very proud to have a caring young man like Albert living in its community. We wish Albert's father a speedy recovery, and I am sure he will thank young Albert for the rest of his life. Good luck to the Lee family.

### **Western Port: navigation markers**

**Mr K. SMITH** (Bass) — Some years ago Parks Victoria tried to close what was known as the Bass Landing boat launching ramp on the Bass River in Bass. Obviously the local fishing community has now defeated the overbearing parks officers and said the landing should remain open. Apart from the fact that the landing was on private land, the closure had no support whatsoever from the local fishing community. But now the parks officers have started again on another matter, and I will explain the situation.

The Bass River meanders its way through the land and when it reaches the water line it follows the old river course. Once the Bass River reaches Western Port bay it follows its old course and does not run straight out. The tide in Western Port ebbs and flows considerably and some years ago members of the local fishing community installed some pipe markers, which were driven into the mud bottom. The markers showed the

fishermen exactly where they could go and where the river would give them safe water.

Now Parks Victoria officers in their wisdom, if you can call it that, have removed those pipe markers. They said they were dangerous. But how could they be dangerous when they have not caused a problem? However, what is causing a problem is that the boats will now get stuck in the mud. Boats which are out in Western Port when there is a storm cannot get in because there are no markers to show them the way in. I would like the Minister for Environment and Climate Change to show some guts and tell his officers to back off.

### **Victorian Bushfire Reconstruction and Recovery Authority: staff**

**Mr HARDMAN** (Seymour) — I wish to place on the record my appreciation of the people of the Victorian Bushfire Reconstruction and Recovery Authority. The VBRRRA staff are at the front line of the bushfire recovery and reconstruction program. They work closely with the community recovery committees, help people with rebuilding advice and work with communities to help them to rebuild better. It takes a special person to do this work. There is not much praise, not many thanks and plenty of scrutiny. The VBRRRA team is made up of people with a high level of skill across all areas of community engagement who access grants from the Victorian Bushfire Appeal Fund, philanthropic individuals, governments, trusts and organisations, provide rebuilding advice and assist with problem solving and community building.

The work is done with people who may be grieving, frustrated with the costs of rebuilding, uncertain about what decision to make for the future, upset about decisions being made and suffering the ongoing effects of trauma. VBRRRA staff have shown great empathy and sensitivity in their work, and I congratulate and thank them. The great leadership and example shown by Christine Nixon and Ben Hubbard has helped to develop the environment and dedication to help communities recover well and to build back better. As Christine Nixon retires from the chair's role at VBRRRA, I wish to say thank you to her and her husband, John Becquet — they have made themselves available on any night or day of the week. This dedication continues to be part of the VBRRRA culture.

### **Mildura Ballet and Dance Guild: relocation**

**Mr CRISP** (Mildura) — The Mildura Ballet and Dance Guild is a not-for-profit organisation accommodating over 330 students participating in various styles of dance, equating to 541 dance places

per week. Classes are conducted at three separate venues from 4.00 p.m. to 6.00 p.m. on weekdays and from 9.00 a.m. to 4.30 p.m. on Saturdays. The guild will have to relocate from its dance studios because of the Mildura Arts Centre Theatre redevelopment. This relocation will need to occur after the August examination period. So far the guild has not been able to find suitable alternative studio facilities. The former alternative site at the corner of Sunnyside Avenue and 12th Street, Mildura, which has been vacant for some time, may offer a solution, and I urge the Minister for Education to look favourably on a proposal to use that site that may be able to be worked out with the Bendigo regional office.

### **Murray Darling Basin Authority: basin plan**

**Mr CRISP** — There is enormous angst in my community over the sustainable diversion limits (SDLs) being considered by the Murray-Darling Basin Authority, and it appears that the release of the report containing the SDLs will now be further delayed. The delay is causing considerable speculation that the news is bad. When will we know what is in this report? Or will we just wake up one morning and find our water is gone? Earlier the member for Swan Hill indicated that the Prime Minister appears to have changed the basin plan with an announcement in Adelaide. Will somebody tell us what is going on with the future of our water?

### **Country Fire Authority: Narre Warren North brigade**

**Mr DONNELLAN** (Narre Warren North) — On Saturday, 7 August, I attended the Narre Warren North Country Fire Authority brigade annual dinner at the Dandenong Club in Dandenong. It is a great CFA brigade that has a very strong family atmosphere with fathers, daughters and sons all involved in the CFA. On the evening we saw videos of the shocking events of Black Saturday. We heard about the dedication of the volunteers who fought on that day. We also briefly mentioned the incredible foresight that the captain of the Narre Warren North CFA brigade showed in dragging Elvis, the Erickson Aircrane, into Narre Warren as it was heading to Ferntree Gully from the Bunyip State Forest to put out fires in Narre Warren North which would have screamed up the Dandenongs right through to Upper Beaconsfield and places like that.

I would like to make mention of those who on the night received awards for their voluntary work including Philip Haywood who received a 5-year certificate; Fiona Howat, a 5-year certificate; Michael Burgess, a

10-year medal; Kevin Chisholm, a 25-year medal; John Sonogan — whose family has been involved in the Narre Warren North CFA brigade for about 50 years — received a 35-year honorary life membership medal; Linden Barry, a 25-year medal; and Shaun Trotter, the captain of the Narre Warren North CFA brigade, received a national medal, first clasp. The firefighter of the year was Troy Webster. Congratulations to all.

### **Schools: building program**

**Mr WAKELING** (Ferntree Gully) — I wish to raise a matter of concern regarding yet another example of waste and ineptitude in the federal Labor government's handling of the Building the Education Revolution (BER) program. It has come to my attention that some schools in my electorate and across the state are losing playgrounds and play equipment as a result of the one-size-fits-all approach of this policy. As a part of the construction of new facilities under the BER program many schools have had to remove their existing playground equipment. However, safety standards prohibit this equipment from being moved and reused if it is more than five years old. Consequently many schools are faced with replacing their playground equipment, which will leave these schools some tens of thousands of dollars out of pocket.

### **Housing: appliance replacement**

**Mr WAKELING** — I have been approached by a public housing tenant whose hot water service recently stopped functioning. This situation is not exceptional; however, when she contacted the Department of Human Services to arrange for repairs she was told that she would have to wait three weeks for a replacement unit if she qualified. When she asked how she would cope in the interim she was told to 'boil water on the stove should she wish to have a bath'. Luckily this constituent is not elderly, frail or infirm. However, this situation begs the question of how she would fare if she were.

### **Adult and community education: Ferntree Gully electorate**

**Mr WAKELING** — Recently Peter Hall, the shadow Minister for Skills and Workforce Participation, shadow minister for tertiary education and training and a member for Eastern Victoria Region in the Council, and I had the privilege of visiting two excellent adult education providers in my electorate: the Mountain District Learning Centre and the Outer Eastern Literacy Program. Both these organisations deserve congratulations for their longstanding effort and commitment to adult learning.

### **East Timor Chinese Middle and Aged Association**

**Ms KAIROUZ** (Kororoit) — On Saturday, 31 July, I had the pleasure of attending an event hosted by the East Timorese Chinese Middle and Aged Association of Victoria for the inauguration of Mr Francisco Fuc Ye Leong as the 15th president of the association. I thank the association for inviting me, along with my parliamentary colleagues the members for Keilor and Clayton, to attend such a wonderful and successful evening. We had the pleasure of meeting people from many other associations and organisations from the East Timorese and Chinese communities, including the deputy consul general of China, Ms Wang.

During the dinner we also heard from the past president of the association, Mr Alfredo Sam, who gave us a report about the wonderful job he did during his term as president. The successful inauguration is another example of how well our multicultural society works in Victoria. I wish to congratulate Mr Francisco Fuc Ye Leong and his association and wish them the best of luck for the future, and I look forward to participating in future events.

### **Resurrection Primary School, Kings Park: facilities**

**Ms KAIROUZ** — I had the privilege of attending the opening and blessing of learning facilities at Resurrection Primary School, a Catholic primary school at Kings Park, by Fr Noel Brady and the Honourable Brendan O'Connor, the federal member for Gorton. It was wonderful to see the school community come together to celebrate their outstanding facility and congratulate the federal Labor government on investing in schools and in the future of our country.

### **Brunswick North West Primary School: food garden**

**Mr CARLI** (Brunswick) — I recently had the great pleasure, along with Vasili, from the channel 31 garden program *Vasili's Garden*, of opening the remodelled and bigger school food garden at Brunswick North West Primary School. The school has been involved in environmental issues since the early 1990s. It takes a great approach to sustainability, through both its gardens and the use of renewable energy and the reclaiming of rainwater. It was a great pleasure to be with Vasili; school principal, Trevor Bowen; and kids, parents and teachers, to see the new garden, which has been put together from the fundraising conducted by the school. It is a big veggie garden, with an orchard, rabbits and chickens. It is a much-loved facility in the

school and is part of what makes the school very special.

I also visited Sprout, the on-site cafe, which uses produce grown at the school. It provides healthy meals for students, and coffee and cakes for parents in the mornings after they leave their children at the school. It was a great day to be there. We enjoyed music while walking around what is very much a country-style school in the city — that is, Brunswick North West Primary School.

### **Williamstown Swimming and Life Saving Club: excellence awards**

**Mr NOONAN** (Williamstown) — I rise to congratulate members of the Williamstown Swimming and Life Saving Club on their winning performance at the 2010 Life Saving Victoria Awards of Excellence. The club took out the top four awards, leaving no doubt that it is the no. 1 life saving club in Victoria. This year's awards include: the Beaurepaire Shield for best club, an honour it received for the first time, which has never before been won by a bay club; the team of the year award; the coach of the year award, which was won by Scott Ivey for coaching the club's champion inflatable rescue boat (IRB) team; and youth parent of the year, which was won by head coach Bruce Sampson for his work in running the Nippers program. The awards cap off what has been an outstanding season for the club. In April it won the 2010 national IRB championships in Tasmania, becoming the first Victorian club to win overall in the IRB national titles.

The club is an integral part of the Williamstown community, having a long and proud history of service at Williamstown beach that stretches back to the 1920s. With a strong and youthful membership, the 2009–10 season saw club membership reach almost 1300, whilst there were over 300 Nippers taking part in the surf education program. I congratulate the club again and wish it every success for the forthcoming 2010–11 season.

**Remaining business postponed on motion of Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission).**

## **ADJOURNMENT**

**The DEPUTY SPEAKER** — Order! The question is:

That the house do now adjourn.

### Public transport: myki ticketing system

**Mrs VICTORIA** (Bayswater) — I rise to ask the Minister for Public Transport to arrange for the immediate distribution of the free myki cards for Victorian seniors, as was promised in January. It has come to my attention that Victorians over 60 years of age received a letter from the Transport Ticketing Authority in January stating that they would each receive a free myki card. The Premier promised last year that the myki system would be operational by Christmas 2009. In fact myki was only activated across the metropolitan transport system on 25 July this year, \$352 million over budget and three years late. Despite the delays, cost and inconvenience suffered by public transport users, close to 90 000 myki cards that were earmarked for distribution to seniors remain locked in storage.

Many of my constituents in this age group have contacted me regarding this issue. They have heard all manner of spin from the government about how easy it is to use myki to get around Melbourne and how this very expensive ticketing system will change their lives for the better. However, it seems the powers that be are as yet unwilling to release the allocation of free myki cards, meaning that seniors who wish to use myki need to pay for a card on top of their travel fare.

To add insult to inconvenience, Victorians are not yet able to obtain myki cards from the multitude of locations promised. Instead, if seniors want to use myki — and pay for a card they should have got for nothing — they must travel to the Met shop at the Melbourne town hall, go to the myki discovery centre at Southern Cross station or buy one via the internet. How are seniors to get to town without the card? Perhaps they could buy a Metcard; it is just as well that tried and trusted system is there as a backup. How can seniors buy myki cards online when so many of them do not even own computers?

If this new ticketing system can now be used on all three modes of public transport, there should be no reason to deny seniors the free cards they were promised almost eight months ago. A cynical person would suggest that the Labor government is holding onto these cards in preparation for the election campaign, but I would like to think that a promise made to a group of Victorians can be honoured in a timely fashion, regardless of which point in the electoral cycle we are. The Labor government's failures in the area of public transport have been well documented. In this instance I urge the government not to delay the delivery of another promise for any reason. I call on the minister

to ensure that the allocation of myki cards set aside for Victorian seniors is released without delay.

### Glenroy Tennis Club: facilities funding

**Ms CAMPBELL** (Pascoe Vale) — I raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek is careful examination of Moreland City Council's application for \$60 000 for the Glenroy Tennis Club under the community facility funding program and then provision of that funding. Moreland council has presented a strong case for funding to enable a multipurpose courts upgrade at Cook Reserve.

I acknowledge the work of the club, led by Catherine Lacy and the council team of Joe Luppino, Tony Oulton and others at Moreland City Council. Glenroy Tennis Club has 108 members and currently only has tennis courts. This upgrade will enable both tennis courts and netball courts to be used on the one site. Moreland has three netball clubs, whose members travel to neighbouring council facilities to utilise their courts. The Moreland area desperately needs more sports facilities for women.

Essendon District Football League is aiming to launch a netball competition in 2012. It has taken the lead from the Victorian Country Football League structure, where all football clubs are also netball clubs and have netball courts in the near vicinity of football ovals. This allows for football and netball clubs to create an inclusive club atmosphere for both genders to enjoy.

The club's application highlights the fact that the tennis club provides a range of programs to tennis players at all levels within the municipality. These tennis programs and services include individual tennis tuition, group coaching, development squads, tournaments, weekend competitions for both juniors and seniors, midweek ladies competitions, evening competitions and casual use. There are active juniors, men, women and veterans participating all year at the Glenroy Tennis Club, with an increasing mix of ethnic integration especially at the junior level. This broad participation is an integral part of the sustainability of this sport, with the club tending to have a family focus, and that is something that is terrific.

As of 2012 the Glenroy Football Club will have netball teams affiliated with the Essendon District Football League netball competition, which is also earmarked to be launched at the beginning of 2012. There is a significant demand for netball within the Glenroy area as many female participants cannot currently walk or ride to their netball courts. The multipurpose courts will

be focused on developing facilities that will serve netball and tennis, and that is a great use of limited space in Moreland. The benefits of having such a club will be profound because we will be able to encourage more people to enjoy and play tennis.

### **Mildura Base Hospital: funding**

**Mr CRISP** (Mildura) — The matter I wish to raise is for the Minister for Health, and the action I seek is the provision of capital funding for the Mildura Base Hospital accident and emergency, maternity and mental health sections. Mildura has outgrown its hospital, and action is required in three main areas: accident and emergency, maternity and mental health. Accident and emergency departments have a rule of thumb: you need 1 bed per 1000 patient admissions per annum. Mildura has 33 000 accident and emergency admissions per annum, suggesting the accident and emergency department should have 33 beds; in fact it has 14. Also, the complexity of the injuries of those presenting at the accident and emergency department is climbing.

For various reasons I recently spent some time in the accident and emergency department with my dad, who is now recovering. The day was typical, according to the staff. It started with three category 1 patients, and by lunchtime all the beds in the accident and emergency department were full, three people were on trolleys in the corridor and the waiting room was full. Due to Mildura's remoteness there is no bypass, so everyone must manage somehow.

I am informed that things are not much better in the maternity and mental health sections, where the birthrate is approaching 1000 in a facility that was designed when our local private hospital was doing 300 births a year. Mental health also has its difficulties because of the hospital's remoteness and small number of beds. Yet during a post-budget whirlwind tour to Mildura we heard the Treasurer's comment that we would be the envy of many. I doubt that we would be the envy of many if they knew our difficulties.

The other related issue concerning Mildura is the agreement between the state and commonwealth governments to fund hospitals. The commonwealth is stamping its authority on community health with Medicare Local. Will the commonwealth, with the state's sanctioning, also stamp its authority on the acute sector?

Mildura's hospital is a privately run public hospital. Was this issue considered when the state signed on to the commonwealth's health plan? Is Mildura being starved of capital funding because of ideology? If it is,

it is a pointless exercise, with the only result being that in June 2015 the state will inherit a hospital facility that will be grossly inadequate and probably not even be able to function effectively to meet the community's needs.

The Mildura Base Hospital has made its submission to the Minister for Health. It was supposedly considered in the budget last year, yet we do not have any action. It is time for action on this matter as the hospital has no bypass facility and cannot continue to manage, particularly in accident and emergency, with such a small number of beds. We are heading for big problems if something is not done.

### **UCI Road Cycling World Championships**

**Mr TREZISE** (Geelong) — The issue I raise for action is for the Minister for Sport, Recreation and Youth Affairs and relates to the UCI Road Cycling World Championships, which will be held in Geelong from 29 September until 3 October. For the information of members, in the cycling world this championship is second only in prestige and importance to the Tour de France, and the current world champion is the Geelong legend from Barwon Heads, Cadel Evans. The UCI championship is only 50 days away from today, and the action I seek from the minister is that he visit Geelong in the near future to inspect the venue and course and meet with local organisers in the lead-up to the event.

As I said, the UCI Road Cycling World Championship is second only to the Tour de France. We saw throughout July — I saw them well and truly throughout July until about 2 o'clock in the morning! — the various chateaus and wineries long the tour route. The Tour de France is not only the most prestigious road cycling event but also, for many viewers across the world, including Australia, a great travelogue. The coming event in Geelong will also highlight to the world the great attributes that Geelong has.

In addition, people from all over the world, especially from Europe, will descend on Geelong in their thousands to not only support their country's team but also watch the best riders in the world and enjoy the hospitality of the Geelong people and all that our city and the region has to offer, and not only what our city has to offer but also what the Otways, the Great Ocean Road, the Bellarine Peninsula and beyond have to offer.

The Minister for Tourism and Major Events, who is at the table, and the Minister for Sport, Recreation and Youth Affairs will realise the importance of this event to the regional city of Geelong. This is an important

event for Geelong, and it is only 50 days away. I look forward to this cycling event as a cycling and sporting enthusiast. By the way, it is only three days after the AFL Grand Final, and hopefully we will have just started to wind down from a grand final win, although I never count my chickens until they roost! It will be a great week in Geelong for the people of Geelong and for sport across Australia.

**The DEPUTY SPEAKER** — Order! The member's time has expired, and he should remember to raise only one issue on the adjournment debate!

### **Willow Grove Primary School: crossing warning lights**

**Mr BLACKWOOD** (Narracan) — I wish to raise a matter for the Minister for Roads and Ports, and the action I seek is for funding to be provided for the installation of amber flashing warning lights at the Willow Grove Primary School crossing. The Willow Grove Primary School is located on the main Hill End–Moe road, right in the middle of the town opposite the recreation reserve. The main road is used by residents and other passing traffic to access other major towns in the vicinity. Heavy traffic, such as milk tankers, steel trucks and logging trucks, also increases the risk to schoolchildren using this crossing.

The school crossing supervisor, teachers and parents are concerned that a number of vehicles, both large and small, passing through the township of Willow Grove are not slowing down in the designated school zone area between the times of 8.00 a.m. to 9.30 a.m. and 2.30 p.m. to 4.00 p.m. A police presence in the area near the crossing has been requested by the school. Victoria Police responded by positioning marked and unmarked cars randomly in the vicinity. This acted as a deterrent for a short time during their presence and for a short while after that, but in time people become forgetful and speed increases. The school crossing is used by many children, particularly in the afternoon as parents park on the verge of the recreation reserve opposite the school. Parking on the service road beside the school is limited due to its short length. Many children who have sporting commitments after school use the crossing to access the recreation reserve opposite the school. The safety and welfare of the children, families and staff is the prime concern. Giving the travelling public a timely warning of the speed restrictions in the school precinct is the responsible action to take to assist them and enhance the safety of the school community.

The school has requested that amber hazard warning lights be installed within the boundaries of the school

zone, which would operate at the designated times. This type of hazard warning light has been set up on the same road further south-east at Tanjil South Primary School, which experiences the same traffic numbers and type as Willow Grove. As is the case at Tanjil South Primary School, the flashing lights would be a constant reminder to the public, both locals and visitors, that this is a school area and caution needs to be taken. I urge the minister to take action immediately and arrange for the installation of amber hazard warning lights on the Hill End–Moe road at each end of the Willow Grove Primary School zone.

### **Consumer affairs: clickwrap contracts**

**Mr SCOTT** (Preston) — The matter I raise tonight is for the attention of the Minister for Consumer Affairs. It relates to the dubious business practices employed by certain internet websites, particularly babynamemeans.com. The action I seek is that the minister ask the Department of Justice to investigate the legality of these practices and warn people of the hazards of entering into contracts on websites.

The sites I am referring to employ a device called a clickwrap contract. Members will be familiar with sites where they are asked to enter their contact details and click a button to certify that they have read and agreed to the conditions of the contract. As members would be aware, most people do not actually read these conditions. However, by simply clicking on the button they enter into a contract based upon those unread conditions.

The site babynamemeans.com provides users with information on the meaning of baby names. However, to access the information users have to agree to a series of conditions which, if printed, would occupy five A4 sheets. Hidden away in this morass of text, users agree to be billed for \$144 for a one-year subscription. The company enforces this so-called 'contract' by backing it up with debt collection agencies if the money is not paid immediately.

The Australian Consumers Association described babynamemeans.com as:

... a rolled gold internet con which is as brazen as it is cynical by using the seemingly innocent guise of a baby name website to mislead and deceive legitimate users.

I urge the minister to investigate the legality and enforceability of clickwrap contracts as employed at babynamemeans.com and to ensure that consumers are informed of the risk of entering into such internet contracts.

### Planning: coastal developments

**Mr INGRAM** (Gippsland East) — I would like to raise a matter for the attention of the Minister for Planning. The matter I raise is the impact of climate change and the projected sea level rise on coastal development, and in particular Victorian Civil and Administrative Tribunal ruling P3532/2008.

This ruling last week was on the proposed Strini development at Lakes Entrance. The action I seek is for the minister to intervene and take appropriate action to allow building and development to continue in existing residential and commercial areas in our coastal communities. The government has dithered and procrastinated while investment has effectively dried up in many coastal communities around Victoria, particularly around the Gippsland Lakes.

The government policy direction is based on an expected 0.8-metre sea level rise projected for 2100. The challenge in the Gippsland Lakes is that there are existing flood levels because of the many large rivers that run into the Gippsland Lakes, so the 0.8-metre sea level rise has been applied on top of the existing flood levels. What this has done in Gippsland is effectively ruled out any development — commercial or residential — in existing town centres and commercial areas. This will be applied right across the state.

There are a number of challenges with this decision. The sea level rises, as I have indicated, are projected within the next 90 years. With the proposal I am talking about, the floor level of the buildings is above the flood levels projected even at 2100. My view is that alternative arrangement policies must be swiftly made to recognise the need for continued sensible development, property rights and real and actual existing risks, not risks projected for periods outside the life span of proposed buildings.

The government needs to provide certainty and security for property investments in coastal areas. The effect of this ruling on investment in my electorate has meant a major slashing of the property values. This has led to banks contacting investors and basically slashing 40 per cent to 50 per cent — in some cases more — off the value of properties in those areas. It is essential that the government find an acceptable mechanism to allow continued investment and provide confidence to my community. We cannot simply allow the ruling to stand.

If we compare this matter to the bushfires response, we see that we have allowed communities to rebuild in areas where there are very high risks and people have

lost their lives. In these coastal areas, where people want to build, no-one has ever lost their life because of floods — floods come up slowly. I call on the government to save our coastal communities.

### Rail: Merinda Park car park

**Ms GRALEY** (Narre Warren South) — The matter I wish to raise this evening is for the Minister for Public Transport and concerns the Merinda Park railway station car park. The action that I seek is for the minister to take the appropriate steps for the extension and construction of more car parking spaces at Merinda Park railway station.

Merinda Park railway station is in one of the fastest growing parts of my electorate of Narre Warren South. The Cranbourne North area is flanked on all sides by new estates where people — and I am very glad to see this — are building their first home or their new dream home.

At the last state election the Merinda Park railway station was the least busy of my electorate's railway stations. Indeed, there were spare parks; the Minister for Finance, WorkCover and the Transport Accident Commission was down there with me. When I would leave my campaigning post at the station around 8.30 a.m. there would still be some vacant places.

Today the car park is full to overflowing. Thousands of people have moved into the new estates and many of them choose to take the train to work, especially with the more frequent services on the Cranbourne line. Many young people are also dropped off at the station to go to school further up the line. The car park has become a very busy place on a weekday.

It makes sense to park your car and take the train, and I am very pleased that both the Hallam and Berwick railway station car parks in my electorate have been extended and improved. I know from talking to Hallam and Berwick residents that the car parking is greatly appreciated and has cut down people's travelling time. It has also reduced the stress involved in manoeuvring in very busy car parks.

Merinda Park railway station car park is in need of expansion to meet the growing needs of the local residents. Currently commuters are parking on grassed areas that have become very muddy with the winter rain. They are thus difficult to access without fearing that one may get bogged or at least dirty their work shoes. I am also mindful that at peak times travellers are experiencing a difficult and considerable waiting time as they patiently proceed in and out of the car park onto

the busy Thompsons Road. I would appreciate it if this issue could be considered if the car park is to be expanded as I am sure that the extra spaces will be easily filled up and we will need to make sure that the entry and exit to the car park is as accessible and safe as possible.

I have also been contacted by residents in Endeavour Drive and its surrounds in Cranbourne North complaining about commuters who are unable to find a car park at the railway station parking in their neighbourhood — some for very long stays. With 71 new services added to the train network on the Cranbourne and Pakenham lines since June, the minister has responded favourably to the needs of local commuters in the outer suburbs. Expanding and improving the car parking at Merinda Park railway station is important to local community members and train commuters so I ask the Minister for Public Transport to take action on this matter.

### School buses: Marcellin College

**Mr KOTSIRAS** (Bulleen) — I too would like to raise a matter for the attention of the Minister for Public Transport. The action I seek from the minister is, for him through the Department of Transport, to allocate funding for two extra school buses for Marcellin College. All members are aware that the responsibility of this government is to coordinate the operation of the network of school bus services throughout Victoria. It is also the responsibility of the Victorian government to ensure the safety of our students on these buses. It has been brought to my attention that Marcellin College is in urgent need of two extra buses to transport students from the school to Heidelberg station. The current number of buses that have been allocated to Marcellin College is not enough to cater for the large number of students. Students are crammed onto the buses like sardines, and those who miss out must walk to the train station a few kilometres away.

I received an email from a concerned parent who states:

My son travels direct to and from school each day by bus (service provided by National Bus Lines) from Heidelberg station and return. On a number of occasions this year he has been unable to return home from school as there are insufficient buses for the number of students making this trip. On these occasions he and a number of other students have to walk some distance to other locations and catch other buses, which can add an additional hour onto the normal journey to arrive back in Heidelberg. Or, alternatively, arrangements have to be made to collect the students from school.

When these situations occur it can cause enormous disruption, distress and concern to the student and their families.

I regularly wait to collect my son at Heidelberg station and observe constantly buses of students filled to almost overflowing point with boys and have often considered the safety aspect with so many students travelling on these buses.

I have spoken to both the bus company and the school, and I am advised by the school that it is about to make a submission to the Department of Transport for two extra buses. I ask the minister to support the application and provide the extra money that is needed to ensure the safety of students travelling from Marcellin College to Heidelberg station.

### Buses: SmartBus service

**Ms GREEN** (Yan Yean) — I wish to raise a matter for the attention of the Minister for Public Transport. The action I seek is for him to expedite the provision of information to my community about the yellow orbital SmartBus route, which is scheduled to be rolled out through my electorate early next year.

For those in the Parliament or the community who do not know about the fantastic SmartBus program, it is a premium bus service that has been designed to complement Melbourne's radial train and tram network by providing cross-town connections along major arterial roads to train stations, tramlines, schools, universities, hospital shopping centres and other activity centres, thus alleviating car trips. SmartBus services run more often and for longer hours than most bus services, and they are also more reliable because of a combination of road priority and the use of smart technology. SmartBuses have the ability to communicate with the depot during the journey, which allows them to provide real-time travel information to passengers at selected high-use bus stops. Bus-train interchanges also have real-time information on SmartBus and train arrival times, making transitions smoother.

All SmartBus stops provide local area maps and stop-specific timetables. SmartBus services can be used by passengers holding a valid Metcard for the area in which they are travelling. Many people in my local area have followed in the local paper the information about SmartBus route 902, which has been enormously successful. It started service on 5 April this year. It is the second full orbital bus route around Melbourne and runs for 76 kilometres between Chelsea and Airport West, via Springvale Road from Chelsea to Nunawading, and from Box Hill and Eltham, Templestowe to Eltham and Greensborough to Broadmeadows. We would certainly welcome that type of service in the outer ring beyond that. The current 901 yellow orbital bus service goes from Frankston station to Ringwood station, and it is planned to extend

it to Eltham, Greensborough, South Morang, Epping, Broadmeadows and to the huge employment hub of Melbourne Airport for people who may be commuting.

I urge the minister to improve and roll out the information to my local community about the benefits of this service, because those beyond the green and inner services do not necessarily know what benefits the orbital bus service will bring, and this may be influencing their current private transport options. I urge the minister to act on this matter.

### Responses

**Mr HOLDING** (Minister for Finance, WorkCover and the Transport Accident Commission) — I will refer the matter raised by the member for Bayswater to the Minister for Public Transport for his response.

I will refer the matter raised by the member for Pascoe Vale to the Minister for Sport, Recreation and Youth Affairs.

I will refer the matter raised by the member for Mildura to the Minister for Health.

I will refer the matter raised by the member for Geelong to the Minister for Sport, Recreation and Youth Affairs.

I will refer the matter raised by the member for Narracan to the Minister for Roads and Ports.

I will refer the matter raised by the member for Preston to the Minister for Consumer Affairs.

I will refer the matter raised by the member for Gippsland East to the Minister for Planning.

I will refer the matter raised by the member for Narre Warren South to the Minister for Public Transport.

I will refer the matter raised by the member for Bulleen to the Minister for Public Transport.

I will refer the matter raised by the member for Yan Yean to the Minister for Public Transport.

I will ask each of those ministers to respond directly to those members.

**The DEPUTY SPEAKER** — Order! The house is now adjourned.

**House adjourned 10.11 p.m.**

