

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 15 September 2010

(Extract from book 13)

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

By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

Premier, Minister for Veterans' Affairs and Minister for Multicultural Affairs	The Hon. J. M. Brumby, MP
Deputy Premier, Attorney-General and Minister for Racing	The Hon. R. J. Hulls, MP
Treasurer, Minister for Information and Communication Technology, and Minister for Financial Services	The Hon. J. Lenders, MLC
Minister for Regional and Rural Development, and Minister for Industry and Trade.	The Hon. J. M. Allan, MP
Minister for Health	The Hon. D. M. Andrews, MP
Minister for Energy and Resources, and Minister for the Arts	The Hon. P. Batchelor, MP
Minister for Police and Emergency Services, and Minister for Corrections	The Hon. R. G. Cameron, MP
Minister for Community Development	The Hon. L. D' Ambrosio, MP
Minister for Agriculture and Minister for Small Business	The Hon. J. Helper, MP
Minister for Finance, WorkCover and the Transport Accident Commission, Minister for Water and Minister for Tourism and Major Events	The Hon. T. J. Holding, MP
Minister for Environment and Climate Change, and Minister for Innovation.	The Hon. G. W. Jennings, MLC
Minister for Planning and Minister for the Respect Agenda.	The Hon. J. M. Madden, MLC
Minister for Sport, Recreation and Youth Affairs, and Minister Assisting the Premier on Multicultural Affairs	The Hon. J. A. Merlino, MP
Minister for Children and Early Childhood Development and Minister for Women's Affairs	The Hon. M. V. Morand, MP
Minister for Mental Health, Minister for Community Services and Minister for Senior Victorians	The Hon. L. M. Neville, MP
Minister for Public Transport and Minister for Industrial Relations	The Hon. M. P. Pakula, MLC
Minister for Roads and Ports, and Minister for Major Projects	The Hon. T. H. Pallas, MP
Minister for Education and Minister for Skills and Workforce Participation	The Hon. B. J. Pike, MP
Minister for Gaming, Minister for Consumer Affairs and Minister Assisting the Premier on Veterans' Affairs	The Hon. A. G. Robinson, MP
Minister for Housing, Minister for Local Government and Minister for Aboriginal Affairs	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Lupton, MP

Legislative Assembly committees

Privileges Committee — Mr Carli, Mr Clark, Mr Delahunty, Mr Lupton, Mrs Maddigan, Dr Naphthine, Mr Nardella, Mr Stensholt and Mr Thompson.

Standing Orders Committee — The Speaker, Ms Barker, Mr Kotsiras, Mr McIntosh, Mr Nardella and Mrs Powell.

Joint committees

Dispute Resolution Committee — (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr Lupton, Mr McIntosh and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

Drugs and Crime Prevention Committee — (*Assembly*): Ms Beattie, Mr Delahunty, Mrs Maddigan and Mr Morris. (*Council*): Mrs Coote, Mr Leane and Ms Mikakos.

Economic Development and Infrastructure Committee — (*Assembly*): Ms Campbell, Mr Crisp, Mr Lim and Ms Thomson. (*Council*): Mr Atkinson, Mr D. Davis and Mr Tee.

Education and Training Committee — (*Assembly*): Mr Dixon, Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras. (*Council*): Mr Elasmarr and Mr Hall.

Electoral Matters Committee — (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson. (*Council*): Ms Broad, Mr P. Davis and Mr Somyurek.

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh. (*Council*): Mr Murphy and Mrs Petrovich.

Family and Community Development Committee — (*Assembly*): Ms Kairouz, Mr Noonan, Mr Perera, Mrs Powell and Mrs Shardey. (*Council*): Mr Finn and Mr Scheffer.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith. (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland.

Law Reform Committee — (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan, Mr Foley and Mrs Victoria. (*Council*): Mrs Kronberg and Mr Scheffer.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Mr Hodgett, Mr Nardella, Mr Seitz and Mr K. Smith. (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland.

Public Accounts and Estimates Committee — (*Assembly*): Ms Graley, Mr Noonan, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Dalla-Riva, Ms Huppert, Ms Pennicuik and Mr Rich-Phillips.

Road Safety Committee — (*Assembly*): Mr Eren, Mr Tilley, Mr Trezise and Mr Weller. (*Council*): Mr Koch and Mr Leane.

Rural and Regional Committee — (*Assembly*): Mr Nardella and Mr Northe. (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Mr Burgess, Mr Carli, Mr Jasper and Mr Languiller. (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JENNY LINDELL

Deputy Speaker: Ms A. P. BARKER

Acting Speakers: Ms Beattie, Ms Campbell, Mr Eren, Mrs Fyffe, Ms Green, Dr Harkness, Mr Howard, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Ms Munt, Mr Nardella, Mr Seitz, Mr K. Smith, Dr Sykes, Mr Stensholt and Mr Thompson

Leader of the Parliamentary Labor Party and Premier:

The Hon. J. M. BRUMBY

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. R. J. HULLS

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

Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lim, Mr Muy Hong	Clayton	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Asher, Ms Louise	Brighton	LP	Lobato, Ms Tamara Louise	Gembrook	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
Barker, Ms Ann Patricia	Oakleigh	ALP	McIntosh, Mr Andrew John	Kew	LP
Batchelor, Mr Peter John	Thomastown	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Blackwood, Mr Gary John	Narracan	LP	Merlino, Mr James Anthony	Monbulk	ALP
Bracks, Mr Stephen Phillip ¹	Williamstown	ALP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Brooks, Mr Colin William	Bundoora	ALP	Morris, Mr David Charles	Mornington	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Burgess, Mr Neale Ronald	Hastings	LP	Munt, Ms Janice Ruth	Mordialloc	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Naphine, Dr Denis Vincent	South-West Coast	LP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Clark, Mr Robert William	Box Hill	LP	Noonan, Wade Mathew ⁸	Williamstown	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Northe, Mr Russell John	Morwell	Nats
Crutchfield, Mr Michael Paul	South Barwon	ALP	O'Brien, Mr Michael Anthony	Malvern	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pallas, Mr Timothy Hugh	Tarneit	ALP
Dixon, Mr Martin Francis	Nepean	LP	Pandazopoulos, Mr John	Dandenong	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Perera, Mr Jude	Cranbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Eren, Mr John Hamdi	Lara	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Foley, Martin Peter ²	Albert Park	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Graley, Ms Judith Ann	Narre Warren South	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Green, Ms Danielle Louise	Yan Yean	ALP	Scott, Mr Robin David	Preston	ALP
Haermeyer, Mr André ³	Kororoit	ALP	Seitz, Mr George	Keilor	ALP
Hardman, Mr Benedict Paul	Seymour	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Helper, Mr Jochen	Ripon	ALP	Smith, Mr Ryan	Warrandyte	LP
Hennessy, Ms Jill ⁴	Altona	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William ⁹	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kairouz, Ms Marlene ⁵	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice ⁶	Altona	ALP	Weller, Mr Paul	Rodney	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Wells, Mr Kimberley Arthur	Scoresby	LP
Langdon, Mr Craig Anthony Cuffe ⁷	Ivanhoe	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 2 June 2008

⁴ Elected 13 February 2010

⁵ Elected 28 June 2008

⁶ Resigned 18 January 2010

⁷ Resigned 25 August 2010

⁸ Elected 15 September 2007

⁹ Resigned 6 August 2007

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Wednesday, 15 September 2010

The SPEAKER (Hon. Jenny Lindell) took the chair at 9.34 a.m. and read the prayer.

BUSINESS OF THE HOUSE**Notices of motion: removal**

The SPEAKER — Order! Notices of motion 87, 127, 157 to 161 and 219 to 223 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS**Following petitions presented to house:****Buses: Kilsyth**

To the Legislative Assembly of Victoria:

The petition of the residents of Kilsyth and surrounds draws to the attention of the house the urgent need for a bus service along Colchester Road, Kilsyth. It requests the house calls upon the government to address this issue immediately by funding the implementation of new Route AF, as per the recommendations report for the metropolitan bus service reviews: Knox/Maroonah/Yarra Ranges.

By Mr HODGETT (Kilsyth) (460 signatures).

Bayswater–Eastfield roads: traffic management

To the Legislative Assembly of Victoria:

The petition of the residents of Croydon, Croydon South and Ringwood East draws to the attention of the house the urgent need for a right-turning arrow on the corner of Bayswater Road and Eastfield Road to address traffic congestion and safety issues at the intersection. It requests the Brumby government address this issue immediately.

By Mr HODGETT (Kilsyth) (86 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 for the passenger train to Mildura to be reinstated. People living in smaller towns need connectivity to larger towns for work, health, education, shopping and social activities.

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) (66 signatures).

Liquor licensing: fees

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the need to urgently reconsider the proposed massive increases in liquor licence fees in view of the enormous adverse impact such across-the-board increases will have on many highly reputable liquor outlets, and most particularly those in country areas.

Such huge blanket increases in licence fees will impact on employment, community sponsorships, even business survival in some cases. Risk-based fees should actually address the problems which have arisen in 'hot spot' areas, distinguish activities increasing risk of antisocial behaviour, and be imposed selectively, to address those issues.

The petitioners therefore request that the Victorian government recognises the damage such across-the-board increases will cause, particularly in many country communities and reviews the legislation as a matter of urgency.

By Mr JASPER (Murray Valley) (17 signatures).

Electricity: smart meters

To the Legislative Assembly of Victoria:

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

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

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

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

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

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

By Mr JASPER (Murray Valley) (12 signatures).

Weeds: control

To the Legislative Assembly of Victoria:

This petition of the citizens of Victoria draws to the attention of the house the critical need for continuing state government support for the eradication of Paterson's curse as a noxious weed, recognising that it has been relegated in importance by the Minister for Agriculture, Joe Helper MP, and the Department of Primary Industries, with other exotic weeds now being given precedence.

The petitioners therefore request that the Legislative Assembly of Victoria call upon the Victorian Labor government to clarify responsibility for the control of noxious weeds, and increase funding levels to all government authorities, including local government, to implement appropriate eradication programs, and to include Paterson's curse.

By Mr JASPER (Murray Valley) (18 signatures).

**High Street–Epping–Findon–O'Herns roads,
Epping: traffic lights**

To the Legislative Assembly of Victoria:

Traffic lights for the intersection of High Street, Epping Road, Findon Road and O'Herns Road, Epping.

This petition of residents of Victoria draws to the attention of the house the need to install traffic lights at the above intersection, to improve safety and ease congestion for drivers and families that use these roads in Epping.

By Ms GREEN (Yan Yean) (8 signatures).

Tabled.

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

Ordered that petitions presented by honourable member for Kilsyth be considered next day on motion of Mr HODGETT (Kilsyth).

**CONSUMER UTILITIES ADVOCACY
CENTRE**

Report 2009–10

Mr BATCHELOR (Minister for Energy and Resources), by leave, presented report.

Tabled.

PARLIAMENTARY DEPARTMENTS**Reports 2009–10**

Ms BARKER (Oakleigh), by leave, presented reports of Department of the Legislative Assembly and Department of Parliamentary Services.

Tabled.

**EDUCATION AND TRAINING
COMMITTEE**

Potential for developing opportunities for schools to become a focus for promoting healthy community living

Mr HOWARD (Ballarat East) presented report, together with appendices and transcripts of evidence.

Tabled.

Ordered that report and appendices be printed.

LAW REFORM COMMITTEE

Access by donor-conceived people to information about donors

Mr CLARK (Box Hill) presented report, together with an appendix.

Tabled.

Ordered to be printed.

**PUBLIC ACCOUNTS AND ESTIMATES
COMMITTEE**

Findings and recommendations of Auditor-General's reports July–December 2008

Mr STENSHOLT (Burwood) presented report, together with appendices and transcripts of evidence.

Tabled.

Ordered that report and appendices be printed.

DOCUMENTS

Tabled by Clerk:

Adult, Community and Further Education Board —
Report 2009–10

Auditor-General:

Delivery of Nurse-On-Call — Ordered to be printed

Management of Prison Accommodation Using Public
Private Partnerships — Ordered to be printed

CenITex — Report 2009–10

Corangamite Catchment Management Authority —
Report 2009–10

East Gippsland Catchment Management Authority —
Report 2009–10

Emergency Services Superannuation Board —
Report 2009–10

Energy Safe Victoria — Report 2009–10

Film Victoria — Report 2009–10

Financial Management Act 1994 — Financial Report for the
State of Victoria 2009–10, incorporating the Quarterly
Financial Report No. 4 — Ordered to be printed

Financial Management Act 1994:

Reports from the Minister for Agriculture that he had
received the reports 2009–10 of:

Murray Valley Citrus Board

Victorian Strawberry Industry Development Committee

Reports from the Minister for Environment and Climate
Change that he had received the reports 2009–10 of:

Barwon Regional Waste Management Group

Calder Regional Waste Management Group

Central Murray Regional Waste Management Group

Commissioner for Environmental Sustainability

Desert Fringe Regional Waste Management Group

Gippsland Regional Waste Management Group

Goulburn Valley Regional Waste Management Group

Grampians Regional Waste Management Group

Highlands Regional Waste Management Group

Mildura Regional Waste Management Group

Mornington Peninsula Regional Waste Management
Group

North East Regional Waste Management Group

South West Regional Waste Management Group

Surveyors Registration Board of Victoria

Reports from the Minister for Planning that he had received
the reports 2009–10 of:

Dandenong Development Board

Heritage Council of Victoria

Reports from the Minister for Public Transport that he had
received the reports 2009–10 of:

Rolling Stock (VL-1) Pty Ltd

Rolling Stock (VL-2) Pty Ltd

Rolling Stock (VL-3) Pty Ltd

Report from the Minister for Veterans' Affairs that he had
received the Report 2009–10 of the Victorian Veterans
Council

Glenelg Hopkins Catchment Management Authority —
Report 2009–10

Goulburn Broken Catchment Management Authority —
Report 2009–10

Justice, Department of — Report 2009–10

Mallee Catchment Management Authority —
Report 2009–10

Melbourne and Olympic Parks Trust — Report 2009–10

Melbourne Market Authority — Report 2009–10

National Parks Act 1975 — Report 2009–10 on the working
of the Act

National Parks Advisory Council — Report 2009–10

North Central Catchment Management Authority —
Report 2009–10

North East Catchment Management Authority —
Report 2009–10

Parliamentary Contributory Superannuation Fund —
Report 2009–10

Phillip Island Nature Park — 2009–10

Port Phillip and Westernport Catchment Management
Authority — 2009–10

Residential Tenancies Bond Authority — Report 2009–10

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2009–10

Rolling Stock (Victoria-VL) Pty Ltd — Report 2009–10

Royal Botanic Gardens Board — Report 2009–10

State Sport Centres Trust — Report 2009–10

Trust for Nature (Victoria) — Report 2009–10

Victorian Catchment Management Council — Report
2009–10

Victorian Coastal Council — Report 2009–10

Victorian Commission for Gambling Regulation — Report 2009–10

Victorian Curriculum and Assessment Authority — Report 2009–10

Victorian Environmental Assessment Council — Report 2009–10

Victorian Institute of Teaching — Report 2009–10

Victorian Rail Track — Report 2009–10

Victorian Registration and Qualifications Authority — Report 2009–10

Victorian Skills Commission — Report 2009–10

VITS Languagelink — Report 2009–10

West Gippsland Catchment Management Authority — Report 2009–10

Wimmera Catchment Management Authority — Report 2009–10

BUSINESS OF THE HOUSE

Standing orders

Mr BATCHELOR (Minister for Energy and Resources) — By leave, I move:

That so much of standing orders be suspended on Thursday, 7 October 2010, so as to allow business to be interrupted immediately after question time to enable:

- (1) valedictory statements from retiring members, including the opportunity for the Premier to make a statement on behalf of the member for Ballarat West;
- (2) statements from the Premier, Deputy Premier, Leader of the Opposition and Leader of The Nationals;
- (3) the time limit for the statements to be 10 minutes each;
- (4) any business under discussion at the time of interruption and not completed will be resumed immediately after the statements. Any member speaking at the time of the interruption may then continue his or her speech.

Motion agreed to.

MEMBERS STATEMENTS

Portsea: beach erosion

Mr DIXON (Nepean) — I have raised in this place on a couple of occasions the state of Portsea beach. It is an accepted fact that there will be no beach this summer, as all efforts are being put into stopping the massive and sudden erosion of the foreshore.

The Department of Sustainability and Environment is to be commended for spending \$2 million so far on trying to stop the erosion by building a temporary 150-metre-long bluestone breakwater while installing giant sandbags literally to stem the tide.

Unfortunately the loss of the beach and the massive swells mean that many of the summer activities at Portsea beach will not take place this year, which of course will have a disastrous effect on local traders.

What now needs to be done is to establish the cause of the sudden recent changes in daily tidal surges and wave heights.

Point Nepean National Park: facilities

Mr DIXON — Further down the road at Point Nepean it is amazing to see the hypocrisy of the Brumby government in all its glory. The new master plan by this government for Point Nepean includes three levels of accommodation, including a luxury hotel. This government railed against the Howard federal government, even though there were then no plans for a luxury hotel. I remember the former Minister for the Environment, John Thwaites, saying there should be no luxury hotels on Point Nepean. The members for Prahran and Forest Hill and the former member for Hastings also all told this place that ‘the evil Howard government’ would ruin Point Nepean — and yet it is the Brumby government that is proposing a luxury hotel for Point Nepean. This government will say anything to win votes — and Point Nepean is another example!

Mount Waverley electorate: multicultural organisations

Ms MORAND (Minister for Children and Early Childhood Development) — It was great to have the Minister Assisting the Premier on Multicultural Affairs visit Mount Waverley last week to present cheques to multicultural organisations in the city of Monash from the Victorian Multicultural Commission. The minister provided \$28 000 in grants for festivals and events throughout Monash, including for multicultural organisations in my electorate, which do a great job in supporting multiculturalism in our community.

The Waverley organisations at the event which received support were the Indian Senior Citizens Association, represented by Suresh Sharma and Prem Phakey; the Macedonian Senior Citizens Group of Monash, represented by Angelo Alipan; the Monash Chinese Friendship Association; the Tamil Society of

Melbourne; the Waverley Chinese Senior Citizens Club; and the Bengali Association of Victoria.

The Brumby government has increased funding for the Victorian Multicultural Commission grants program from \$750 000 when it came to government in 1999 to \$4.6 million, which really demonstrates its strong commitment to multiculturalism.

Mr Merlino — It is \$5.6 million.

Ms MORAND — It is \$5.6 million; I was just corrected by the minister.

Riversdale Golf Club: morning tea

Ms MORAND — I also want to thank the Minister for Senior Victorians for visiting Mount Waverley to meet with seniors at a morning tea held at the lovely Riversdale Golf Club. It was great to see there were 85 participants, who were able to talk to the minister and ask questions relating to senior Victorians. I thank her for visiting.

Waverley Community Learning Centre

Ms MORAND — Finally, I want to congratulate the Waverley Community Learning Centre on its annual Fleet Street on Parade. It was a great weekend of showcasing work done by the many groups from this great neighbourhood house.

Western Victoria: utility charges

Mr DELAHUNTY (Lowan) — Western Victorians are unhappy with the never-ending increasing cost of living in Victoria. Increasing numbers of individuals, community groups and businesses have contacted my office concerned with the rising costs of water, electricity, gas, fuel and council rates. Welfare organisations have indicated that some people are going without necessities to enable them to pay their utility accounts.

Victorians are angry that this Labor government has wasted taxpayers money on self-promoting advertising and substantial cost blow-outs on projects such as the smart meter rollout, the Wonthaggi desalination plant and the myki ticketing system — a \$1.4 billion cost overrun. This money could have been used to help ease the burden of consumer financial pains.

Examples of financial pressure on voluntary community groups are, firstly, the water charges to the Old Shire Hall Committee in Coleraine, whose water usage was \$1.45 but whose account was \$99.46.

In another example, on Sunday I was fortunate to participate in the very well-attended ceremony to open the renovations to the Dunkeld museum. During his welcome address president Jeff Nagorcka highlighted the tremendous support given and the enormous voluntary effort undertaken, but raised the concerns of ever-increasing utility costs, insurance and fire service levies and council rates.

Western Victorians know this Labor government cannot manage money, cannot manage projects and cannot help them with the cost-of-living pressures. They are looking forward to November to remove Labor from government and from the Treasury benches. It is interesting that even the schoolkids are worried about this.

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

Alan Fincher

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — On Monday, 13 September the Monbulk community got together to say farewell and thank you to an outstanding leader and person. Sergeant Alan Fincher was the officer-in-charge of the Monbulk police station for 22 years and a member of Victoria Police for 38 years, before recently resigning to take up a new challenge with the Australian Federal Police.

Alan is an institution in the Monbulk community — he and his fellow officers epitomise community policing. As well as being an excellent practitioner of upholding the law, Alan immersed himself and his officers in the community. His scones at the station on Thursday mornings were famous throughout the hills. Alan was also a councillor with both the former Shire of Sherbrooke and the Shire of Yarra Ranges, where I worked with him for a few years.

Alan has been involved in many projects and issues: Ranges Community Health; road safety in Yarra Ranges; township development in Monbulk through the Monbulk and District Community Opportunities Working Group; support for education, particularly with Monbulk Primary School; community sport; and engagement with vulnerable youth, to name just a few. Alan was a true leader for Monbulk and the shire. It has been a pleasure working with him on many projects over many years.

In a month or two we will officially open the Monbulk community hub. Alan's drive was one of the key reasons this fantastic project was realised. It will be a

fitting tribute to Alan's wonderful advocacy and vision. To a great guy and fellow Hawthorn supporter, I say thanks, and good luck.

Brunswick Secondary College: VicMoves2010

Mr MERLINO — Congratulations to Brunswick Secondary College for winning the Brumby government's VicMoves2010 performing arts program competition. Hundreds of students from 16 schools put on three fantastic nights of entertainment at Melbourne's Comedy Theatre. The program was a terrific success, and it was wonderful to have a competition to replace the Rock Eisteddfod Challenge, which was withdrawn nationally.

Doncaster electorate: youth driving survey

Ms WOOLDRIDGE (Doncaster) — I thank the hundreds of young Doncaster drivers who responded to my request for their views about the Labor government's proposed changes to driving laws for young people. Young people have a lot to contribute to policy discussions and should be involved in decisions that directly affect them. The clear message is that young people want to be safe on the roads but it is not appropriate to unfairly target responsible young drivers. Young people believe the government should base new driver restrictions not on age but on driving history. Steven from Doncaster said:

Focus on penalising those who make bad decisions; do not generalise and impose inconvenience on all young drivers.

There was strong support for greater impoundment penalties for repeat drink and drug-affected drivers. However, young people strongly oppose reducing the demerit point threshold. There was almost unanimous support for the introduction of advanced and defensive driver education. Alana from Doncaster Heights put it well when she said:

You should be looking to educate drivers, not penalise. Education empowers people to make the right choice.

Although the government has now taken the issue off the agenda, young Doncaster drivers are strongly opposed to any suggestion of imposing a night-time curfew, arguing that this would unfairly discriminate against them and seriously hinder their ability to work, especially with the lack of public transport in Doncaster outside peak times. We need proactive measures to educate young drivers, not punitive Labor government measures which punish people because of their age.

Oakleigh Bowling Club: activities

Ms BARKER (Oakleigh) — On Saturday, 28 August, I had the great pleasure of attending the opening of the season for the Oakleigh Bowling Club, along with the deputy mayor of Monash City Council, Cr Stefanie Perri.

Oakleigh Bowling Club is a very important organisation in our local community, and it celebrated 100 years of existence in 2006. There were concerns about a decline in membership and community involvement, but some three years ago a dedicated effort was put into the club to improve facilities, increase the profile of the club and increase membership. With assistance from Monash City Council and \$100 000 of club funds, further lighting on greens, automatic sprinklers and a 180 000-litre water tank have been installed. Improvements are also constantly being made to the clubhouse facilities.

A further initiative has been that the club is now host to the Hellenic Bowls Club of Victoria social bowls. This has not only provided a very good venue for these bowlers but has also brought in new bowlers and improved awareness of the Oakleigh Bowling Club in the very large Greek community of Oakleigh.

The club initiated and played host to music nights and organised community days on Sundays with barefoot bowls and music, and these events have provided opportunities for greater participation. The major part of the music organisation has now moved to the Oakleigh-Carnegie RSL, but there will still be some music nights at the bowling club and there will be more opportunities, particularly as the weather improves, for informal participation.

There are many members who contribute in many ways, but it is always necessary to have dedicated people giving their time to the official positions. I congratulate Merv Strong, president; Steve Carr, vice-president; Heather Topp, secretary; and Louise Saffigna, assistant secretary.

Crime: statistics

Mr R. SMITH (Warrandyte) — Victorians would be very concerned at the release of latest crime statistics, which show that the incidence of violent crime has continued to rise under the Brumby government. With a large rise in the number of assaults and a dramatic increase in violent behaviour on public transport, this government stands condemned for its history of inaction and its continued denial of rising violence throughout Victoria.

For years the Premier and his ineffectual Minister for Police and Emergency Services have told Victorians that Victoria is the safest state in the country while offering a long list of failed initiatives to tackle the rising violence problem in response to media and community pressure. At the 11th hour, with the election looming, the Premier has finally looked up, seen the wide public approval for the coalition's tough law and order stance and realised he is in trouble. With only weeks to go before the election, the Premier has flooded the airwaves with promises of new police and filled the newspapers with announcements of his government's commitment to be tough on crime. It is hard to believe he is unaware of the mockery this makes of his previous denial of the violence problem.

These latest crime statistics are a legacy of years of inaction by the Brumby government, and Victorians cannot be blamed for the cynicism they feel about the Premier's pre-election change of heart towards crime. The Brumby Labor government has had 11 years to do something about violent crime in Victoria, but there has been a continued refusal to even acknowledge the problem. This Premier will do and say anything to win the election, but I am very confident that Victorians will see through his belated and cynical pre-election promises. The coalition has been consistent in its position against violent crime. It is only the coalition that has the commitment to act decisively against that crime.

Wattle Day Festival

Mr STENSCHOLT (Burwood) — I congratulate everyone involved in the extraordinarily successful Wattle Day Festival at Wattle Park in Burwood on Sunday, 12 September. Wattle Day at Wattle Park was reintroduced several years ago because of my initiative along with the support of the Friends of Wattle Park, Parks Victoria, the Melbourne Tramways Band and the local community.

This year's Wattle Day Festival was attended by thousands in our community. Special thanks go to David and Alex of Parks Victoria; Sue Fenton and students from Holmesglen; Cr Sharon Ellis; Wattle Park Primary School; Howard, Marie, David and Ann and all of the Friends of Wattle Park who were there at the stall; and Ed Bright and the band. The following groups were also involved: the possum lady, who gave a marvellous display on how to look after injured animals; the tramways big band; and Counterpoint, a duo whose members were from the band.

Local guides, basket makers, the classic car club and Greenlink were there. Melbourne Water had a stall and

a demonstration. At the Blackburn Lake Sanctuary the kids could see little things in the water. There was face painting with Liz O'Neill, the president of the Wattle Hill Community Association. We had the Rotary Club of Canterbury; the staff of St Thomas' Burwood Anglican Church, who enabled kids to paint plaster; representatives from Wattle Hill Kindergarten, which is wonderful and is in Wattle Park; and the Wattle Park Golf Course, which is an excellent golf course, and members who play golf should go to Wattle Park. I also ran a stall as the local MP. I give particular thanks to the Minister for Environment and Climate Change, Gavin Jennings, for providing Parks Victoria with \$5000 to help make Wattle Day simply the best.

Clearways: Richmond

Mrs FYFFE (Evelyn) — On 7 September Mary Wiking of Mount Evelyn made a rare trip to Richmond. After carefully checking for any parking restrictions, Mary parked in Victoria Street near a sign that said 'Clearway 4–7 p.m.'. She went to attend to her business. Imagine the shock and horror when she returned at 3.30 p.m. to find her car was gone. She called the police to report her car as stolen. They advised her it had probably been towed away and gave her the address of the towing yard. Mary then had to find her way around an unfamiliar area. She became more distressed. She was then told in no uncertain terms that the rules had changed and the clearway started at 3.00 p.m. Despite the fact that the sign said 4.00 p.m. and her ticket said the car had been towed at 3.30 p.m., Mary was told she had to pay \$322 or she would not get her car back.

Once again this incompetent, tired and arrogant government has introduced another money-grabbing exercise that is causing huge emotional and financial distress to those who can least afford it. It is daylight robbery to have a sign saying one thing and VicRoads saying another and then fining people who, even in this bureaucratic government's wildest dreams, could not be expected to know that clearway times are not the times that are on the signs. Are Victorians supposed to carry a crystal ball? These tow-aways must stop and these fines must be refunded until this debacle is sorted out.

Public transport: myki ticketing system

Mrs FYFFE — There is another myki debacle: cheques are not accepted for payment when purchasing a myki card. A gentleman from Wandin had to travel 1.5 hours by bus and train to Melbourne to pay by cash for his myki ticket at the only two outlets he could pay by cash, being Southern Cross station and Melbourne Town Hall.

Kilbreda College: VicMoves2010

Ms MUNT (Mordialloc) — I would like to congratulate the teachers and students of Kilbreda College in Mentone for their wonderful performance at the inaugural VicMoves2010 last week. The Speaker, the Minister for Sport, Recreation and Youth Affairs and I attended the VicMoves2010 performance at the Comedy Theatre. We had a wonderful evening of entertainment, and we marvelled at the level of professionalism and achievement of the student performers.

Earlier this year the organisers of the Rock Eisteddfod Challenge decided they would not be organising that event this year. The students of Kilbreda College were terribly disappointed and raised their concern with their federal member of Parliament, Mark Dreyfus, the member for Isaacs, who passed their petition on to me. I spoke with the Minister for Sport, Recreation and Youth Affairs about their disappointment, and we went to Kilbreda College to speak with the young women. It was decided that the state government funding allocated to the Rock Eisteddfod would be used for VicMoves2010.

I am so proud of these young women who stood up for what they believed in, brought the issue to our attention and worked so hard at their performance. Without their work, this event would not have been achieved for all of the students and schools who took part. The families and Kilbreda College should also be proud. The students gave a wonderful performance on a theme built around social compassion and the rights of women to be free and self-determining. For me the Kilbreda College performance was an absolute standout. I say thank you and well done to those young women. I also say thank you to the Minister for Sport, Recreation and Youth Affairs for his quick action and support

Buses: Mornington electorate

Mr MORRIS (Mornington) — Mornington residents have paid a heavy price for the Brumby government's failure to invest in basic transport infrastructure. There has been no attempt to improve road access, and bottlenecks abound. Tyabb Road, Bungower Road and access points to the main arterials are frequently clogged, but this government continues to ignore the problems.

Nor has the record on public transport been any better. In typical Brumby fashion there has been lots of talk, there have been plenty of plans but there has been zero action. The Frankston-Mornington Peninsula bus service review is a classic example of the Labor

approach. The review rightly recognised the poor standard of bus services across the peninsula, particularly in the Mornington electorate. The plan included some sensible proposals, including extending the route 773 bus service past Frankston South to Mount Eliza, extending the 781 service past Mount Martha to Dromana, reconfiguring the 784 and 785 services and running the 788 express service between Frankston and Dromana.

Has the government accepted these plans? Has it committed to providing the minimum service suggested by the consultants? Can Mornington residents expect any better public transport from the Brumby government? The answer is a resounding no.

The stage 2 action plan released with the report identifies not a single project — absolutely nothing. Not one single improvement is planned for Mornington's public transport. Once again the government's grandiose schemes have proved to be nothing more than empty promises — a true triumph over substance in the best Brumby tradition.

South Barwon electorate: sporting clubs

Mr CRUTCHFIELD (South Barwon) — As a strong supporter of my sporting clubs I am proud to inform the house of some significant grand final victories in South Barwon.

In football, I would like to congratulate the Barwon Heads under-16 division 3 side, which smashed Inverleigh by more than 50 points, with a final score of 91 to 36. The Torquay Tigers under-16 division 4 side celebrated grand final success with a great win over Portarlington, 80 to 52. The Grovedale under-16 division 6 side snatched a solid victory against St Mary's to take out the grand final, 97 to 75. And in a close encounter the Barwon Heads under-14 division 7 team defeated Newtown and Chilwell White, 53 to 30.

Congratulations also to the South Barwon A-grade netball side, which clinched a 2-point win in the grand final thriller against St Mary's, 49 to 47. It continued the club's dominance of the competition. South Barwon's B-grade ladies defeated Colac, 51 to 43. Grand final victories also went to the South Barwon under-15 team as well as the under-13 division 2 side. Congratulations also to the Torquay under-15 division 2 team, which took out a 1-point win against Drysdale.

In the world game the Surf Coast under-16 girls defeated arch rivals and last year's winners, Surfside, 2 to 1. Surf Coast senior men's provisional 2 team has

also managed to secure its second division promotion in three years, moving into provisional division 1 following its 7 to 1 thrashing of the Western Eagles. It was a historic moment for the club and for soccer in my electorate.

In junior hockey the Torquay under-13s drew in extra time, 1 to 1, against Newtown to be the jointly crowned premiers.

These are fantastic results and show that junior football, basketball, netball, soccer and hockey in my electorate are alive and well. I congratulate all the teams, officials, volunteers and players on the weekend. Go South Barwon in the under-18 and senior Geelong Football League grand finals. Finally, go you Cats!

Government: advertising

Mrs VICTORIA (Bayswater) — Victorians could have been forgiven for expecting a brief respite from political advertising prior to the state election campaign, but unfortunately nobody conveyed this notion to the Brumby Labor government.

Since 22 August barely an ad break has gone by without viewers of commercial television being subjected to the shameless propaganda of the Premier's public relations machine. Amongst other things we are being told that money is being spent on new transport infrastructure and additional police. Where are they? Certainly not in Bayswater, Wantirna, Heathmont or Ringwood.

The truth is that these shameless political advertisements should tell Victorians that Labor's efforts in these areas have been nothing short of a spectacular failure. For 11 years the government has excelled at excessive waste, failed initiatives and broken promises. The Brumby Labor government ranks as one of the top 10 consumers of advertising space in the country. Despite being the epitome of incompetence, the Brumby Labor government continues to pour hardworking Victorians' dollars down the drain. Shame on it!

Public transport: safety

Mrs VICTORIA — Why is it that this government sticks its head in the sand when Victorians are crying out for better security on our trains? What we have in this state is a Premier addicted to the sound of his own voice, a transport minister addicted to meaningless slogans and the balance of government members addicted to power. Only a Baillieu coalition government will take steps to fix violence on our streets and our transport system. Only a Baillieu coalition

government will understand that action is needed, not words.

Bayswater Secondary College: German student exchange

Mrs VICTORIA — Congratulations to Eva, Paula and all at Bayswater Secondary College, who with the help of local businesses have coordinated the first ever exchange between German students and their school.

Frankston: aquatic centre

Dr HARKNESS (Frankston) — At long last a majority of Frankston councillors last week threw their support behind the long-awaited Frankston Regional Aquatic Health and Wellness Centre. Plans for a new aquatic centre have been around for years. It has certainly been a very tough grind at times to convince all the relevant decision-makers to support the project and back it with funding. Earlier this year I was very pleased to secure additional state government funding for this very important project, bringing the state's contribution up to \$12.5 million. This comes on top of the \$2 million FINA legacy pool already provided to council. Council should be congratulated for finally agreeing to support the project and back it with a sizeable financial contribution. Council has at last been convinced to put the heart back into Frankston by agreeing to start building our pool. Special acknowledgement must go to Cr Brad Hill, who recognised the importance of the project and has worked tirelessly at council to stress the importance of the project to his colleagues. The Frankston community deserves praise as well for helping lobby the council so constructively.

This project will bring great benefits to the community by encouraging more people to pursue healthy and active lifestyles in Frankston. Plans for the \$31 million first stage of the facility, which will serve around 150 000 residents, include swimming facilities, a gymnasium and services for health and wellbeing. The centre will be a major boost for the region, providing more than just sports facilities. It will offer a holistic approach to health and wellbeing. Tiny tots, kids of all ages, families, elite swimmers and older people will be able to enjoy state-of-the-art new facilities before too long. It has taken quite a few years, but with strong advocacy and relentless campaigning Frankston will finally have the facility it deserves.

Echuca Regional Health: funding

Mr WELLER (Rodney) — I rise to again bring to the attention of this house the distressing state of health

of the Echuca hospital. This hospital, serving as a central health facility for the northern Victoria region and attending to the needs of the many thousands of visitors who flock to what is one of Australia's premier tourist icons, is literally falling down around the staff. Cracked walls, peeling paint, a dysfunctional layout and cramped conditions are just some of what the dedicated staff are having to cope with day in and day out. It is imperative that the Victorian health minister is right at the front of the queue when the \$1.8 billion worth of funding promised by the newly returned federal government is handed out. There is a very real concern that unless the Victorian representative in the form of the health minister puts a strong and urgent case, Echuca Regional Health could possibly miss out again.

I have been consistently putting before this house, and the government in particular, the appalling state of this hospital facility, and I note that in the last state budget an amount of \$330 000 was allocated to allow updated planning for a full redevelopment. It is the expectation of the people of Echuca and the surrounding area that the government will finally give the green light for the work to commence. There is a real window of opportunity with the promised federal funding, and the challenge for the state government is to make sure that this very badly needed health facility is finally delivered. It is now that it should be delivered.

Whittlesea Eagles football club: premiership

Ms GREEN (Yan Yean) — Today I want to offer my heartfelt congratulations to the mighty Whittlesea Eagles and report to the Parliament on their fantastic victory over Lower Plenty in the Northern Football League division 2 grand final last weekend. The victory topped off a great week and season for the club, as coach Peter Bugden was named coach of the year in the northern division earlier in the week. Peter has shown outstanding leadership in moulding his young charges into a team of champions, with a focus on diet and fitness. I will treasure the jumper the players have signed for me, and I was chuffed to be able to hold the cup. I know all of Whittlesea — the little town with the big heart — will be right behind the team when it joins division 1 in 2011.

Every club needs a great team on the ground, but that cannot happen without a great team off it. I want to applaud the great leadership that has been shown by president Steve Crocker, secretary Helen Binion and the committee, and congratulate the fantastic volunteers, Kaye and the kitchen team, Phil and the bar staff and the sponsors who have all played their part. This is a magnificent club that is much more than just a sporting club. It has done an enormous amount for the

community, supporting it since the bushfire recovery began. This is a well-earned victory, and I am very proud to say I am a sponsor of the Whittlesea Eagles.

Mernda Football Club: premiership

Ms GREEN — I would also like to offer my congratulations to the Mernda Football Club, which won the reserves premiership, defeating Diamond Creek by one point — bad luck, Diamond Creek, better luck next year! Congratulations also to Hurstbridge, which won the third division grand final.

Old Gippsdown heritage park: funding

Mr BLACKWOOD (Narracan) — Since its establishment in 1973 Old Gippsdown heritage park has grown to become a very popular attraction in Latrobe city and Gippsland more broadly. Last year it had over 37 000 visitors, including 3000 students from Melbourne and Gippsland, and many other visitors from interstate and overseas. It has been able to achieve this growth and development with the help of a loyal team of volunteers, with support from a number of Work for the Dole participants, people from the corrections system and people with special needs. The benefits gained by these individuals personally is immeasurable, and access to the activities provided at Old Gippsdown has had a very positive impact on their lives.

Old Gippsdown does not receive ongoing funding other than \$20 000 a year from the Latrobe City Council. From time to time the park receives grants that are project specific, but sadly it has no support for the operation of the business or development of other opportunities that would enhance the facility. The board of management currently has an application before the Minister for Community Development requesting \$22 000 to assist with the development of a business plan.

The development of this plan will help identify the most appropriate priorities for the board in future decision making and support future funding applications. The managers, board of management, staff, volunteers and community supporters have been waiting for a decision on the funding application for many months. I urge the minister to tick off on the application and make the announcement. It is just not fair to keep the dedicated and hardworking members of Old Gippsdown in limbo any longer.

City of Wyndham: transport forum

Mr EREN (Lara) — The Wyndham transport forum was hosted recently by Wyndham City Council, and I was pleased to attend along with the member for Tarneit and the member for Altona, as well as other Victorian government representatives.

The hundreds of residents who attended took the opportunity to raise issues surrounding traffic congestion, bus services, public transport access and upgrades to Wyndham's major roads. The forum also gave the government the opportunity to present residents with the wide range of work that is currently under way and which has already been committed to and funded by the Brumby Labor government.

This was a valuable and informative night. It is one example of many that demonstrates our government's commitment to the Wyndham area — one of the fastest growing areas in the country — to ensure that we have the right plans in place to meet Wyndham's infrastructure needs.

Geelong: business network forum

Mr EREN — Another event held recently was the Geelong Business Network forum hosted by the Geelong Business Network and Shell. This forum, titled 'How do we ensure development in Corio and Norlane?', gave me the opportunity to highlight to the more than 100 people who attended how the Brumby government has long dedicated itself to the renewal of this area of Geelong, committing record investments to major infrastructure, education and public housing, and addressing the causes of entrenched disadvantage.

It is also wonderful to see that groups such as the Committee for Geelong, G21 and the Shell Geelong refinery continue to be great advocates for this area and are committed to our long-term vision for the future. I thank them for their continued interest and support.

I am immensely proud to be part of a government that is committed to this community and one that recognises that it is the community itself that needs to play a central role in the decision-making process to make this renewal a success. Northern Futures and the Corio Norlane Development Advisory Board continue to play an important role — —

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

Rail: Wodonga line

Mr TILLEY (Benambra) — The enduring legacy of the Premier and Labor will be that they could never deliver on major projects, and the legacy of cost overruns and debt will burden generations to come.

It has taken Labor 11 years to complete the Wodonga rail bypass. What is worse is that this project was committed to and funded by the previous government. It is this sort of irrefutable evidence that proves Labor cannot manage and cannot deliver.

The natural extension of the Wodonga bypass project was the standardisation of the rail line between Seymour and Albury. For one reason or another work on this stretch of the line meant that V/Line cancelled train services between Melbourne and Wodonga for over 18 months, with the promise of a faster, safer and more reliable service when the project was completed. Leaked V/Line documents show that the first of the new and supposedly faster, safer and more reliable passenger rail services was meant to return on Sunday, 12 September 2010.

Not surprisingly this day has come and passed without the sighting of a single train service. I am passionate about the return of passenger rail services to the north-east and so are a great many of my constituents.

The handling of this project is a major embarrassment to both the Victorian and commonwealth Labor governments, which to this day have ignored the community's concern about when they can expect a fully operational passenger rail service to resume. The Premier must come clean and explain to my constituents when they can expect a faster, safer and more reliable passenger rail service — one that was promised in 2008.

Forest Hill electorate: Chinese community

Ms MARSHALL (Forest Hill) — It was with great pleasure that I joined the Minister Assisting the Premier on Multicultural Affairs, James Merlino, on Tuesday, 7 September, to present multicultural groups within the electorate of Forest Hill with grants from the Victorian Multicultural Commission.

We are fortunate to live in one of the most culturally diverse societies in the world. Coming from over 200 countries, we speak in more than 200 languages and dialects and follow more than 110 faiths. This diversity is one of Victoria's great strengths.

Victoria's Chinese community has made an extraordinary contribution to our state. Chinese

Victorians feature prominently in many aspects of our state's development and progress, having contributed to every aspect of life here in Victoria — in business, education, culture, science, politics and the broader community.

I would like to acknowledge the vital role that Victoria's Chinese community, from the first Chinese migrants to arrive at the Australian goldfields in 1853 to the more than 55 000 China-born people who now call Victoria home, has played in making Victoria the state it is today and the part that the Chinese community has played in making my electorate of Forest Hill the great place that it is.

Forest Hill electorate: ageing forum

Ms MARSHALL — I was honoured to be invited to speak again this year at the fourth Successful Ageing forum held on 20 August at Goodwin Close retirement village in my electorate of Forest Hill. Joined by the Deputy Premier, Rob Hulls, I took this opportunity to speak about the positive image of seniors and the important role they play in our communities. Psychiatrist Dr Cairns shared information on how to help senior Victorians retain a healthy mind, body and soul. Congratulations to Jane Lorbergs and Rosemary Seymour, who organised the morning. It was an entertaining and informative forum.

GRIEVANCES

The SPEAKER — Order! The question is:

That grievances be noted.

Port of Melbourne Corporation: Yarraville land

Dr NAPTHINE (South-West Coast) — I grieve for the people of Victoria in regard to the massive mismanagement and waste of public funds in relation to the purchase of a contaminated site at Yarraville. From the outset I advise the house that the person directly responsible for this multimillion-dollar debacle, this extraordinary saga of incompetence, mismanagement and waste, is the former Treasurer and current Premier.

On 6 September 2001 the Premier personally authorised the expenditure of \$13.5 million to purchase this 10-hectare site at Yarraville. Nine years later this land is an empty and desolate thistle-infested site with absolutely no action taking place on the ground. In 2007 the Auditor-General said:

At the date of audit, the net value of the site which was purchased for \$13.5 million, was recorded by Port of Melbourne Corporation at \$500 000.

The Auditor-General also reported that the land had previously been the site of the manufacture and processing of acid, fertiliser and chemicals. It is a site which is heavily contaminated with arsenic, copper, lead, sulphur and other toxic contaminants, but due to the incompetence and absolute mismanagement of the Premier as the then Treasurer and of the Labor government, the vendor was released from all responsibility for remediation of this site prior to purchase. The Premier personally released the vendor from all responsibility for site remediation of this heavily contaminated site, hence exposing Victorian taxpayers to that responsibility through the Port of Melbourne Corporation, which is 100 per cent owned by the government of Victoria. The taxpayers of Victoria are now liable for what the Auditor-General describes as 'significant future costs' for site remediation.

An article in the *Age* of 20 June 2007 reported:

Taxpayers are facing a bill of up to \$70 million to clean up contaminated land bought by the state government even though it had been used to produce chemicals since the 1840s.

The article further describes the land as 'one of the most contaminated pieces of real estate in Victoria'. Despite it being known as one of the most contaminated pieces of real estate in Victoria, the Victorian government went ahead and purchased this land and absolved the vendor of all responsibility for remediation. It paid well over the odds for the land — \$13.5 million for land worth half a million dollars — and on top of that it absolved the previous vendor of all responsibility. The Auditor-General makes it very clear that the person responsible for that is the former Treasurer, and now Premier, of this state, who personally authorised the purchase.

When that report of the Auditor-General came out it stated that the government and the port of Melbourne told the Auditor-General that the land purchase was 'strategically important', given that:

... waterfront land in the port area rarely becomes available ...

... the land presented an opportunity both to enhance the capability of existing shipping terminals and port infrastructure, and to protect the existing port from encroachment by non-port users ...

That is what they said. They said, 'Yes, we have paid over the odds; yes, we have made a mistake in absolving the previous owners of all responsibility — so we have absolutely stuffed up. We have cost the taxpayers a large amount of money by paying too much for the land, and we have incurred an enormous cost in honing the land, but do not worry, the land is absolutely essential for future port purposes'.

Mr Nardella — That's right. That's absolutely correct.

Dr NAPTHINE — The member for Melton, the Parliamentary Secretary for Roads and Ports, says 'Absolutely correct; that's right!' That is his interjection, and I will put that on the record.

The SPEAKER — Order! The member for South-West Coast knows that to respond to interjections is disorderly and not parliamentary, and I ask the member for Melton to cease interjecting.

Dr NAPTHINE — Given the interjection from the member for Melton and the comments made by the government at the time of this audit, I was shocked and surprised on Friday, 27 August this year, when on a briefing tour of the port of Melbourne to be informed by the CEO of the Port of Melbourne Corporation, Stephen Bradford, that the corporation would proceed with cleaning up the site and then put it on the market. The corporation would sell the land. The parliamentary secretary and the government have been saying that this land is absolutely essential for the port development, but if that is the case, why is the CEO of the Port of Melbourne Corporation saying the land will be sold? It will be sold and not used for port development or essential infrastructure for the port of Melbourne. Clearly it is not essential land for the future of the port of Melbourne.

The member for Melton, the parliamentary secretary, has got egg on his face, the government has got egg on its face and the taxpayers are millions upon millions of dollars out of pocket. The government paid \$13.5 million for land worth half a million dollars, and millions of dollars will be incurred in cleaning up the most heavily contaminated site in Victoria, yet we now find that the land is not strategically vital to the development of our no. 1 port, the port of Melbourne, because the CEO of the Port of Melbourne Corporation has let the cat out of the bag. What he said was that the corporation is going to clean up the site as well as it can

and as cheaply as possible, and then it is going to sell the site. So much for the interjections from the member for Melton.

In summation, what we have here is: the Premier personally authorising the use of taxpayers funds to pay \$13.5 million for this highly contaminated piece of land which was really only worth \$0.5 million; the Premier, as Treasurer in 2001, failing to undertake due process of a cost-benefit analysis, a risk analysis and due diligence with the purchase of this land; and the Premier, as Treasurer, releasing the vendor from all responsibility for cleaning up this heavily contaminated site, leaving the multimillion-dollar cost — estimated by the Auditor-General to be anywhere between \$6 million and \$70 million — to be borne by the Victorian taxpayers through the Port of Melbourne Corporation.

The Premier and his government told Victorians that this land was 'strategically important' and absolutely essential for the future of our no. 1 port of Melbourne. But we now know this is simply not true. The Port of Melbourne Corporation intends to sell this land as soon as it can clean it up and as soon as it becomes available. The Premier has personally locked Victorian taxpayers, through the Port of Melbourne Corporation, into a massive multimillion-dollar clean-up cost for this site, which has been described, as I have said before, as the most heavily contaminated site in Victoria. Even worse, the Premier, through the Port of Melbourne Corporation, has failed to even begin any of the groundwork for the clean-up of this toxic site, despite owning the land since September 2001. For nine years the government has owned this heavily contaminated site.

When you visit the site, as I did recently, you see that it has a wire chain fence around it, there is an active crop of thistles growing on it, there is broken concrete and there is exposed soil. There has been no remedial action taken to clean up the heavily contaminated site since it was purchased in September 2001. This sorry saga is an absolute indictment of the mismanagement of public finances by the former Treasurer, now Premier, of this state. It also shows that this government is prepared to say or do anything to avoid scrutiny when it is criticised and when its issues are exposed.

When the Auditor-General exposed this multimillion-dollar debacle, the government, through the Port of Melbourne Corporation, said that the land was 'strategically important', that the land was essential and that, yes, it had paid \$13.5 million for land worth half a million dollars. What a disgrace. The land rats involved must have laughed all the way to the bank

when they saw the Premier coming with his chequebook. The government said: yes, it had paid too much; yes, it had absolved the vendor of the clean-up costs; and yes, it will cost the taxpayers, through the Port of Melbourne Corporation, millions upon millions of dollars to clean up the site — but the site was absolutely essential, so the government had to do these sorts of things.

However, we now find, through Stephen Bradford, the chief executive officer of the Port of Melbourne Corporation, that the site is not essential. The site is not absolutely strategically valuable to the port of Melbourne, and indeed the current proposal for that land, which is obviously news to the Parliamentary Secretary for Roads and Ports, who has been kept in the dark, is that it be cleaned up at an enormous cost to the Port of Melbourne Corporation and the taxpayers. The plan is to then sell the land as quickly as possible.

This is a saga that has been running for the entire time of the Labor government in this state, and it is symbolic of the shambolic mismanagement of finances and public projects in this state under the former Treasurer who is now Premier. It is an indictment of the government, which has failed in this major purchase to do proper due diligence and to protect the interests of taxpayers and Victorians and has now lumbered Victorians with a multimillion-dollar cost for, and has wasted many millions of dollars on, a piece of land which we no longer need.

Opposition: performance

Ms RICHARDSON (Northcote) — Today I grieve for the people of Victoria, who have been so poorly served by the opposition parties in this Parliament — opposition parties that are determined to do all they can to destroy Victoria's economy and undermine working people's job opportunities.

Victoria's economy is second to none. We are the economic powerhouse of Australia. Most importantly, under Labor's management our economy has created more jobs than any other state over the past 12 months. I know that jobs and job creation matter little to members opposite — the Liberal Party, The Nationals and the Greens party — but for working families, having a well-paid, secure job is of primary importance. Labor understands this is imperative; it is front and centre in all we do and in all our considerations. The clear proof of this is in our state's strong economic performance and strong jobs performance.

Over the past 12 months 117 700 jobs have been created in Victoria. That is more than in New South

Wales, with 95 000 jobs, more than in Western Australia, with 47 300 jobs, and more than in Queensland, with 44 200 jobs. Importantly, too, this large increase was driven by the creation of 74 800 full-time jobs — almost two-thirds of the total jobs growth. Our unemployment rate has fallen from 6.2 per cent to 5.5 per cent. Whether you compare our jobs record with any other state in Australia or with any other country around the world, what is clear is that Victoria under Labor is performing better than just about every other advanced economy in the world.

Members do not have to take my word for it. They need only look at what Access Economics said in its *Business Outlook* report in June 2010 — and who says Access Economics does not have a sense of humour? The report says:

With apologies to the restaurant scene in *When Harry Met Sally*, we can only imagine that other state premiers must look at John Brumby, sigh, and say, 'I'll have what he's having'. Victoria continues to chalk up enviable outcomes on key indicators. That includes jobs, where the state has racked up the fastest growth in Australia.

These jobs have not just magically dropped out of the sky, nor has our strong economic performance happened by accident. They have come through Labor's careful management of the economy, underpinned by our determination to keep the interests of working families at the heart of every decision we make. Contrast this with the approach of the opposition parties in this state — and I mean all opposition parties in this state. The Liberal Party, The Nationals and the Greens party can all be lumped together these days, not just because of their close working relationship but also because of their collective determination to undermine our economy and jobs in this state. What a cosy working relationship they have these days. Every conceivable deal that can be done between political parties has been done by these two political groupings — namely, the coalition and the Greens party.

At the last state election the Greens party delivered half its preferences to the Liberals in 23 seats across Victoria in exchange for Liberal Party preferences in the inner city seats. In Parliament the Greens vote together against Labor in the upper house over 70 per cent of the time. In the federal seat of Melbourne, it was Liberal Party preferences that delivered the Greens their win over Labor. In the federal seat of Denison it was again Liberal Party preferences that delivered a former Greens party member his seat. And we all understand the role these two members play in the balance of power stakes in the federal Parliament — all thanks to the Liberal Party. Greens party candidates and

politicians openly state their willingness to support Liberal-National party-led governments and even seek ministries from the conservatives.

By the way, these kinds of statements about a future Liberal-National-Greens government are not just about the Greens feeling comfortable in their relationship with the coalition, nor are they just about ensuring that the Liberals hand over their preferences in the inner city to the Greens for free or at minimum cost. For the Greens it is about the next political support base to plunder.

We all know the rise in support for the Greens is not just occurring in the inner city, in what was once considered Labor's heartland, but is also occurring in so-called safe Liberal seats as well. Ironically it is the Leader of the Opposition's own seat of Hawthorn that is a prime target for the Greens party. In my local media and in other places I have repeatedly seen reports of and heard Greg Barber, a member for Northern Metropolitan Region in the Council, describing Hawthorn as a key targeted seat for the Greens at this state election. If you look at the federal election results, you will see why.

But it is pretty hard for the Greens to win over doctors' wives in Hawthorn if they categorically rule out a deal with the party they once happily supported. A better plan is not to criticise either the Liberal Party or The Nationals. We all know it is very hard to find a Greens candidate or politician willing to criticise the coalition. It is better, then, to paint a brighter future, with a Liberal-Greens party government. All people have to do is vote Green and 'Make history, Hawthorn'. It all sounds terribly familiar, does it not? In the Labor Party we have seen it all before.

More worrying than the political consequences of this close working relationship for the two major parties is the cost to Victorian jobs and Victoria's economy and the impact that this ultimately will have on working people. Members should just look at the election commitments of the opposition parties. First of all they will notice how each opposition party has become masterful at the great uncoded policy pronouncement. These pre-election pronouncements would make Joe Hockey and Andrew Robb so very proud. For example, in one week alone the Liberals announced more than \$2 billion worth of uncoded tax cuts to homebuyers. That was last week. Billions more were announced for a new rail line in Melbourne, \$5 million for Mildura hospital, \$130 million for the Kilmore-Wallan road and \$630 million for the Bendigo hospital. As I said, all in one week, just last week, this was the package of

promises that were committed to by the Liberal-Nationals coalition.

When you ask, 'Where is all the money coming from?', all you get in response from the coalition is stony silence. We all know what happens, of course —

Ms Munt interjected.

Ms RICHARDSON — Yes, the member for Mordialloc knows where the money comes from. We all know what happens when Liberals make promises the party cannot keep once it is in government: it slashes services, it closes hospitals, it closes rail lines, it sells off schools, it closes police stations and it cuts teacher, police and nursing numbers. Under the previous Kennett coalition government it did all these things and more. As for the Greens party, it openly admits it has no idea how to pay for its promises.

On Monday night I was at a public forum to talk about public transport in the state. I listened very carefully to the debate. Matthew Guy, a Liberal member for Northern Metropolitan Region in the other place, was there, as was the Greens party candidate for Brunswick. She repeatedly and openly stated that, yes, her party's policy would cost a great deal of money, but no, she was unable to say how these policies would be paid for. Unfortunately again Labor Party members know how these policies are to be paid for: they are paid for by those least able to defend themselves.

Mr Holding — Sounds like The Nationals.

Ms RICHARDSON — The minister for finance rightly points out that the Greens have taken a leaf from The Nationals book on how to make policies, election commitments and the like. It is true the Greens have learnt very well from The Nationals how to do things. Labor Party members all know how these policies are paid for, whether they come from The Nationals or the Greens: they are paid for by those least able to defend themselves. Working men and women and their families are the ones who pay the price of these reckless, ideologically driven policies, either through huge increases in their cost of living or directly through the loss of their jobs. Whether it is the immediate closure of all coal-fired power plants or the immediate cessation of all timber industry jobs or opposing channel deepening, each of these policy pronouncements has a direct, immediate and damaging consequence for our state's economy and for jobs.

I am not saying there are not some good policy foundations in some of these objectives. After all, the Greens party largely rips off Labor Party policy positions. The trouble is it simply goes too far and has

little or no regard for who is really paying the price for these policies. Great outcomes for the environment can and must be achieved, but they must not come at the expense of working people. They simply must not pay a disproportionate share of the burden of the cost, be it in their standard of living or with the ultimate price of their jobs. The clear and simple difference between Labor and the opposition parties in this state is that Labor keeps working people in the forefront of our minds as we make each and every one of our decisions. To do otherwise is to sell out those we so proudly represent and to become the ultimate political hypocrites.

While I am on the subject of hypocrisy, surely the very definition of hypocrisy at this state election will come courtesy of the Liberal and National parties which on one hand claim to oppose every single Greens party policy position and on the other hand provide an opportunity to the Greens party to hold the balance of power after the next state election.

During the last parliamentary session the Leader of The Nationals said:

One wonders, once again, where we would be if we were in the clutches of the Greens in the sense of their having any realistic capacity to govern Victoria.

One wonders indeed, Peter, does one not? We all wonder.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Northcote will address her comments through the Chair.

Ms RICHARDSON — I beg your pardon. One wonders indeed, yet it will be your coalition that delivers this outcome here in Victoria just as it delivered this outcome in the federal Parliament. I am looking forward particularly to hearing you defend this outcome in your own constituency.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! The honourable member for Northcote will address her comments through the Chair and without assistance from members on the opposition front bench.

Ms RICHARDSON — I am looking forward very much to seeing how this particular debate plays out in the lead-up to the November state election, because The Nationals and the Liberals talk about their own constituencies in this place and the importance of the business community. They are the communities they claim to represent here in this place. I have to say that the business leaders I have spoken to in recent times

cannot quite believe that the party of Robert Menzies is now the party of Bob Brown! They just cannot quite get their heads around this particular concept, because in the four inner city seats of Melbourne a vote for the Liberals will be a vote for the Greens and a chance for the Greens party here in Victoria to hold the balance of power.

I am looking forward very much to the coalition's defence of the Greens party policies, including the proposed tax on inheritance, the increase in company tax to 33 per cent, the fast-tracked closure of Victoria's coal energy-based sector and the large-scale increases in electricity prices that will inevitably come from these proposed policy changes.

This is not just a simple, lofty battle of ideas somewhere out there in the wilderness where people are having a debate about what is in the interests of Victoria; this is a battle for the future livelihood of working people in this state. It is a battle over whether they can pay their bills, send their kids to a decent school and get decent health care for their families or, in far too many cases, it is a battle over whether they will be able to obtain and hold down a decent and secure job.

The biggest threat to working people in this state is the close working relationship between the Greens party and the coalition, who pay no regard to the effect of their ideological agendas on working people. We have seen it all under the Kennett government. Moreover, in recent times we have seen the Liberals talk up a recession. They did this at the time of the global financial crisis. They were almost willing that Victoria would grind down into recession. When all other governments were desperately trying to find ways to ensure that their economies did not drive down into recession, here we had the Liberal Party and The Nationals talking up a recession and talking down business and consumer confidence — all with a political objective in mind. Last in their minds is what is in the interests of working people in this state.

They also talk down jobs with respect to our investments in the manufacturing industry, particularly the Toyota hybrid car project. They have undermined our investments there, consistently criticising that initiative. In fact that happens with any investment that Labor makes with respect to jobs. The Leader of the Opposition came out in opposition to the broadband network and in support of federal opposition leader Tony Abbott's bid to destroy it, despite the fact that 700 jobs would be delivered in Victoria as a consequence of the hub for the broadband network being here in Melbourne. Consistently we see the

coalition and the Greens talking down jobs and talking down our economy — and all for what? All in pursuit of political power.

Agriculture: food and fibre producers

Mr WALSH (Swan Hill) — It was great to sit here and listen to the member for Northcote's farewell speech. She is obviously feeling very concerned about being vulnerable and losing her seat.

Today I would like to grieve for the food and fibre producers of Victoria — those unsung heroes who put the food on our tables and the clothes on our backs every day of every year in this fantastic state we live in.

Mr Nardella interjected.

Mr WALSH — As those on this side of the house know, and those on the other side of the house do not necessarily know, food does not just come from the supermarket; it does not just turn up in the delivery truck every day — it is actually grown, packaged and transported to us every day by thousands of people across this state.

When the Brumby government was elected in 1999 it picked up the challenge from the Kennett years of growing this sector of the Victorian economy to produce \$12 billion worth of product. Eleven years ago the Labor government signed on to having the food and fibre sector of this state produce \$12 billion worth of product, but it has not done that. If you read the Department of Primary Industries (DPI) annual report released yesterday, you see that it has got to \$7.7 billion — not the \$12 billion that was aspired to, but only \$7.7 billion. The rhetorical question is: why is that? The reason is that the Brumby government relies on media strategies and advertising as the answer to all the problems. That is lazy politics. It is not about getting outcomes; it is about managing the media and the spin.

You can look at the department that was supposed to drive this challenge: the DPI. The DPI was going to help drive the industry to achieve this challenge. Look at the history of the DPI over the last 11 years. What has it done? Among the key things that drive an industry are research and extensions.

What has the DPI done in the last 11 years? It closed the Walpeup research station and the Kyabram research institute. The dairy industry is one of the great export industries of this state. The Kyabram research institute was involved in research and extension. What has this government done? It has closed Kyabram; it has closed down dairy research and extension in that

part of Victoria. The Toolangi research institute is going. The Rutherglen Research Institute is under threat. In that time the DPI has sacked 70 staff. It has closed the regional offices in Sea Lake, Rainbow, Charlton and Stawell, so that whole area of north-west Victoria no longer has a DPI presence.

The government that accepted the challenge to grow the food and fibre sector of this state has actually stripped resources out of DPI to do that job. It has sacked staff and closed research institutes. It is no wonder that target is not being met. Over that 11 years we have had three ministers for agriculture. We had a former member for Morwell, Keith Hamilton, the current Minister for Police and Emergency Services and we now have the member for Ripon. Those three agriculture ministers should hang their heads in shame because the department has closed institutes and sacked staff.

What else can we grieve about for the food and fibre producers across Victoria over that time? We have seen an explosion in weeds and vermin on public land. For people who operate farms next to public land the Brumby government has become the neighbour from hell, because the properties of those whose land adjoins public land are continually being invaded by pest plants and animals from that public land.

What has the government done about this? It has reduced resources to that sector. It has reduced resources to Landcare, one of the great movements in this state that does good work on these issues. It sacked the Landcare coordinators who used to work with the Landcare groups — that dedicated network of people who organised the Landcare meetings, organised the submissions for funding, organised the working bees and oversaw those projects so the government would know the money was well spent. The government sacked the people who were doing that work for the Landcare groups so that effectively the groups are not now doing the good work they used to do.

The Liberals and The Nationals are committed to restoring that funding because we know what a great job Landcare does in this state. The Brumby government just takes resources away from Landcare.

I now look at the issue of pest animals. In 2002 the Brumby government announced a fox bounty as an election stunt, and it had a fox bounty again in 2006 as an election stunt. In between those times it let the foxes breed because it did not really care. It just wanted the election stunt, the media spin of a fox bounty, in those two election cycles. We now have what is called Foxlotto, where if you go to shoot foxes you put your number in a draw and if it comes out you win some sort

of prize. What this state needs is a concerted fox bounty program over the full life of a government so a real effort can be made to control foxes in this state. We are committed to putting in place a fox bounty over the full four years of a parliamentary term to make sure we make a concerted effort to reduce the number of foxes. That bounty is part of an overall strategy to reduce pest animals in this state.

It is interesting that the member for Northcote talked about jobs in this state. If you look at the timber industry, you see this government has continually taken resources away from that sector. I look at the red gum industry in my electorate. The Victorian Environmental Assessment Council put out a draft report on that area. Thousands of submissions were received from people in the area saying that what VEAC was saying was not right. Hundreds of people turned up at the community consultation meetings, but there was no effective change between the draft report and the final report. That just goes to show how out of touch John Brumby and his government are with the people of country Victoria and the food and fibre producers who do such a great job in this state.

One key point that came out of the report was that any benefits from setting up those red gum national parks would accrue to those who live outside the area but the costs would be borne by those in the area. A particularly telling point that shows how out of touch this government is with country Victoria and food and fibre producers is that the report said the people of Koondrook, Picola and Nathalia could be condemned to what it called 'intergenerational welfare dependency'. When a government of this state commissions a report that says taking a particular action could condemn the affected communities to intergenerational welfare dependency and then proceeds to take that action in setting up the red gum parks, denying the timber industry access to those areas and taking the cattle out of the Barmah forest, it shows how out of touch it is with country Victoria.

I turn to the promises that were made and then broken in that process. The Minister for Environment and Climate Change, Minister Jennings, said there would be environmental thinnings in those forests and the industry would have access to that timber. Now there are environmental thinnings, but they are just dropped on the forest floor to make the fire hazard even worse.

If you look at the issue of cattle grazing, which flows out of the Barmah situation but also goes to the issue of access to the high country, in 2002–03 and 2006 in particular fires burnt large areas of the high country of Victoria and posed a major threat to the livelihoods of

the food and fibre producers of the area. If you look at the Stretton royal commission report, the Esplin report and the Environment and Natural Resources Committee's report to this Parliament, you will see a theme running through them: we actually have to reduce the fuel loads in those areas to reduce the fire threat and in particular to reduce the risk of megafires — large wildfires that are out of control.

We will not stop having fires, because a lot of them are lit by lightning, but we can reduce the intensity of those fires by reducing the fuel load. The concern of the people who have a real feeling for the place is the area above 1200 metres — effectively the grassland areas — where there will not be controlled burns into the future. There needs to be a process to reduce the fuel loads in those areas. One of the most important tools to reduce the fuel loads and reduce the intensity of fires in those parts of Victoria is grazing. The Liberal-Nationals coalition is committed to using grazing to reduce the fuel loads in those areas to make sure we do not have fires like those in those 2003–04 and 2006 years.

A lot of people are talking about the fact that the drought is over, and in terms of rainfall it is, but in terms of money it is not. Let us remember that the money drought being experienced by food and fibre producers in this state will not be over until the grain is harvested and sold, the livestock is sold, the milk is sent to the factory and the fruit and veggies are sent to market. The bank balances of people in Victoria are still in drought.

The greatest threat to achieving a positive outcome from what has been a good season in Victoria is that of locusts. The locust threat is very real. What is the key plank of the Brumby government's control of locusts? Its key strategy is a \$2 million advertising campaign. It is mailing out to everyone and advertising on Melbourne radio stations. Melbourne people do not need to hear ads about locusts. What we need is action in country Victoria to stop those locusts. The key plank of that, as we have said all along, should be making sure there are enough chemicals and product to control the locusts.

We have recently had the issue of the organic and biodynamic industry not being able to access suitable chemicals in time to do that job this year. The government has declared locusts an exotic pest, which means people have to control them, but if farmers in that sector have to spray with something that is not compatible with the accreditation, it will cost them the accreditation on their farm and they will lose money into the future.

One of the important tools for controlling locusts is aerial application of chemicals or appropriate products, whether it be by fixed-wing aircraft or by helicopter. However, we have seen in recent times this ridiculous situation where a helicopter operator has to have a planning permit to land their helicopter in the same spot on a farm more than once. It took a concerted media campaign by the Liberal-Nationals coalition to get the attention of the government directed to this problem; to get the Minister for Planning, Justin Madden, to admit it needed reviewing; and finally to get him to admit that it needed changing and to make a commitment to do that.

Right through this whole issue of the locust control program the coalition has been accused of scaremongering and frightening people. I think what you will see in the spring is something far worse than this government has ever anticipated. I am getting constant reports from north-western Victoria saying there are huge egg layings across 1 million hectares of public land, and Parks Victoria is effectively saying, 'We are not going to spray in those areas'. I am very concerned that this government is not taking the issue seriously. It is just focusing on spin and advertising, and it is not taking any real action out there.

Port of Melbourne: infrastructure charge

Mr WALSH — The last thing I wish to grieve about are the recent reports that the Brumby government and the Port of Melbourne Corporation will put in place an infrastructure charge on every truck that enters the port of Melbourne.

Back in the 1990s there was a huge campaign to get the Melbourne port working more efficiently. It is the food and fibre producers' doorway to the rest of the world as they export from the state. We have had some efficiencies down at the port. We will now have a charge of \$180 per truck movement into the port of Melbourne. Let us look at the dairy industry — the largest single exporter out of that container port in Melbourne: every time a truck comes into the port and it wants to unload a container it will have to pay \$180. It is an absolutely ridiculous tax on food and fibre producers in country Victoria. I grieve for them because of all the issues I have raised. They all say to me, 'Let us get rid of Premier Brumby so we can get a government in this state that cares about food and fibre production and will do something for the people of country Victoria'.

Opposition: leadership

Mr NARDELLA (Melton) — Today I grieve for the Leader of the Opposition and his shadow rabble behind him, who are not ready to govern. They are not ready to govern this state of Victoria in the best interests of its people, its institutions, its infrastructure and the great lifestyle we have in this state. The Leader of the Opposition is too weak to become the Premier. He has no control over those on his backbench, no control over his shadow ministers, no control over policy development and no control over the policy costings the opposition is putting together — it is throwing money around like confetti. It has got the magic pudding that creates money out of thin air. It just keeps coming back.

The Leader of the Opposition has never had to worry about money or where the money is going to come from; he has never had to worry about putting together a budget and working out week by week and day by day how he is going to pay for things that other people in Victoria struggle to afford. That is what he brings to this Parliament as the Leader of the Opposition. Worse than that, that is what he would bring if he were elected on 27 November as the Premier of Victoria. He has never worried about money. Time after time he demonstrates that the opposition is not ready to govern in Victoria.

Let me go through some aspects of the weak leadership of the Leader of the Opposition. Regarding bushfires, he promised to adopt all of the commission's recommendations, but he failed to disclose where the money was going to come from. The magic pudding is there; you can promise all things to all people, but he has been brought to account and found wanting. Let me go through the recommendations. How is he going to pay for the recommendation of undergrounding all of the powerlines and single wire earth return lines? We have had this debate before. There is the proposal for \$3 billion over 10 years, which would absolutely destroy the recurrent aspect of the Victorian budget. How is the opposition going to pay for it? It has no idea and no policy, but it is going to recommend the implementation of the recommendation. How is it going to pay for acquiring all of the blocks of land — whether they can be built upon or not built upon and regardless of whether they destroy those communities — as the 2009 Victorian Bushfires Royal Commission recommended? It has no idea how it is going to pay for any of these recommendations.

Let me refer to the floods. The opposition's response to the floods was an absolute disgrace. During the last sitting week, when we raised the issue of the floods, the

Leader of the Opposition allowed backbench Liberal Party members to laugh when we were warning people of Victoria about the threat. He wants to be regarded as a credible Leader of the Opposition and a credible alternative Premier, but he allowed his party members to laugh at the warnings we made during the last sitting week. The opposition is not ready to govern.

Let me refer to the blind trust of the Leader of the Opposition. He has put his shares into a blind trust. Finally, after all the time that has passed since 1999, he has made a decision to put his shares into a blind trust, but he will not say to the people of Victoria who is going to manage this blind trust. He is not being honest with people in Victoria; he will not take that further step.

Let me refer to the school sales during the Kennett years. He has still not apologised for the profit his company made from the sale of schools during the seven long dark years of the Kennett government, when he flogged off school after school. He is not ready to govern.

Let me refer to what he is doing now — that is, is he ever in this Parliament? The only time he is in this Parliament is when the cameras are on and when it is question time so he can stand up, look up and see the camera. He plays to the camera — unlike me with the webcam of course!

Mr Dixon interjected.

Mr NARDELLA — I would be doing that with the webcam. But the only time the Leader of the Opposition looks as if he is doing any work is during question time when the camera is focused on him. Otherwise he is too weak and lazy to spend any time in the Parliament because his leadership is shaky. He is on the phone constantly trying to shore up his leadership position and his numbers and making sure Mr David Davis, a member for Southern Metropolitan Region in the other chamber, is not undermining him even further.

His weak leadership is demonstrated by his not pulling into line his Liberal backbenchers when they interfere in local government. Time and again empirical evidence has been brought before this house and the wider community to show that no action was taken. He is not ready to govern Victoria.

Let me refer to the promises. If ever you had a Liberal Party slogan, it would be ‘Promises, promises, promises’. The opposition can promise anything to anybody, but it does not need to make any costings available to the Victorian public, this Parliament or anybody else. Last week there was a classic example of

promises, promises, promises and money flying here, money flying there and money flying everywhere — promises made by the Liberal Party and The Nationals. Let me go through them.

Uncosted promise no. 1 was more than \$2 billion of uncosted cuts for first home buyers. Where is the money going to come from? I know the Leader of the Opposition has bucketloads of money. He has bucketloads of shares and has never had to worry about where the money is going to come from, but he wants to run the state of Victoria, where we care where the money will have to come from — —

Mrs Shardey — On a point of order, Speaker, the member for Melton has just mounted a personal attack on the Leader of the Opposition. It is unparliamentary, and I ask him to withdraw.

Mr NARDELLA — I withdraw; we do not need to worry about that. Let us have a look at uncosted promise no. 2: billions of dollars for a new rail line in Melbourne. On 8 September the shadow Minister for Public Transport promised billions for a new rail line. That is uncosted policy no. 2.

Uncosted promise no. 3 was \$5 million for Mildura Base Hospital promised by the member for Gippsland South on 8 September. Opposition members are splashing money around. They did not promise to reopen the Mildura rail line that they closed in 1994. We will get to that in a moment. Here they are splashing around \$5 million.

Uncosted promise no. 4 of last week was \$130 million — I understand this is the opposition’s costing because the real costing is much more than this — for the Kilmore–Wallan road, announced on 7 September. Uncosted promise no. 5 was \$630 million for the Bendigo hospital, announced last week on 10 September.

Opposition members are splashing money around as if there is no tomorrow. They do not need to worry about where it is going to come from. They do not need to worry about the recurrent budget, they do not need to worry about our AAA credit rating and they do not need to worry about what other services they will need to cut — they just go out there and make promise after promise. They cannot keep them unless they cut services like hospitals, railway stations, schools and police stations, as they did in their seven long, dark years in government. They refuse to release the costings. The shadow Treasurer makes the federal Treasurer, Joe Hockey, look like a genius in regard to these costings.

Mr R. Smith — On a point of order, Speaker, I draw your attention to page 96 of *Rulings from the Chair 1920–2010*, which contains a ruling by Speaker Maddigan that the grievance debate is not an occasion to personally attack members of the opposition.

The ACTING SPEAKER (Mr Ingram) — Order! I uphold the point of order. *Rulings from the Chair* clearly states that members should not personally attack members of the opposition. I ask the member for Melton to not undertake that action in his contribution.

Mr NARDELLA — I will remember that the next time that the Premier is being attacked by the honourable member for South-West Coast consistently for 15 minutes. That will be fine. The Honourable Joe Hockey is made to look good by this opposition.

We will deliver, for example, on our promise in regard to the Bendigo hospital. We have promised that money, and we will deliver. The thing you cannot bank on at all is the delivery of anything via the Liberals and The Nationals, other than the cuts they will need to make consistently if they are elected on 27 November.

Let me go through the cuts the Liberals and The Nationals made in the seven long, dark years of the Kennett government, because that is what they will do if they win government again. In relation to hospitals, the former coalition government closed the Kororoit hospital in 1993, the Macarthur hospital in 1993, the Clunes hospital in 1994 and the Elmore hospital in 1994. Where is Elmore? Near Bendigo. What is the coalition promising? It promises some \$600 million for the Bendigo hospital, yet it closed Elmore District Hospital in 1994. The Mortlake hospital was closed in 1994, the Lismore hospital was closed in 1995, the Beeac hospital was closed in 1995, the Birregurra hospital was closed in 1995, the Altona hospital was closed in 1996, the Mordialloc hospital was closed in 1996, the Burwood hospital was closed in 1996 and the Essendon hospital was closed in 1998. That is the coalition's record. That is what the Liberals and The Nationals stand for. They do not believe in building up the infrastructure here in Victoria; they close hospital after hospital.

Let us have a look at the rail lines. The Mildura line was closed, the Bairnsdale to Sale line was closed, the Leongatha to Dandenong line was closed, the Dimboola to Ballarat line was closed, the Cobram to Shepparton line was closed and the Ararat to Ballarat line was closed. Yet opposition members come in here and want to talk about myki; they want to talk about ticketing systems. We have improved public transport compared to the way they destroyed public transport.

Let us have a look at some of the other budget blunders that the opposition has put together. On the AAA rating, in a press conference on 4 May 2009 the Leader of the Opposition said:

... the financial situation Victoria finds itself in now is such that we may be threatening the state's AAA rating ...

What a disgrace! He is not ready to govern. In relation to debt levels, this opposition's position is that it has not got a cap on debt levels. The Leader of the Opposition is reported in the *Australian Financial Review* of 7 May as saying, 'I am not going to put a figure on it'.

In relation to more jobs for Victoria, it is an embarrassment to the shadow Treasurer, the Leader of the Opposition and the opposition as a whole because they claimed a recession was going to occur in Victoria this financial year — a recession, of all things! They were talking down the state, not caring about investment in the state. The honourable members on the other side are putting down Toyota and manufacturing at every opportunity, while we are building it up. Instead of building up Victoria, all opposition members could talk about was a recession in Victoria, yet the participation has increased markedly over the last year. We have had 117 000 more people employed since August last year. The growth rate in Victoria is 3.2 per cent with the \$11.5 infrastructure that we are putting in.

On the Regional Infrastructure Development Fund, one of the most critical aspects of supporting country Victoria, the Leader of the Opposition said it was cynical politics. He and the rest of the opposition do not want money spent on rural Victorians.

Let us go through some other parts of the record that make Joe Hockey look good. We remember the \$11 million black hole when the federal opposition's costings were given to Treasury, and that will be the case in Victoria. Opposition members are not ready to govern, and the election on 27 November will determine that.

Education: government performance

Mr DIXON (Nepean) — I notice the member for Melton forgot to talk about the 187 schools that this government has closed or merged in the last 10 years, but I presume he was going to move on to that if he had an extension of time.

Today I wish to grieve for the state of government education here in Victoria. Before I talk about the Victorian aspect it would be remiss of me not to mention some federal goings-on, because they would

impact on what happens in Victoria. We saw the awful spectacle this week when the Prime Minister appointed three separate education ministers, none of whom had the word 'education' in their title. It was only at the last minute, one hour before the ministers were sworn in, that the Prime Minister realised that the vital word 'education' was missing and proceeded to insert it in the titles of each of these three ministers.

As I mentioned this morning in speaking on my notice of motion, it is a blessing to Victoria that the new federal Minister for School Education, Early Childhood and Youth, as he is now called, Peter Garrett, will not be in charge of the Building the Education Revolution program. BER, that huge infrastructure program that has been totally mishandled by both the federal government and this state government, has not been given to the Honourable Peter Garrett, because, as we all know, when he gets his hands on a major project houses burn and people die.

That project was a shocking state of affairs for Australia and a great waste of money. The federal government would not dare let him loose on BER. It is bad enough as it is, and it is very interesting that he was not given responsibility for that project. It has been given to Senator Chris Evans, and his portfolio has nothing to do with infrastructure in schools. It was the responsibility of Peter Garrett, but he has not been given it. It says a lot about the faith of the Prime Minister in Peter Garrett and in the new federal schools and education minister. That is the person who will be dealing out the money and telling the states what to do as far as federal money in Victorian schools is concerned.

I wish to start my contribution today by talking about the NAPLAN (National Assessment Program — Literacy and Numeracy) results which were released last week. The premise on which all education in this state should be built is that every single Victorian child, whether they are in grade 3, 5, 7 or 9 and whether it is literacy, English, mathematics or science, is that they should be the best and that Victorian students should be the best overall in this country. Every single child, no matter whether they are in grade 3, 5, 7 or 9 and no matter in what subject, should be improving in every single one of those categories. That is what we should be aiming for, but what we are seeing is that the minister is more than happy to see Victoria coast along. She says, 'Well, we are one of the best'. That was her claim to fame. One of the best. That is as good as it is going to get under this government. We should be aiming higher than that. We should not aim to be one of the best; we should aim to be the best.

What was most disappointing about the figures for Victoria is that our students are not improving. When you look at the results over the long term, you see that our students are, mainly, not improving. We all realise — anyone who has worked in a school knows — that different students start at different stages, and what schools are on about and what a government should be doing is improving those children. Not every child can be a genius; not every child is academically gifted. They all have different sorts of skills, but they arrive at a school at a certain level and we should be improving on that. That is the true measure of education — whether you are improving all the children in your care.

What we have seen through the NAPLAN results is that that is just not happening. What we saw was that Victorian students went backwards in more categories — the subject areas and year levels that were actually tested — than those in any other state or territory since 2008. Victorian students declined or failed to improve in 16 out of 20 of those categories. Again, that is a poor result. Students should be moving forward. It is not always about the standard, it is about how far they have moved forward.

The greatest indictment of this government is the fact that, equal with South Australia, we have the lowest participation rate of any state: 93.5 per cent of students took part in those tests. When these tests took place in May we were being contacted by parents who were concerned that a senior member of the education bureaucracy was encouraging schools to encourage students not to attend school on the day of the testing if it was going to adversely affect the result. With that sort of culture being passed down from senior bureaucrats, it is no wonder that many parents took great offence at that. What it ends up doing is skewing the results. We had 7 per cent — which is a large number — of the sample not taking part in the tests, and we know that 7 per cent was not the brightest 7 per cent and included the students who were going to struggle. This government condoned this low participation rate in order to try to skew the figures and make things look better than they were.

From the 93 per cent who did sit the test, we can see that in Victoria our students are not improving. It is not only in NAPLAN that this came through. We saw a report from the Auditor-General in February last year which said that despite the fact that this government had spent \$1.2 billion on specialist literacy and numeracy programs, there was no discernible improvement in those levels. That is what he saw. He actually said that the longer children were remaining at school, the worse the results were getting. Another test

is the Organisation for Economic Cooperation and Development's Program for International Student Assessment test, which is a state-by-state, international comparison of English literacy, mathematical literacy and science literacy. We found that Victorian schools' scores were the lowest of the mainland states.

Why is this happening? If this money is going to education and we have great schools and teachers out there, why is the money going into specialist programs? One of the state government's great sources of income is the federal government's National Partnership on Literacy and Numeracy program, which is meant to be tackling these sorts of issues — the schools that are not doing their job and the students who are not improving, no matter what level they are at. That national partnerships money is very welcome. What is happening? Why we are not seeing results on the board is because the programs these schools have to use are coming from the top down. They are bright ideas from somebody in the department who thinks that this is what schools should be doing. It is the one-size-fits-all, socialist way of doing things. We saw it in BER, where schools could have template A, B, C or D. Whether you want it or not and whether it is going to fit there or not, that is what you are going to have.

It is the same with the educational programs that have been foisted on our schools. The local school should have its say in those programs. The local school knows who has expertise on its staff. It knows its students. It knows the programs that work best. It knows the interactions and relationships between the parents, the students and the teachers. It knows what the issues are. It has the measurement tools to work out what the problems are. It should be trusted with the funds to develop the programs, and there are plenty of programs out there for schools to cherry pick or develop themselves. Local schools should not be told, 'This is a program you must do because this is the money that is attached to it'. That is what we are seeing.

Whenever there is a fistful of federal dollars we are seeing in the state government that the Minister for Education's hand is the first one up: 'I'll take it and I'll do whatever you want'. The money is good and the money is welcome, but it is not the state that knows best and it is not the minister who knows best; it is the local schools that know best and how best to spend that money. It is only when we trust our schools and when we trust the professionalism of our school leaders and teachers to actually implement programs that work best in those schools that we will see the results. That is when the money will count. You cannot just throw money at education. You have to do it properly. You

cannot hand it down from the top; it has got to come from the bottom.

I move on to another issue I really grieve about: the ultranet. The concept of the ultranet is a good concept, but what we saw when it went out for tender is that all the tender prices came in way above what the government was prepared to spend, so it was de-scoped. What we have got — the model that is bumping along now — is not what the government originally intended and what would have been a fantastic program for our schools. It was tendered again. Funnily enough, the company that won the tender was not even one of the companies that tendered, but it was the one that got the project and has been working on it and training teachers.

Talking about training our teachers, there was an ultranet training day on 9 August. We saw a leaked email from the department. I know no-one was expecting the ultranet to work. When everyone switched on at 9.00 a.m. no-one was expecting it to work. In fact a great many schools actually knew it would not work and had a plan B. They planned a great day of activities and professional development because they knew that when everyone switched on the ultranet, the thing was going to fail — and it did. The schools knew what was going to happen and the department knew what was going to happen, but still the department said, 'We are having this great day with a great new ultranet'. It was all about spinning that line. The reality of what was going to happen, what they knew was going to happen, was not considered at all.

We then saw the great article in *Shine* magazine during the preceding week that talked about what a great day 9 August was and how it laid the foundations for a bright future for the ultranet. The trouble is it was written before the day; in fact it was even published before the day. It was very embarrassing for the government. It just shows how the government writes articles in advance. The government's approach is all about glossy magazines and saying, 'We are doing a great job', when the reality is that it is just not working.

The other promise that the minister has made time and again — when the opposition and the media have said to the government, 'This project is over time' — is that by the end of this term every student will have access to the ultranet and it will be working. The end of this term is in two days time — on Friday. I can guarantee that not every student will be connected to the ultranet and that it will not be working. The government was caught out when an official from the Department of Education and Early Childhood Development, Nina Fromhold, told a Parents Victoria conference last week that the

ultranet implementation is going to be delayed during the fourth term.

The government has yet another overbudget IT project to add to myki, smart meters and healthSMART — you name it, they just do not work. Here is another one: the ultranet is over budget and is now definitely over time. The government said it would not be over time, yet it is going to be over time. It will not be switched on. Not every student will be accessing the ultranet this Friday, the last day of the term.

One of the best summaries was given by the principal of Hoddles Creek Primary School, who wrote about the Big Day Out for principals ultranet training day. In an article in the school newsletter the principal said:

... the principals 'Big Day Out' I attended or week or so back was a total waste of time. Regrettably, teachers had little or no chance to look at the ultranet because of system failures which were evident at least 24 hours prior to the pupil-free day ... The event I attended was boring, irrelevant in that very little about the ultranet was actually shared, and a waste of time and money. About 3500 principals and central office staff members attended what was basically a self-congratulatory political exercise that told us very little that was new.

I could not have said it better myself. Good on that principal for speaking out.

We had internet coaches working with our teachers and training them on the ultranet, but probably the most farcical thing about the principals Big Day Out was that the government went to the expense of painting a bus and calling it the ultranet coach. That bus was parked outside the forum. It was an absolute sham and a waste of money.

I cannot let this opportunity go by without talking about the BER program. Thank goodness Peter Garrett is not in charge of it, but this government is still doing a sterling job of wasting billions of dollars of taxpayers money. What we have seen raised by all the applications and input from schools — whether through the Brad Orgill report federally, the Senate committee or our own upper house committee — are issues such as the time taken to deliver projects, the disruption to the way of life of schools, the lack of information, communication and transparency, and the downscaling of projects, where schools have started off with a major project and ended up with something minute compared with what they were told they would receive. The value for money has just been pathetic for most schools, and many schools have said, 'We should have been in the position to actually do it.' In the same school newsletter, the principal of Hoddles Creek Primary School talks about its BER project:

I am still extremely disappointed with the slow progress and intend to raise this with appropriate people at both state and federal level. One issue with me has been the lack of real support from our local state representative —

that is the member for Gembrook —

who has not shown a great deal of interest in our building issues for much of 2010 despite being regularly informed of progress via email and newsletter. Hopefully this will change and HCPS will be able to rely on support from our elected representatives.

They sure will, because there will be a change. Brad Battin will be the new member for Gembrook. He is the sort of person who will be out there, like the other Liberal members of Parliament, representing schools and not toeing the party line. Liberal members will stand up for their schools. They will say, 'Money is being wasted'. They will say, 'It needs to be better spent', and they will not be scared to do it. The BER to me is the epitome of this government's mismanagement of education in this state.

Opposition: police and emergency services policy

Ms GREEN (Yan Yean) — Today I grieve for the future of the important and crucial policy areas of police and emergency services should the opposition Liberal and National parties take the government benches at the November election. This lazy, indolent opposition fails our great state by continually talking it down. We have a safe state. We have a fantastic police force and wonderful emergency services personnel, but all we hear from those opposite is their talking down of the work of these great agencies and of our state.

Why do they do it? They do it for base political reasons to try and get themselves back onto the government benches. They do not bother doing any of the difficult and detailed policy work to ensure that we keep our great state safe and well prepared for emergencies. Instead they indulge in short-term media grabs and ambulance chasing. We constantly see these short-term media grabs. It is quite ironic that those opposite constantly accuse the government of spin. We have a record in delivering for our police and for our emergency services that I am proud of. It does not mean I am satisfied; there is always more work to be done. However, I am very proud of our record.

I do not subscribe to the views of those opposite about the work they seem to think is a substitute for policy. We want to keep our state safe by resourcing and supporting our police and emergency services personnel. Each week in the Parliament we see a lack of seriousness by the opposition, even in the face of the

threat of bushfires. I will never forget the Thursday before Black Saturday when I asked the absolutely serious question about the briefings the government had had and the sort of preparedness there was for what was anticipated to be a catastrophic fire day on Black Saturday, and those opposite laughed. They laughed at me, and I had to restate my question because they laughed.

In the last sitting week again this state was faced with a serious event: a serious flood event. The weather forecast was showing there would certainly be the risk of serious damage to many communities and homeowners, particularly in the north-east and the north-west of our state. My colleague the member for Seymour asked a very serious question of the Minister for Police and Emergency Services about what the preparedness was for that day, and I know the members for Murray Valley and Benalla shared the serious concerns the government had, but most of the Liberal Party members were sitting there laughing. They do not take it seriously.

Only a couple of days after that we saw the opposition leader visiting those areas, condemning the government and trying to pretend that he cared. There is no substitute for actually doing the work, and I feel those opposite should hang their heads in shame for the way they treat those who have the misfortune to suffer from these events and who are simply used as fodder and for ambulance chasing by the opposition.

Let us look at the proposals of those opposite on community safety. They have promised that they will fund an additional 1600 police at a cost of \$340 million — or so they say. They then double count the cost of 41 per cent of this policy, because they also say the funding is going to pay for their protective service officer (PSO) policy. That is a \$140 million black hole for a start, so there will be 651 police missing on their own analysis. In the *mX* of 10 November last year the opposition leader said slashing government advertising would free up money for platform patrols. The opposition then said it would do away with the very effective operational response unit, so that is another 120 police slashed, taking the total to 771 unfunded police.

The government made its well-costed and well-researched announcement of 1966 additional police in this budget, of whom 1700 will be new police recruits. We have never seen more police going through the police academy; every month there is another graduating class of fantastic police officers to get out there on the beat and do their important work. Of that 1966 police, including the 1700 new police who are

being recruited and trained as we speak, 266 will be non-operational police who are being redeployed back to the front line. After we made that announcement the opposition's commitment suddenly went from being 1600 new police — the same policy it splashed all over the TV with paid advertising — to 1700, and we are suddenly meant to believe that the figure has always been 1700. The opposition got caught out again — flip-flop, flip-flop. Those opposite will say anything to get a headline and try to hoodwink the community into believing that they actually care about community safety, when all they care about is getting their backsides back onto the government benches.

I suppose if you are in the world of Baillieuland, it does not really matter whether it is 1600 or 1700 new police, because you do not intend to actually deliver on your commitment. When you flip-flop around on those sorts of numbers I think it is indicative that you are not really serious about it, and if you do get on the government benches, you are again going to break promises — just like when the Leader of the Opposition was the president of the Liberal Party and Jeff Kennett was the Premier of this state, and the Liberal Party promised an additional 1000 police but what it actually delivered was a cut of 800. At the same time we saw crime rates in this state go through the roof, and our economy suffered.

In comparison to that, every time we have made a commitment we have delivered on our promises, and the community should be confident because we have done that every year. What we have delivered upon is what we promised, and we will deliver the 1966 new police. The opposition cannot even determine whether its policy is 1600 or 1700 new police or what its actual costings for it are. The Leader of the Opposition and the Leader of The Nationals constantly contradict themselves about how the policy is going to be funded, not to mention the double counting.

They try to say to the community that they care about crime on public transport and that they are going to deploy these mythical additional PSOs. When the opposition actually did have an opportunity to change the way PSOs are deployed and give the police commissioner additional abilities to deploy existing PSOs and employ additional PSOs in this state, only a month before it released its policy it voted down legislation in this Parliament that would have achieved that. When the opposition had the opportunity to raise the ceiling of the number of PSOs employed in this state it voted the legislation down.

The duties of those PSOs allowed for them to be deployed on public transport and utilised by the police

commissioner, but this lazy, indolent, dishonest opposition voted the legislation down and then asked the community one month later to believe that it would fund and deploy an additional 940 PSOs. There is a current cap of 150 PSOs. We would have liked to have lifted that number and had their roles expanded, but that was not to be.

I want to remind the house and the community about what we have done in the police and emergency services portfolio, in particular in resourcing our police force. We have funded Victoria Police with record resources, including a record budget of more than \$2 billion this year. That is almost a doubling of resources since we came to office and delivered the 1999–2000 budget. We delivered an additional 1400 sworn police officers before the last election and an additional 470 during this term. There are now more front-line police than this state has ever had before. We are proud of the results that have been achieved by the men and women of Victoria Police, who have worked to reduce Victoria's crime rate by 30 per cent and have made Victoria the safest state in Australia.

This compares with the actions of those opposite when they were in government. They slashed 800 police and oversaw a rise in Victoria's crime rate of 10 per cent between 1994–95 and the beginning of this century. Rather than doing the difficult policy work of improving our state and supporting our great police and emergency service personnel, they will take the short-term political option each time. Do they ever commend the work that is being done by our agencies and by communities? Following the tragic road trauma that occurred in Plenty Road, Mill Park — and I see the Minister for Community Development, the member for Mill Park, is at the table — where there was a horrific loss of life of young people, I commend the local community and the local police who have taken that accident so seriously and have worked assiduously with our young people in schools in the Whittlesea local government area to make them aware of the risks of road trauma and hoon driving behaviour.

Representatives from the Northern Football League came to me and said, 'We want to do more. We want to help our young people in the under-15 and under-17 groups in our clubs so that we can try to prevent tragedies like this occurring again'. But what do we see coming from the opposition? Opposition members talk about inquiries into speed cameras and wrongly accuse the government by saying that speed cameras are about revenue raising, when they are one of the most effective measures in decreasing road trauma on our roads. The solution of the Leader of the Opposition to the road toll is to shut down this effective life-saving measure. The

opposition is too lazy to formulate a proper road safety strategy and instead irresponsibly advocates and puts lives at risk when everyone else is doing all they can to drag the road toll down. It is reprehensible.

I commend our police and I commend the Northern Football League, which is doing what it can to improve safety, make our young people aware of the dangers of road trauma and keep them safe. I also commend the Metropolitan Fire Brigade for its ongoing teaching, enlightening, encouraging and nurturing safe drivers, road safety program, or TEENS, which I had the privilege of being a part of during the last sitting week. I was fortunate to be able to take a couple of hours leave and go out to that event at Caulfield Racecourse, which the MFB has been running as a community education event for schools in the eastern region for some five or six years. The MFB members show those young people firsthand what it is like for our firefighters and emergency service personnel to turn up to a road trauma event and what the consequences can be.

This is the example that the opposition should take heed of. It is difficult, hard work to keep our state safe; it takes cooperation and working with the community. I heard a parent who phoned into ABC radio yesterday talking about the loss of their child. I have a lot of sympathy for people who, despite the sadness in their family, have been part of the Transport Accident Commission advertisements in Geelong. I commend that family and I agree with the father, who was critical of the opposition, and rightly so, for talking down speed cameras and their use in this state. What would we see next if the opposition were elected to government again? Would we see the opposition getting rid of the .05 blood alcohol content limit and seatbelts — important things for road safety? We treat our police and emergency service personnel seriously and we fund them. We are not lazy and short term.

Mental health: funding

Mrs FYFFE (Evelyn) — I rise to grieve for anyone in my area, the Yarra Valley and Yarra Ranges, who suffers from mental illness, an eating disorder, a learning difficulty, a physical disability or homelessness. I grieve for the fact that they have been ignored and neglected by the Brumby Labor government. Patients, if they can get to Maroondah Hospital, can wait for hours to get help, and if they do get help, it is short term and they are discharged with often no support and no follow-up. That is the case with mental health patients.

Police in the Yarra Ranges are frequently called on to attend to mentally ill patients having a psychotic episode. Cutbacks to CAT (crisis assessment and treatment) teams mean police are caught up for hours with mentally ill people in their homes, local communities or waiting at hospitals. We are so short of police on the ground in Yarra Ranges that to have them tied up doing what a CAT team should be doing is wrong.

We do not have access to headspace, which is a federally funded program. In the last funding round, 14 agencies worked in a consortium in the outer east and applied for headspace funding to secure prevention and management services for young people with a mental illness. The model of headspace engages a range of state and federally funded services to coordinate care and intervention for young people. Despite the need evidenced by these 14 agencies, the federal government, like the state government, ignored the needs in the Yarra Ranges. This was a group of dedicated people who saw there was a need and put in a very good funding application.

If the program was available in Ringwood or Box Hill, it would be fantastic; if it was in Lilydale, it would be tremendous, But the nearest headspace programs are in the city or at Frankston. One is being planned at Collingwood, but it is very difficult to get to Collingwood from the Yarra Ranges, particularly from the outer areas.

We have no coordination of the services that are there. We do not have much in the way of non-private medical services. There is no coordination of services to enable private GPs to help their patients. Doctors spend hours on the telephone trying to get help. One of them told me about how he spent one Friday afternoon trying to get help for a woman who had called him and was desperately in need of help. The earliest appointment he could get for her with a psychiatrist — and that was a private psychiatrist — was the following Wednesday. He could not get her admitted anywhere and she had to be left at home. He said he spent the whole weekend not knowing what was going to happen to her.

Maroondah Hospital's psychiatric wards cannot cope with the demand for beds. The hospital administrators struggle to get staff and to keep them. They bear the brunt of this government's inaction and lack of response in attracting mental health workers. A study in 2005 showed the number of full-time staff needed to grow by 18 per cent to 25 per cent to meet demand in mental health services by 2011. It is now 2010 and

where are those mental health workers in my area? They are not very evident.

An article in the *Maroondah Leader* of 10 March 2009 highlighted the critical shortage and said that the Maroondah Hospital was struggling to fill the nursing positions for the second psychiatric ward scheduled to open in July. The article quotes the Eastern Health manager of adult mental health services as having said:

We're doing everything possible to recruit suitable staff but we certainly don't have them lined up to go ...

We may be forced to consider a staged opening of the unit rather than getting all 25 beds on line at once.

The new beds are fantastic, because we need them. The new beds are filled rapidly, but they cannot be filled if we do not have the staff to service them. We have patients experiencing psychiatric problems going into Maroondah Hospital where they will get very short-term help, but then they will be put back out into the community without any follow-up support. They are being left to flounder on their own.

Compared with Victoria as a whole, the outer east has a higher rate of admissions to hospitals due to drug and alcohol use, and alcohol and drug-induced organic mental disorders. The government says it has increased funding for mental health, and the budget figures show there is extra funding, but that funding is not getting through to those on the ground and those who are desperately trying to cope. The carers are crumbling as they are ageing and the people they are caring for are more demanding. Their needs are not being met at any level.

As I said, in the outer east we do not have the youth mental health services of headspace, and they are desperately and urgently needed. I said that the federal Labor government, like its state counterpart, is ignoring that whole area and its need. There have been media releases from Eastern Ranges GP Association asking for headspace services. A media release of 10 August states:

Depression is the most common mental health problem suffered by young Australians aged 12–25 years. Around 1 in 4 young people will have had a depressive disorder by the end of their adolescence. In the Shire of Yarra Ranges alone, this means that 6447 young residents will suffer from a depressive disorder during their adolescence.

It says that about 1 in 10 young Australian people will experience anxiety disorders. That means that in the Shire of Yarra Ranges, which has 13 465 people who are 18 to 25-year-olds, 1346 will experience an anxiety disorder in any 12-month period. The Shire of Yarra Ranges has 12 334 13 to 17-year-olds. That means 493

will experience an anxiety disorder in a 12-month period. The shire has significantly more hospital admissions for mental disorders than the Victorian state average. Worse still, young people account for the highest proportion of hospital admissions to mental health units, including emergency admissions. Services specific to youth mental health are being co-located under the headspace funding, but again the GPs association says the nearest will be the new proposed one at Collingwood. Our young people deserve access to youth-specific services that can help them or someone they care about through a tough time without them having to travel so far.

I need to point out what a tremendous job the Shire of Yarra Ranges youth services are doing with their limited resources in providing facilities for young people. They are coordinating support groups, where people who have a mental health problem can meet others who are also suffering. For quite a long time now they have funded a support group for the children of parents who have a mental disorder. This is helping, but it is a state government responsibility to provide the services that are so desperately needed.

A press release from the Minister for Mental Health dated 4 May makes a mention of youth mental health triage, but it is certainly not available in the Yarra Ranges. It makes mention of adult mental health triage, but again that is certainly not available in the Yarra Ranges. There is no sign, sight or sound of this. It talks about the extra funding that is coming through, but we are not seeing it.

Recently I did a survey of constituents in my electorate on the mental health services in the Yarra Ranges. Some of the responses that came through were very thoughtful. They were from people who were mental health patients themselves, who were carers of mental health patients or who had loved ones who had been in need of and still were in need of mental health services. They talked about the difficulty of getting suitable housing for people with mental health problems. That does not mean just putting them in a house with three or four others at a place like Millgrove where there is no transport and no access to services. They talked about the staff turnover. They said they may eventually get a psychiatrist, psychologist or a caseworker, but the turnover in the staff, the lack of this government's ability to retain staff, was impacting on their treatment and their wellbeing.

There was talk of a need for a one-stop shop, because when you are dealing with so many agencies it is almost impossible to find out what assistance is available, particularly when you are in an area where

the majority of GPs have private and not public practices. The range of agencies is very wide. You virtually have to go to each agency to find out what it offers to see if it is what you need. For someone who is already suffering, that is ridiculous. It was highlighted that private psychologists and psychiatrists are expensive. If you are mentally ill, you are often on a disability pension and you cannot afford to pay for a private psychologist or psychiatrist consultation — that is, if you can get an appointment with them.

The survey highlighted the lack of specialised trained people to handle eating disorders and the need for them. I have had the lack of specialised services for people with eating disorders brought dramatically to my attention this year. I met with a group of parents whose children are suffering with eating disorders. I have gone through with them what is available. Really, it has been about what is not available — that is, the lack of beds. If they are fortunate enough to be admitted to the Austin Hospital, where there are four beds, they are in such a poor physical state that their admission is treated almost as an emergency. Once their weight is brought back up to 34 or 36 kilograms, they are released. I started asking, 'Do you get the support afterwards?' and found that there is little in the way of follow-up support for these parents.

An eating disorder is not a choice; it is an expression of a mental illness. It is something that people have no control of and no way of managing themselves. Their parents are fighting to cope. As a parent of five children, I consider I am blessed that none went into that state. I think of how traumatic it would be to watch your child wasting away — not eating and so not receiving nourishment — and not being able to help them. The parents have to cope on their own with the mental illness, the behavioural problems and the almost psychotic episodes that come with that.

If a child attempts self-harm, getting help is very difficult. One parent told me the story of a mother driving the car and the father holding the daughter's wrists because she had slashed both of them. He had just grabbed hold of her wrists and bundled her into the car to get her to Maroondah Hospital, because there was no way the police could come. The one police vehicle available was out on another job, and given the wait for an ambulance they were very worried. This dad is a normal, decent dad who runs a very small building contractor business, and the mum has her own little business. They are decent people, but they do not know where to turn or how to manage their young girl, who is absolutely intelligent and beautiful.

Before my time runs out I also want to talk about the difficulties in my schools. As a direct result of this government's handling of the school support system, vulnerable children are waiting months to see psychologists and speech therapists. An article published in the *Age* of 22 March 2010 refers to some children waiting for as long as one year. Support is belated and inconsistent. There is increased anxiety and depression, and there are now more students with a mental illness. Principals say they used to wait one month under the old system before they received support; now they wait up to one year.

It is traumatising for a young person to feel different, to feel they do not belong and to fail every class. Young people want to belong to a group; they want to be the same as everyone else. It is beholden on the government to make sure children have access to speech therapists, psychologists, psychiatrists and to the one-on-one help they need. Problems become worse at the secondary school level, where truancy and bad behaviour increase and young people drop out. Crime, violence and drug and alcohol use by young people are all caused by boredom and because they have left school and cannot read and cannot cope.

The finger of blame can be pointed directly at this government. There is a failure by the Minister for Health in not providing the necessary services and a failure by the Minister for Children and Early Childhood Development in not providing support for students who need it. I was told there would be a cost of around \$900 to assist a young person in my electorate with his reading. It would be help for only a few hours a week so that he could progress from grade 6 and learn to read before he hit secondary school. The answer was no — the request was rejected.

There is the case of a seven-year-old girl who has already repeated prep. Her psychologist, psychiatrist, speech therapist, principal and teacher say she needs one-on-one aid, yet the Minister for Children and Early Childhood Development has refused. The case is being appealed, and I have personally asked the minister to look at it because I feel an error has been made. This child needs support. If she does not receive it, what is going to happen to her in a few years? The things that are rotten now, the things she has difficulty coping with, will be compounded and she will enter the mental health system. The minister does not stand up for these children at the cabinet table. She does not manage her budgets so that funding gets through to those who need it.

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

Opposition: hospitals policy

Ms MUNT (Mordialloc) — Today I wish to rise and grieve that the part-time opposition health spokesperson seems to be less interested in securing better outcomes for patients in Victorian hospitals than with improving his media profile. This week Mr David Davis, a member for Southern Metropolitan Region in the other place, and the opposition demonstrated once again that they are never happier than when they are criticising the life-saving efforts of our hardworking doctors, nurses and medical staff. But we should never be surprised about this because the opposition's record on health when it was last in government was simply appalling.

Words are cheaper than actions, and I would like to build up a bit of a picture of the differences in approach of the Liberal-Nationals coalition in government and this Brumby Labor government with regard to investment in our health services for patients and the people of Victoria. When the opposition was in government from 1992 to 1999 it closed 12 hospitals. I am going to list all the hospitals that were closed, one of which is quite close to my heart. The Kororoit hospital was closed in 1993, the Macarthur hospital was closed in 1993, the Clunes hospital was closed in 1994, the Elmore hospital was closed in 1994, the Mortlake hospital was closed in 1994, the Lismore hospital was closed in 1995, the Beeac hospital was closed in 1995, the Birregurra hospital was closed in 1995, the Altona hospital was closed in 1996, the Mordialloc hospital in my own electorate was closed in 1996, the Burwood hospital was closed in 1996 and the Essendon hospital was closed in 1998. In every year between 1993 and 1998 hospitals were closed throughout Victoria.

I saw the closure of the Mordialloc hospital in my electorate. A lot of my friends had babies at the hospital. It was originally built through contributions from members of the community who came together to fundraise — much as they did for Moorabbin hospital — to get that hospital off the ground. It had a proud local record and was much loved. It was a very sad day when the hospital was closed in 1996, and I particularly grieve on behalf of the people in my electorate. I wondered at the time how a government could close hospitals all around Victoria.

I hear all the time from the other side that it inherited a dire budget, that it was the Cain and Kirner governments that left Victoria in absolute disarray, in a budget black hole, and that it had to respond between 1992 and 1999 by closing hospitals, closing schools — —

Mr Delahunty — It had no money.

Ms MUNT — That is right. The member for Lowan says it had no money. I am sure there were budget imperatives, but I do not believe that was the entire case — I simply do not. There was a philosophical basis to the approach, because state hospitals and state schools were closed. In 1999 there was no reinvestment going on in those state hospitals, state schools and the police force — police were also sacked, as the member for Yan Yean pointed out — but there was a very large surplus in 1999. I truly believe there was a philosophical basis to closing down the state facilities.

Further, the Liberal-Nationals coalition proposed to downgrade the Angliss and Maroondah hospitals. The coalition privatised the Berwick, Mildura and Latrobe regional hospitals and also planned — plans were in place — to privatise the Austin and repatriation hospital in 1999. When Labor came to government in 1999 we stopped the privatisation of the Austin, returned the Latrobe Regional Hospital to public hands and built the new Casey Hospital in Berwick as a public hospital. That is now a huge growth area, and it has been so important to have those facilities in those areas.

The previous government sacked 3500 nurses — 3500. As we just heard, you can have the beds, but you have to have the nurses to make those beds operational. Well, 3500 nurses were sacked. In fact — this is a fact — the new Royal Children's Hospital is a bigger project than the entire capital investment by the opposition when it was in government. This one project is a bigger capital investment than all of the investment over seven years of the coalition government. It ran down our hospitals by investing only \$855 million in health services capital between 1992 and 1999.

In contrast, since 1999 this government has invested \$7.5 billion — \$7.5 billion. There is the contrast of closing down hospitals and running down capital works versus investing \$7.5 billion in hospitals. We have done it because it is all about patients — it is about real people who need our help and who need health services.

Since 1999 we have doubled funding to Victorian hospitals. That is a 153 per cent increase in recurrent funding. We have employed an additional 10 944 nurses and 3549 extra doctors. Rather than sacking 3500, we have employed almost 11 000 nurses to care for patients in our public hospitals. Our hospitals have provided treatment for over 1.2 million patients on elective surgery waiting lists since 1999 — that is around 375 people per day having their operations. Last year, 2009–10, a record 155 326 Victorian patients received elective surgery in our public hospitals — almost 44 000 more than in 2000. We have also

established dedicated elective surgery centres, providing \$90 million for the Alfred Centre, \$12 million for the Austin dedicated elective surgery centre and \$7 million for two additional operating theatres at St Vincent's Hospital.

But there is more — much more. In the 2010–11 budget we invested \$45 million to treat 9000 elective surgery patients more quickly. We have committed \$60 million, in partnership with the commonwealth government, to ensure that more patients receive elective surgery more quickly. It has been a revelation to me to see the benefits that can come from the procedures, processes and investment that, with the federal Labor government, we can put in place for Victorian patients. From 1 July 2008 to the end of June 2010 this investment has delivered 306 084 elective surgery procedures — 15 per cent more than in the previous two-year period.

This sounds like numbers, and when you talk about numbers you often lose sight of the fact that these are real people getting real procedures. They are friends, family members, work colleagues — real people getting real procedures that they need. That is great, but we know there is always much more to do. We need to keep investing and growing our system, and we are absolutely committed to doing that. As I have said, you have to look at past history to see what the future will bring. The opposition cuts; we build. Cut versus build — do not ever trust the opposition.

We have a new health agreement with the federal Labor government which will allow the 150 000 Victorian patients who currently wait too long in emergency departments each year to be treated within the recommended time frames, deliver quicker elective surgery for nearly 34 000 patients over the next four years and provide an extra 332 subacute beds for Victorian patients. I want to list a bit more of what we are doing, because when you look down the list it is amazing to see the investment that has been made in our health system over the past few years.

In capital investment we have set aside \$1 billion for a new children's hospital; \$1 billion in partnership with the commonwealth to build a world-class comprehensive cancer centre in Parkville; \$473 million for the new Bendigo hospital — I visited Bendigo, and the community is so happy that those works will happen; \$407.5 million for the redevelopment of the Box Hill Hospital — a fabulous local member there, the member for Burwood, has been instrumental in that investment; \$250 million for the new Royal Women's Hospital; \$184 million for the redevelopment of the Sunshine Hospital; \$115 million for the redevelopment

of the Warrnambool hospital; \$33.6 million to expand capacity at Geelong Hospital and to commence planning and purchasing of land for a new community hospital in Geelong's southern suburbs — that is investment in our rural and regional centres; \$25.8 million for the redevelopment of the Coleraine hospital; \$25 million for the stage 2 redevelopment of the Leongatha hospital; \$11 million to expand acute and intensive care capacity at Monash Children's; and \$7.4 million for additional catheterisation laboratories at Northern Hospital.

I would like to list some extensive works. Not long ago I visited Frankston Hospital. Huge works are going on at Frankston Hospital, and huge works are going on at Dandenong Hospital. In my local area, over \$50 million has been invested so far in the Kingston Centre. You cannot see the contrast more clearly than at the Kingston Centre in my electorate. During the Kennett years the Kingston Centre land was sold. How much was reinvested in the Kingston Centre from the sale of that land? Not one cent. Now we are investing over \$50 million to redevelop and refurbish the Kingston Centre for our local community. It is like night and day every time.

In the short time left to me in this debate I would like to talk about this investment. I listened to the member for Yan Yean talking about investment in police and emergency services, and now we are talking about the huge investment in health. This is being done responsibly and in the context of a balanced budget with a budget surplus.

I will give a picture of the Victorian economy at the moment. Over the past 12 months 100 000 new jobs have been created in Victoria, and we have forecast economic growth to be 3.25 per cent in 2010–11. We have had substantial budget surpluses — not for one year but for every year since we came to government. And we have managed to keep that surplus while putting in place record capital investment — even in the face of bushfires, floods and the global financial crisis. We have weathered all of that and come out in a stronger position, with strong capital infrastructure, while putting in place more police, more nurses, more doctors and more teachers for the people of Victoria.

We have also steadily maintained our AAA credit rating. We are putting that investment in place without putting in peril our budget surplus and our strong economic position. Victoria has the strongest economy in Australia — absolutely the strongest. We are growing, we are strong and we are investing. We are the strongest within Australia, which has had one of the best survival responses to the global financial crisis. If

you look at it in that context, that is how well we are doing, and we intend to keep doing it. People should not trust the opposition when it says it will do this or that. It will come in, cut and slash; it has form for doing that. We have form for investing in and looking after the people of Victoria to the very best of our ability within a substantial budget context of strength and resilience.

Question agreed to.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: Public Finance and Accountability Bill — further considerations

Mr WELLS (Scoresby) — I rise to speak on the Public Accounts and Estimates Committee's August 2010 report entitled *Report on the Public Finance and Accountability Bill 2009 — Further Considerations*, which is the committee's 100th report to Parliament.

This report came about because the Labor members of the Public Accounts and Estimates Committee tried to gag the Auditor-General, to shut him down and to undermine his independence. The committee was then requested by the majority of members of the Legislative Council to have the Auditor-General appear before it. It was told it had to have an interview, a meeting or a briefing from the Auditor-General in regard to this report. It was incredibly embarrassing.

I draw the house's attention to comments made by the member for Burwood when he spoke on this report on 1 September — —

The DEPUTY SPEAKER — Order! I remind the member for Scoresby that he should confine his remarks on parliamentary committees to the recommendations of the report or the government response to the recommendations, not to comments made by individual members.

Mr WELLS — On the direction given by you, Deputy Speaker, it was my understanding that I am able to discuss comments made by other members in regard to the report to which I refer.

The DEPUTY SPEAKER — Order! The member for Scoresby may continue, but as I said, that is my ruling on the statement, and I will be listening carefully. Members must confine their statements to issues and recommendations discussed in committee reports or the government response, not comments made by individual members of Parliament.

Mr WELLS — My point is about the comments made by the member for Burwood in his statement on the report to which I refer. This is what the member said in his concluding comments:

The Auditor-General was most upset in his evidence recently not because of the report by the committee but because of the minority report which he said denied him natural justice.

The report to which I refer, which has been tabled in Parliament, contains transcripts of evidence that include many comments made by the Auditor-General, but nowhere in this report does the Auditor-General say he is upset with the minority report, nor does he say at any point that he believes he was denied natural justice. He does not state that at any point in the transcripts contained in the report to which I am referring.

More embarrassingly for the member for Burwood, I wrote to the Auditor-General to clarify the comments made by the member, and he said the member for Burwood was sadly mistaken in regard to his comments about the PAEC report to which I am now referring.

Mr Stensholt interjected.

The DEPUTY SPEAKER — Order! The member for Burwood! The member for Scoresby may be referring to the report, but as I said, there are clear guidelines on what can be discussed in the statements on committee reports section of debate in Parliament. I have indicated that the member must confine his statements to issues and recommendations discussed in committee reports. Members may disagree with the recommendations of committee reports and may discuss the government response to the reports, but they may not discuss the comments of individual members.

Mr WELLS — In an earlier Public Accounts and Estimates Committee inquiry, which resulted in the 98th report to Parliament, the Labor members of the committee voted against the Auditor-General attending and providing his point of view on the bill. That is why the opposition members of the committee submitted a minority report. We disagreed with what the Public Accounts and Estimates Committee was trying to do — that is, to gag and to undermine the independence of the Auditor-General. It turned out to be embarrassing — incredibly embarrassing — for the member for Burwood.

Ms Neville — On a point of order, Deputy Speaker — —

The DEPUTY SPEAKER — Order! I do not believe I need to hear a point of order. I have reminded the member for Scoresby on a number of occasions of

the guidelines for making statements on parliamentary committee reports; I will remind him one more time.

Mr WELLS — I conclude on this point: in the transcripts of evidence the Auditor-General said he was disappointed that he was not able to come before the committee. That is a disgrace!

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

Education and Training Committee: potential for developing opportunities for schools to become a focus for promoting healthy community living

Mr HOWARD (Ballarat East) — Earlier today I was pleased to present to the house the Education and Training Committee's report on the — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The member for Scoresby and the member for Mordialloc! I would like to hear the statement of the member for Ballarat East without interjection from other members.

Mr HOWARD — As I was saying, Deputy Speaker, today I was pleased to present the report of the Education and Training Committee on the potential for developing opportunities for schools to become a focus for promoting healthy community living.

Clearly there are many reasons why we as community leaders would want to see the development of proactive programs to promote healthy living. It is also clear that targeting young people is important, and using the schools system to do this is quite appropriate, not only because it will support young people to develop good lifestyles but also because it will flow on to parents and the broader school community.

The committee found that most schools are doing a great job in promoting healthy living as it relates to both physical health and mental health issues. However, we found there are opportunities to see this work strengthened and to be better coordinated and better focused. We have recommended that the Department of Education and Early Childhood Development work with the Department of Health to develop a memorandum of understanding that would outline goals, objectives, roles and responsibilities of health promotion within Victorian schools.

The committee believes — and this is among our other recommendations — the Victorian government should establish a network of regionally based health

promotion coordinators who would support health and wellbeing teams within schools to plan, develop, implement and evaluate their health promotion policies, strategies and programs. This will also involve schools continuing to work with the network of external partners and strengthening those networks, including early childhood services, health agencies and the broader community.

I commend this report to the house. I look forward to the government's response. I thank those people who took the time to make submissions to the committee to share their expertise and insights. I thank other members of the committee and the committee staff and secretariat, including Karen Ellingford, Catherine Rule and Natalie Tyler. I wish them well in the e.

**Education and Training Committee:
administration of federal government's
Building the Education Revolution program in
Victoria**

Mr HOWARD — I wish to comment briefly on the committee's interim report on the administration of the federal government's Building the Education Revolution (BER) program in Victoria which was presented in the last parliamentary sitting week. The report notes that this inquiry was referred to us from the Legislative Council in April of this year and that it sets 31 December as a final report date, which falls outside the term of this Parliament.

Given that the committee was also working to complete the health promotion in schools inquiry, we had limited time to progress this inquiry. In the time available to the committee we were only in a position to call for submissions and have one briefing with key departmental officials and leaders of Catholic and independent schools. I note that no members of the committee, including non-government members, have sought additional meeting times other than those earlier proposed times, which would have enabled us to undertake more work on this inquiry. The submissions showed that a total of 2904 projects valued at \$2.5 billion will be delivered in 2270 schools across the state.

Seventeen submissions were received from architectural and construction companies. They mostly praised the project for supporting jobs in the construction industry. We received 28 submissions from schools, which only accounted for 1.2 per cent of schools receiving Building the Education Revolution projects. From these submissions, the committee was not in a position to gain a clear view about how schools perceive the project overall. If we had had more time to

pursue this inquiry, it would have been useful to survey all participating schools to gain a more useful and overall perspective of the outcomes of the BER program.

The last round of projects is not expected to be completed until the first half of next year. A more complete picture of the outcomes of the Building the Education Revolution program will not be possible until all projects are completed next year. However, I commend committee members and the secretariat. I note Karen Ellingford and Catherine Rule are leaving the committees over the coming months. I wish them well. I also thank Natalie Tyler for her work.

**Family and Community Development
Committee: supported accommodation for
Victorians with a disability and/or mental
illness**

Mrs POWELL (Shepparton) — I would like to make some comments on the Victorian government response to the Family and Community Development Committee's report entitled *Inquiry into Supported Accommodation for Victorians with a Disability and/or Mental Illness*.

There was a lot of disappointment regarding the government's response — that is, that there was not an agreement that all the recommendations be supported — not only from the coalition's perspective but also from the perspective of a number of carers and service providers who spoke to non-government members. The government's report stated that it had demonstrated its commitment to the provision of quality accommodation services for people with a disability and/or mental illness; it stated that that had been acknowledged in the report. It was acknowledged in the report; it was acknowledged by submissions and evidence given by the department and others. But there were also other concerns raised during the giving of evidence by carers, families and service providers who had some criticisms of the government relating to accommodation choices and a number of other issues. Their concerns were not in the government's response. To say that a number of people are disappointed is to put it mildly.

If the government does not accept there is a problem in this system, how is it going to fix it? It is about the government understanding there is a crisis out there. 'Crisis' is a word that was used by number of people in their submissions and evidence. There is a crisis in the choice of accommodation available to people with a disability and/or mental illness. We were told this, and we heard it time and again when the committee sat. We

visited sites and we met with people, including carers, families and service providers. It must be said that there is a crisis out there; there is a lack of accommodation.

I put on record my congratulations to the member for Doncaster, who is the shadow Minister for Mental Health, the shadow minister for drug abuse and the shadow Minister for Community Services, for initiating this inquiry. Through her foresight and her discussions with carers and all of the peak bodies, she brought in the request and it was accepted by the government. It was her hard work that ensured that many people who have a disability or a mental illness gave evidence to the committee. The committee spoke to a lot of those people. I know that all of the committee members, including government members and non-government members, were very supportive of those people and wanted to make sure we had the best outcomes.

In its response the government documented its current programs and funding. It talked about the positives. It put a whitewash on the negative issues we heard about. It completely ignored the evidence given by number of carers, people with a disability, serious stakeholders and people who provide services to people with a disability. We heard these people are the most vulnerable people in our society and that they have been ignored. It is a shame the government response did not reflect the concerns of those people, because a number of those people now feel they have been ignored.

A person I will call Tony gave evidence to the committee. He is a parent of a person with a disability. He emailed the committee some comments after the government's response was made. He said:

The single lesson to be learned from the inquiry is this — that if you have an intellectually disabled child in Victoria, you are on your own. If there is to be some other government inquiry at some stage in the future, you can be assured I will not waste my time writing submissions or attending. I would rather spend that valuable time in another way — by continuing to make private provision for my son.

Tony felt disenfranchised by the parliamentary committee process. That is a shame, because we heard a lot of good evidence from many good people.

The non-government members prepared a minority report because we felt that some of the issues that carers had raised were not included in the report. In that minority report, which is included in the major report, people can see what some of the concerns are. Sadly the government has missed an opportunity to take responsibility for the shortcomings and the need in this area, which has some of the most vulnerable people in our community. It is time that the government ensured that those with a disability or a mental illness and their

families were supported. It was a lost opportunity, because recommendations were put forward in the report by the committee members, and while the government is supporting some in principle, it will not adopt all of them. It is important that some of those people who gave evidence to the committee feel they have been listened to. Sadly they feel let down by the Brumby government.

Road Safety Committee: federal-state road funding arrangements

Mr EREN (Lara) — Today I want to talk about the Road Safety Committee inquiry into federal-state road funding arrangements. Firstly, I would like to thank the members of the committee for their time and deliberations throughout this inquiry. As this was the last inquiry before the next election, I would also like to thank all who were involved in the previous inquiries in my term as the chair of this great committee. Of course I acknowledge the hardworking and extremely dedicated committee staff: our executive officer, Ms Alexandra Douglas; the principal research officer, Nathan Bunt; the research officer, Jason Boulter; and the administrative officer, Ms Christianne Castro.

I start by saying that if we were to have, behaviourally speaking, a 5-star-rated driver who had had driver education, who was not impaired by either drugs or alcohol and who was not fatigued; and if the said person were to drive a 5-star-rated motor vehicle on a 5-star road, we would almost be able to achieve what Sweden is trying to achieve, which is a zero road toll. Is having no deaths on our roads possible? It may be — and we must aim high. Accordingly all tiers of government should be working towards making it possible. This should be the case right across Australia's vast road network, regardless of where people live, work or seek their leisure. Having said that, we in Victoria should be very proud, because we have a fantastic reputation right throughout the industrialised nations of the world for leading the way when it comes to road safety, and we must continue this into the future.

As I said in the report, without adequate funding levels we cannot build or maintain the roads in order to bring them up to a safe level. What is more, without road funding arrangements that are economically efficient and equitable, we cannot ensure that the available funds are spent on the roads and in the communities where they are needed most. The history of federal-state funding arrangements is a long and, at times, convoluted one. This is particularly true of federal-state road funding arrangements. Further, these arrangements have been characterised by insufficient levels of federal

funding and by a lack of coordination between federal and state governments. This is largely because of Australia's constitutional arrangements. While the commonwealth raises by far the greatest share of revenue, it has no responsibility to fund roads under the Australian constitution. Consequently federal road funding to our state and local governments has been for many years too little and often delivered in an ad hoc way.

Having said that, things have been improving in recent times. For example, the establishment of the Nation Building program and Infrastructure Australia has significantly increased the total amount of funding available for Australia's roads and introduced new levels of rationality, transparency and fairness in the way that those funds are distributed. These new road funding arrangements have also injected a degree of cooperation and coordination into relations between federal and state governments that has not been seen in the past. As the committee has said in the report, that significant injection of funds should go toward local roads, but it must also be recognised that our freeways, highways and arterial roads play a fundamental role in the national economy. With the notable exception of the national network, these roads receive little in the way of direct federal funding. That is why this committee has recommended that a significant portion of the hypothecated federal fuel excise revenue should also be directed to those roads.

I would like to again mention that, tragically, our roads continue to claim the lives of too many people. Every day on average 4 people die and more than 80 people are seriously injured in road crashes — a total of approximately 1500 deaths and 30 000 serious injuries each year. While we have seen a significant decline in the national road toll in recent years, the number of serious injuries has increased. This is despite the remarkable improvements in vehicle safety and driver behaviour, not to mention increasingly effective enforcement measures. While further advances in these areas will continue to be crucial, research tells us that most of the additional reduction in road trauma must come from improvements to the safety of the roads themselves. The committee is confident that the significant increase in federal funding that it has recommended would produce a real and lasting reduction in the level of road trauma. However, for this to occur the hypothecation principle must also apply to federal funding for road safety.

Education and Training Committee: administration of federal government's Building the Education Revolution program in Victoria

Mr DIXON (Nepean) — I wish to make comment on the Education and Training Committee interim report of its inquiry into the administration of the federal government's Building the Education Revolution (BER) program in Victoria. One aspect I wish to commence my remarks on is that the interim report says that the committee hopes to conduct public hearings in the future. We have had a constricted amount of time to follow through on this investigation and the BER report. The reference was given to us by the upper house. Obviously with the committee being a government-controlled committee there was not a great deal of enthusiasm to investigate this issue. The non-government members of the committee tried hard to get this up and running quickly — to get the advertisements and call for submissions out early. Unfortunately that was delayed by a number of weeks, so it was a long way down the track before the letters went out, the advertisements went into the papers and we started to receive submissions.

Unfortunately the way the staff have been managed it has come to the situation where key staff of the committee are either leaving the committee or are on holidays. That has negated our opportunities to hold hearings, which are the important things. We have had briefings, but we wish to hold hearings. We have one other date for hearings, which certainly the non-government members will be pushing. We are disappointed that the tardy start to the committee has meant we will not have the staff to pursue this further. Theoretically we are here, and the committee can report back — I know it is an unrealistic date — at the end of the year. We have not finished, and as long as this Parliament exists the committee does as well, but unfortunately we are not going to have the staff to do the things that the non-government members of the committee wish to do.

We received more than 60 submissions in that short time. There were recurring themes in the submissions we received from government schools. In fact there were not any positive aspects. The submissions showed that government schools were always happy to receive the money, which is fair enough, but the criticisms were echoed in the Senate investigations into this — the Brad Orgill federal investigations. We saw the same criticisms in the submissions that we received. The sorts of things that schools were critical of included the time taken to deliver the project and the disruptions to

school life because of those time delays. Sometimes schools had work sites fenced off but absolutely nothing happening. There have been concerns about a lack of information and a lack of communication. There have also been concerns about a lack of transparency among not just the schools themselves but also the school councils and builders and architects. Many schools complained about the scaling down of their projects. They originally thought they had come in over budget, but changes to the original concept for downscaling were forced on them by the department.

Value for money was a real issue with the schools that raised matters with us. Many schools said that they would like to self-manage their projects, that they would have got better value for money and all the negatives would have become positives. That was best exemplified by the positive response we received from non-government schools who were trusted to run their projects and are way ahead in the time line. Most of those school projects are finished and those schools got far better value for money.

The briefing we received from the department was interesting. We really would have liked to have seen a breakdown of school-by-school costs of every project. We were given examples of each, which were fairly telling in themselves. In fact, one of the templates we were shown — the library and classroom template no. 1 — cost the school \$1.9 million, with \$890 000 of that being for project costs. Almost half the money disappeared into nothing — there was actually nothing seen for it. There were even ridiculous things such as portable classrooms that had project costs as well. We did not find any evidence of the department's claim in our briefing that a vast number of schools were happy.

**Public Accounts and Estimates Committee:
findings and recommendations of
Auditor-General's reports July–December 2008**

Mr STENSHOLT (Burwood) — I wish to speak on the 99th report of the Public Accounts and Estimates Committee entitled *Review of the Findings and Recommendations of the Auditor-General's Reports July–December 2008*. Following sections 14 and 33 of the Parliamentary Committees Act, PAEC has been following up the audit reports tabled in Parliament by the Auditor-General and, indeed, in this Parliament has adapted and extended its reporting procedures. Part of the commitment of the Bracks and Brumby Labor governments to improving transparency and accountability here in Victoria was the extension of the work of PAEC, which was promised before the last election and actually delivered. Labor, including me, as the chair of PAEC, has great respect for the

Auditor-General and his work. This is in contrast to the opposition. Labor has enshrined the independence of the Auditor-General in the constitution.

Dr Sykes interjected.

The DEPUTY SPEAKER — Order! I do not need any help from the member for Benalla. As I reminded the member for Scoresby, I will remind the member for Burwood that there are clear guidelines for statements on Parliamentary committee reports. Members must confine their remarks to statements, issues and recommendations discussed in the committee report. They can disagree with or discuss the recommendations and they can discuss the government response but not other matters.

Mr STENSHOLT — This particular report deals with the follow-up to performance audits which is able to be done because of the increase in the budget of the Public Accounts and Estimates Committee. The staff has also been increased so that they can undertake exactly this report and come up with the recommendations and findings in it. That was provided by Premier Bracks and followed by Premier Brumby. This is what this does; it follows up the audit reports. We have been doing this on a consistent basis because we believe in consistency in following up, on a six-monthly basis, particular priority reports of the Auditor-General. In June 2008 we actually prioritised reports either as priority 1 or priority 2 because of the seriousness of them. I am pleased that now we have overseen five of these.

There has been a complete revolution in terms of following up the Auditor-General's reports. Over the past three years the committee has prioritised 58 audit reports tabled by the Auditor-General between 2006–08 and held 25 public hearings. Some of these are dealt with in this particular report. Under the priority 1 reports, which are covered in this report, we held hearings. We chose the topics in order to follow them up. I note that following up the reports of the Auditor-General is something which the independent auditor of the Auditor-General also has said is a very important thing to do. The value of following them up is quite strongly endorsed in terms of drawing on the experience of other jurisdictions so that we can do it here in Victoria and make these recommendations, to improve accountability and public performance and the expenditure of public funds in Victoria. The deliberative plan of the Public Accounts and Estimates Committee is contained here. There is a strong commitment to ensuring that these were followed up, whether it is biosecurity incidents or managing acute patient flows.

I thank everyone: the Auditor-General, the departmental secretaries and agency heads. I thank very much the staff for the wonderful job they did in this regard on this report: Valerie Cheong, Vicky Delgos, Leah Brohm, Ian Claessen, Peter Rorke, Melanie Hondros and Justin Ong. I thank them for their work on not only this report but also other reports in bringing them forward. It is very important to work in a concerted manner, to follow up and work with the Auditor-General to undertake follow-up reports in terms of the reports that are put before the Parliament. We remember that those opposite hobbled the Auditor-General and took away his staff. The member for Scoresby was complicit in this; he hobbled the Auditor-General.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I remind the member for Burwood that next time I call order he will cease speaking and listen to the Chair. The time for members to make statements has now concluded.

**TRANSPORT ACCIDENT AND ACCIDENT
COMPENSATION LEGISLATION
AMENDMENT BILL**

Second reading

Debate resumed from 14 September; motion of Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission).

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — It is with great pleasure that I sum up debate on the Transport Accident and Accident Compensation Amendment Bill 2010, a very important piece of legislation. There has been considerable opportunity for members to reflect on the legislation and on the context in which it has come before the house. I thank all those honourable members who have made contributions in the debate on the legislation. A number of house amendments have been circulated and we can deal with them in the consideration-in-detail stage.

Motion agreed to.

Read second time.

Consideration in detail

Clause 1 agreed to.

Clause 2

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

1. Clause 2, line 14, omit “section” and insert “sections 159 and”.
2. Clause 2, lines 17 to 18, omit subclause (2).
3. Clause 2, line 19, omit “(3)” and insert “(2)”.
4. Clause 2, line 21, omit “(4)” and insert “(3)”.
5. Clause 2, line 22, after “158” insert “, 160”.
6. Clause 2, line 24, omit “(5)” and insert “(4)”.
7. Clause 2, line 27, omit “(6)” and insert “(5)”.
8. Clause 2, line 29, omit “(7)” (where first occurring) and insert “(6)”.
9. Clause 2, line 33, omit “(8)” and insert “(7)”.
10. Clause 2, page 3, line 1, omit “(9)” and insert “(8)”.
11. Clause 2, page 3, line 5, omit “(10)” and insert “(9)”.
12. Clause 2, page 3, line 5, omit “(8)” and insert “(7)”.

Mr WELLS (Scoresby) — The only point we would like to make with regard to the number of amendments is that it obviously shows there has been poor drafting of this bill in the first place. The Transport Accident and Accident Compensation Legislation Amendment Bill 2010 is a very important piece of legislation, but the number of amendments — whether they are sequential or otherwise — shows that this bill was not drafted correctly in the first place.

Amendments agreed to; amended clause agreed to; clauses 3 to 20 agreed to.

Clause 21

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

13. Clause 21, line 19, after “(if any)” insert “in the relevant enhancement period”.
14. Clause 21, line 33, after “(if any)” insert “in the relevant enhancement period”.
15. Clause 21, page 19, line 22, after “(if any)” insert “in the relevant enhancement period”.

Amendments agreed to; amended clause agreed to; clauses 22 to 82 agreed to.

Clause 83

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

16. Clause 83, page 110, line 12, after “item” insert “or, if that amount has been varied in accordance with this section, that amount as last so varied”.

Amendment agreed to; amended clause agreed to; clauses 84 to 98 agreed to.

Clause 99

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

17. Clause 99, page 133, after line 15 insert —
 “(5) A litigated legal costs order under subsection (1) may provide for the amounts of costs specified in the order to be indexed in accordance with the all groups consumer price index for Melbourne as published by the Australian Statistician.”.

18. Clause 99, page 133, line 16, omit “(5)” and insert “(6)”.

Amendments agreed to; amended clause agreed to; clauses 100 to 122 agreed to.

Clause 123

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

19. Clause 123, line 26, omit “(4)” and insert “(6)”.
20. Clause 123, line 27, omit “(4)” and insert “(5)”.

Amendments agreed to; amended clause agreed to; clauses 124 to 165 agreed to.

Bill agreed to with amendments.

Third reading

The DEPUTY SPEAKER — Order! I advise the house that as the required statement of intention has been made under section 85(5)(c) of the Constitution Act 1975, the third reading of the bill is required to be passed by an absolute majority. As there is not an absolute majority of the members of the house present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read third time.

Sitting suspended 12.57 p.m. until 2.04 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Desalination plant: security payment

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer the Premier to AquaSure chairwoman Chloe Munro’s admission to a parliamentary committee on 17 June this year that the government had signed up to an annual security payment that ‘recognises that the plant is being maintained to be in a condition capable of delivering water at any time’, and I ask: given Melbourne’s water storages now exceed 45 per cent, is it not a fact that taxpayers will be forced to pay more than \$300 million per year for the desalination plant, regardless of whether any water is actually delivered?

Mr BRUMBY (Premier) — To say that I am surprised by the question from the Leader of The Nationals would be an understatement. I have heard so many comments, speeches and interjections in this place over the last four years about the opposition’s plans in 2006, as it put it then, to build a desalination plant — —

Mr Ryan — On a point of order, Speaker, the Premier is debating the question, and I ask you to have him answer the question I have asked him.

The SPEAKER — Order! I uphold the point of order.

Mr BRUMBY — We committed in 2007 to ensure that we would secure the future of Victoria’s water supply now and for decades into the future. The way in which we chose to do that was through a desalination plant of 150 billion litres, scalable up to 200 billion litres — the largest in Australia — and the Sugarloaf pipeline, associated with the billion-dollar upgrade of the food bowl program. These things are designed to secure our water future not just for today or tomorrow or for next year but for decades to come.

What a remarkable thing that after what has been a good last few weeks of rain but in historic terms —

Dr Sykes interjected.

The SPEAKER — Order! The member for Benalla will not interject in that manner.

Honourable members interjecting.

The SPEAKER — Order! I ask the members for Ferntree Gully and Hastings to cooperate and cease interjecting.

Mr BRUMBY — Our plan for the whole state has been to plan for the long-term future to secure the state's future. Whether it be the Wimmera–Mallee pipeline, which we completed six years ahead of schedule and under budget — —

Mr Ryan — On a point of order, Speaker, the Premier is debating the question. This is about whether Victorians are facing \$300 million in annual expenditure when we do not actually need the water. I ask the Premier to answer that question.

The SPEAKER — Order! I uphold the point of order in that the Premier was beginning to discuss the north–south pipeline and the Wimmera–Mallee pipeline. I ask the Premier to come back to the question, which was about the desalination plant.

Mr BRUMBY — Obviously the desalination plant and the Sugarloaf pipeline are linked, as members will be aware. All these things are about securing the future. Whether it be the Wimmera–Mallee pipeline, whether it be the food bowl modernisation project, whether it be a pipeline to Geelong, whether it be the super-pipe to Bendigo and Ballarat or whether it be desalination, whether it be Sugarloaf, all these things are about securing the long-term future of the state. The Leader of The Nationals may not be aware of this, because during the period in which he was part of a government of this state nothing was spent on capital works.

Mr Ryan — On a point of order, Speaker, the Premier is debating the question. I ask you to have him answer the question he has been asked about a \$300 million annual payment.

The SPEAKER — Order! The Leader of The Nationals knows that the Premier needs to be relevant to the question as asked.

Mr BRUMBY — As for the payment, I am not sure where the Leader of The Nationals got that number, but when you build any capital project you have a stream of payments. It is no different whether you buy a farm or you borrow \$1 million to buy a house, you have a stream of payments that are associated with that. So it is with the desalination plant. The final point I would make on this — —

Mr McIntosh interjected.

The SPEAKER — Order! The member for Kew will not interject in that manner!

Mr BRUMBY — Did you write the question for him? Is that the real question?

Mr McIntosh interjected.

The SPEAKER — Order! I warn the member for Kew! I ask the Premier not to invite interjections.

Mr BRUMBY — In relation to the desalination plant, we decided to build that as a public-private partnership. It went out to tender amongst some of the biggest and most effective and successful companies in the world. They bid for it; we chose the lowest price. In contrast to the pray-for-rain philosophy of the Leader of The Nationals we are determined to address the challenges facing our state and make the right long-term investments to secure the future of Victoria.

Economy: strength

Mr STENSHOLT (Burwood) — My question is to the Premier. I refer to the Brumby Labor government's commitment to make Victoria the best place to live, work, have a job and raise a family, and I ask: can the Premier update the house on the strength of Victoria's economy following the release of the annual financial report, and is he aware of any challenges?

Mr BRUMBY (Premier) — I thank the member for Burwood for his question. Today the Treasurer and the Minister for Finance, WorkCover and the Transport Accident Commission released the 2009–10 financial report for the state of Victoria, which is a great report indeed about the strength of our economy in Victoria and about our budget position.

Mr K. Smith interjected.

The SPEAKER — Order! I ask the member for Bass not to interject. If he has a question he should stand in his place at the appropriate time and I will call him, otherwise he should cease to interject.

Mr BRUMBY — I think it is worth recalling that when we framed the May 2009 budget we were in the midst of the global financial crisis, the biggest downturn in the world economy since the great recession of the 1920s and 1930s. We framed that budget with the intention of continuing with a strong economy and a strong budget position. It is worth noting that at the time we brought down that budget Victoria was the only state government to forecast a budget surplus.

Our budget was applauded by the ANZ Bank as a blueprint for other states to follow. The *Age* ran a headline that it was 'Right for the economic times'.

There were other commentators who took a less positive view. One said:

To make matters worse, we find in the budget papers that the Premier and Treasurer remain silent on the R word. Everyone else is in recession, but apparently not Victoria. The economic indicators contained in the budget are optimistic in the extreme and are predicated on Victoria not entering recession and benefiting from a fast recovery. The figures just do not stack up. This is a house of cards budget.

It was the shadow Treasurer who said that. It was such a prescient observation! Of course there was another statement:

The financial situation Victoria finds itself in now is such that we may be threatening the state's AAA rating.

That was the Leader of the Opposition. I am happy to say today that those nay-sayers and doomsayers were well wide of the truth. The annual financial report released today shows an operating surplus of \$644 million, when the original forecast was \$165 million. On the latest available information this is better than New South Wales, which is forecasting a moderate surplus, and better than the resource states of Western Australia with a \$290 million surplus and Queensland with a \$287 million deficit.

The second observation about today's annual financial report is that it shows infrastructure spending at a record \$5.7 billion, bringing the figure to \$30 billion since 2001–02; \$670 million for health projects like Sunshine, like Warrnambool; the delivery of the Wimmera–Mallee pipeline, as I have said, six years early; and more than \$0.5 billion of state money to go towards school improvements. In addition, the report shows improved service delivery. We fulfilled the recruitment target of 350 new police earlier than expected, and we treated 36 000 more patients in our hospital system than in the financial year 2008–09. The report also shows a competitive tax system. It shows that our ratio of taxes plus royalties to GSP (gross state product) has been below the national average for 10 years.

Finally, the report shows our ability to manage debt prudently, with the percentage of net debt to GSP at 2.5 per cent against a forecast of 3.7 per cent in the original budget. It is well to keep in mind that when we came to government in 1999–2000, the ratio of debt to GSP then was 2.8 per cent. We have spent \$20 billion — —

Honourable members interjecting.

The SPEAKER — Order! I ask the member for Scoresby and the member for Warrandyte to cease interjecting.

Mr BRUMBY — Finally, I would say that when you look at the growth forecast in the AFR (annual financial report) against a world economy that has been in recession, the AFR forecasts real growth of around 2 per cent of GSP, which places us, in that financial year, amongst absolutely the best performers anywhere in the world. Jobs growth in that financial year was 103 700 new jobs — more jobs than any in other state in Australia by a long, long way. It is a great financial report card and a great economic report card. All of that did not happen by accident. It happened because our government put the right plans in place.

Tertiary education and training: international students

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Skills and Workforce Participation. What advice has the minister received as to the decline next year in the number of international students enrolled in Victorian universities and tertiary

education providers? What is the expected impact on the budgets of those universities and providers, and to what does the minister attribute this decline?

Ms PIKE (Minister for Skills and Workforce Participation) — I thank the Leader of the Opposition for his question. The tertiary education sector in Victoria is a very strong one. It is a very vibrant one, and it continues to grow and develop. Not only are many international students attracted to Victoria to study in our universities and TAFEs but many of our tertiary institutions also have significant programs which they run in many countries around the world. We continue to have very strong numbers of international students coming to our state. Our universities, TAFEs and other training providers are continually attracting those students. With some communities — for example, students from China — the numbers are on the increase.

We know that some changes to the federal immigration arrangements have had an impact on the intake of international students from India. Coupled with the high Australian dollar at this point in time, that has meant that there has been a slight decline in people coming from that country, but overall the international student market is a very healthy one, particularly at the high end such as graduate programs. I am confident that if we market Victoria in a positive way rather than taking opportunities to denigrate our state as some seem to do, this will continue to be one of our biggest export industries.

Sport: major regional events

Mr TREZISE (Geelong) — My question is to the Minister for Sport, Recreation and Youth Affairs. I refer the minister to the Brumby Labor government's commitment to make Victoria the best place, to live, work, raise a family and ride a bike, and I ask: can the minister update the house on the Brumby government's commitment to major sporting events in regional Victoria, including the upcoming world road cycling championships in Geelong? Is the minister aware of any challenges?

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I thank the member for Geelong for his question. No government has done more for regional sport than Victorian Labor. We have rebuilt country sport — from local grounds, to change rooms, to clubrooms. Every sport has been touched. We have secured and delivered an unrivalled package of major sporting events to the regions, allowing country Victoria to see the world's best athletes in their own backyards.

In two weeks the UCI Road Cycling World Championships begin in Geelong. This event is an enormous coup for regional Victoria. The championships are amongst the most prestigious in the cycling world. After being held in Europe for the past 77 years, this is the first time they will be held in the Southern Hemisphere. The world's best will be in Geelong, including defending champion Cadel Evans, British champion Mark Cavendish, Frank Schleck from Luxembourg and Swiss star Fabian Cancellara. The championships will put regional Victoria at the forefront of the world's media — 106 networks will take the broadcast feed and 250 million viewers will watch the telecast globally.

This is added to a long list of major sporting events that the Brumby government and previously the Bracks government have delivered to regional Victoria. It includes AFL football in Morwell, Shepparton, Wodonga, Bendigo and shortly Ballarat and Wangaratta; the MotoGP and superbikes at Phillip Island; Opals and Boomers basketball in Bendigo and Ballarat; the Jayco Herald Sun Tour; and the Audi sailing week in Geelong. This is our vision for regional Victoria — the best place for sport, both elite and grassroots.

I was asked about challenges. There is an alternative approach to regional Victoria. We could choose not to invest in our regional cities and towns. We could choose not to secure and deliver these major events and

all the economic and social benefits that they provide. But doing so would only lead to comments such as this:

... I don't think they are doing enough for country people ... we want to see some of those dollars flow out into rural Victoria ... and not be seen to be Melbourne-centric as a lot of people feel it is.

Who said that? That was the member for Lowan, commenting on the seven dark years of neglect of regional Victoria under the Kennett government. In the end those opposite stood condemned, even by their own.

Honourable members interjecting.

The SPEAKER — Order! The minister will confine his comments to government business.

Mr MERLINO — What a stark contrast that is to the response to Labor's regional sporting initiatives. In the last couple of months alone there were these press release headlines: 'Major sports event funding on offer', from the member for Benalla; 'Gippsland sporting clubs receive essential funding', from the member for Morwell; 'Funding for significant sporting events', from the member for Lowan; '2010 girls cricket carnival will go ahead after funding boost', from the Leader of The Nationals; 'Sports funding on offer', from the member for Rodney; and 'Country Action grants for sport and recreation clubs up for grabs', from the member for Shepparton — finally, a government that they can get behind!

These headlines promoting Labor initiatives are no surprise. What else can you say when you have got no record to be proud of and no new policies to promote? We all know only the Brumby Labor government has delivered and will continue to deliver for regional Victoria.

Kilmore: link road proposal

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. Is it not a fact that according to VicRoads, under the government's widely criticised and dangerous Kilmore link scheme the number of trucks that will avoid using the link and continue to travel through Kilmore will be 1100 per day?

Mr BRUMBY (Premier) — I was asked, I think, about this question yesterday; it is nice that the Leader of the Opposition has got it right this time about Kilmore, not Wallan, and the Avenue of Honour. As I pointed out yesterday, the proposal that was released last week by the Leader of the Opposition would mean there would be 600 trucks every day going through Sydney Street in Kilmore — 600.

Mr Hulls — Six hundred?

Mr BRUMBY — Six hundred. That was part, of course, of what was a billion-dollar spendathon last week — a billion-dollar spendathon. The ‘ATM machines’ all around the state were handing out cash and making promises that will never be delivered.

Honourable members interjecting.

The SPEAKER — Order! I ask the Premier to come back to addressing the question as asked and to cease debating it.

Mr BRUMBY — As I indicated yesterday, our plan relates to the improving of amenity, safety and quality of life for the residents of Kilmore. In the first instance we will provide traffic signals at the intersection of Union and Sydney streets in Kilmore, and we will also continue to plan for a future bypass route to the east of Kilmore.

Honourable members interjecting.

The SPEAKER — Order! I ask all members of the house to show some restraint and allow the Premier to complete his answer.

Mr BRUMBY — As I was saying, in addition to the steps that we have taken and the \$36 million that we have announced, which is fully funded in the budget — —

Honourable members interjecting.

Mr BRUMBY — I feel like a jack-in-the-box.

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question. He was asked a very narrow question as to whether his proposed Kilmore link scheme will lead to 1100 trucks going straight through the middle of Kilmore every day — not 600, 700, 800, 900 or 1000 but 1100 every day.

The SPEAKER — Order! I do not uphold the point of order. The Leader of the Opposition knows full well that that is not the appropriate manner in which to take a point of order, and I warn him that I will not tolerate frivolous points of order.

Mr BRUMBY — As I have said, we have announced our plan and we have also identified that there will be a future bypass to the east of Kilmore. The reason we need to do that is so that we can actually remove the trucks in the long term — unlike the plan released by the Leader of the Opposition, which will see 600 truck movements every day right through the middle of Kilmore — 600!

Regional and rural Victoria: Best Start program

Ms DUNCAN (Macedon) — My question is to the Minister for Children and Early Childhood Development. I refer to the Brumby Labor government’s commitment to make Victoria the best place to live, to work and to raise a family, and I ask: can the minister inform the house how the Brumby Labor government is supporting young children living in regional Victoria?

Ms MORAND (Minister for Children and Early Childhood Development) — I thank the member for Macedon for her question. The Brumby government understands the importance of giving Victorian children, wherever they live, the best possible start in life by supporting parents to give their children the opportunity to reach their full potential.

The government introduced the Best Start program in 2002 to support the health, the learning and the development of children, particularly those living in isolated or disadvantaged communities. The program operates by working in partnership with the relevant council, with school communities, with parents and with children’s services to ensure that children can access the fantastic universal services that are available and also access specialist supports where they are needed. It is operating in 30 locations across Victoria — 18 of those are in regional Victoria and there are 6 Aboriginal-specific Best Start sites.

We have invested more than \$23 million in the Best Start program since its inception in 2002. It is a highly regarded program, and it has had great success in improving maternal and child health visits, kindergarten participation rates, breastfeeding rates, rates of physical activity and also the number of parents who read to their children.

Best Start has been very successful, and we are committed to its future. That is why today I am pleased to announce an additional \$1.2 million funding for two more specific sites, and they are at Mildura and Shepparton. Each service will receive an additional \$600 000 over the next three years — so it is \$1.2 million altogether — and that will enable them to provide additional support to continue the good work they have been doing to support the young families in their communities.

In Shepparton there has been a specific focus on immunisation when mothers have been attending maternal and child health visits to try to increase the immunisation rates. There has also been a focus on

decreasing the rates of smoking during pregnancy, because we know that is one of the features that is related to low birth weight. That is something we are very focused on improving.

In Mildura services will continue to focus on increasing the kindergarten participation rate, particularly amongst indigenous children, as we know this is so important. This is all done in the recognition that working with parents is the most important part of ensuring that families can bring their children to access these wonderful services that are available to them.

In providing these early childhood services, you need the workforce. The government has provided a range of incentives and scholarship programs to attract professionals such as teachers, maternal and child health nurses and early childhood intervention specialists to work in regional Victoria. So far we have allocated 279 incentives and scholarships to attract kindergarten teachers to work in regional Victoria and support people who are already working in child-care and kindergarten services to upskill their qualifications. We are continuing to support young families living in rural and regional Victoria, particularly through the success of the Best Start program.

Seniors: travel concessions

Ms WOOLDRIDGE (Doncaster) — My question is to the Minister for Senior Victorians. I refer the minister to her statement in the house that ‘as of 1 January next year all holders of a Victorian Seniors Card will be able to use public transport for free all weekend ... to go and watch the Geelong Football Club play’, and I ask: can the minister explain to the house how a senior Victorian living in Doncaster can travel free to Skilled Stadium to watch Geelong play football on a Saturday?

Ms NEVILLE (Minister for Senior Victorians) — This is a great initiative of the Brumby Labor government. There are currently 400 000 seniors registered for a Sunday seniors pass. All those seniors and all other Seniors Card holders will be eligible for free Saturday travel from 1 January next year. It is this government that has delivered that initiative. In addition to that, seniors are eligible for a free myki card as part of that arrangement.

This initiative came out of an extensive consultation process that this government undertook — the biggest consultation of seniors ever held in this state. Unfortunately those opposite did not participate and are not listening to seniors out there, but they are saying to us — —

Ms Wooldridge — On a point of order, Speaker, the minister is debating the question. It was a very simple question about how someone living in Doncaster — —

The SPEAKER — Order! The opportunity to take a point of order is not an opportunity to repeat the question. I uphold the point of order. The minister will come back to answering the question as asked.

Ms NEVILLE — This is a result of consultation with seniors. This is something seniors said to us. They wanted more access to affordable public transport, and this government is delivering that.

Of course the Geelong Football Club plays at the MCG, and I am sure a lot of people from Doncaster, like people right across Victoria, support the Geelong Football Club, especially this weekend and the one after. The member for Doncaster may have missed the fact that seniors are entitled to two free vouchers on V/Line every year, and that seniors from regional Victoria get access to four V/Line tickets. We are encouraging seniors to travel across the whole of Victoria. We are providing new opportunities to seniors to access affordable public transport. I am proud of this decision of the government, and I know seniors support it.

Regional and rural Victoria: jobs

Mr HOWARD (Ballarat East) — My question is to the Minister for Regional and Rural Development. I refer to the Brumby Labor government’s commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on the Brumby government’s approach to creating jobs and investment in regional Victoria and how this will be enhanced by working with the new federal government?

Ms ALLAN (Minister for Regional and Rural Development) — I thank the member for Ballarat East for his question. The member knows very well that under the Brumby Labor government here in Victoria we have led the way in job creation in regional areas: 140 000 new jobs have been created in regional Victoria under the Labor government. The only reason this has happened is that we in government have had a plan that has been backed up with vital programs that have been put in place to make it happen in regional Victoria.

We know what some of these programs are. There is the introduction of Australia’s first Regional Infrastructure Development Fund. This fund has now allocated \$871 million to regional communities. It has

been attacked as a farce and a sham by the Leader of The Nationals, but it has delivered for regional communities.

We established Regional Development Victoria as a dedicated agency that sits within government and is focused totally on driving new jobs and new development in regional communities. As you can see, Speaker, the approach that is being taken by the Brumby Labor government is in stark contrast to the cuts and closures of the 1990s. Most importantly it delivers vital jobs for families in regional communities.

An example of how this approach is delivering for regional Victoria is in the member for Ballarat East's own area. We are delivering Vertex, an IT company, to Ballarat with its \$11.5 million in new investment and 600 new jobs for Ballarat. This is clearly opposed by those sitting opposite, who want to talk down this investment in Ballarat.

We also support smaller towns. We are delivering 10 new jobs in Tatura and \$1.2 million of new investment in relation to Unilever, which is expanding its production line and introducing a new line of chai lattes that is going to be produced in Tatura. This is a win for workers in Tatura and a win for latte lovers right across the state.

An honourable member interjected.

Ms ALLAN — It could be The Nationals. I am sure the Leader of The Nationals likes a good chai latte, particular one that is produced in Tatura.

The Brumby government is leading by example and delivering more government jobs in regional communities. Most recently we announced 50 new jobs in Ballarat at VicRoads, and there are 100 state trustee jobs heading towards Bendigo.

In terms of this record and the model that is in place, they say imitation is the sincerest form of flattery. Just as Victoria took the Victorian Football League onto the national stage and it is now Australia's premier sports league, I have already had discussions with my new federal ministerial colleague Simon Crean, the federal Minister for Regional Australia. Simon Crean understands that under the Brumby government and Labor, Victoria has led the way in regional development. As a Victorian, Simon has seen firsthand how the Victorian model has helped to rebuild regional Victoria after the former Liberal-National government closed schools, closed hospitals and closed rail lines.

There are other similarities between the establishment of the new federal Regional Development Australia

program under the now Gillard government and what has transpired in the past in Victoria. Today's *Weekly Times* captures the sentiment very well:

People in the bush are asking why this didn't occur when a dedicated rural party was in government for 11 years.

That is a good question. Tony Windsor, the federal member for New England, provided the answer when he said conservative politicians take the bush for granted. That is absolutely right. He could have been talking about Victoria, but the Brumby government will not take the bush for granted. That is why we have our Regional Infrastructure Development Fund, and that is why we are investing in regional communities.

I am reminded about what another politician once said about the 1990s regarding what was required for the sake of the good of Victoria as a whole: he thought the cuts and closures of the 1990s were made for the good of Victoria as a whole. That is what the Leader of The Nationals wants to see in regional Victoria. We reject this approach, and we will continue to invest in jobs and infrastructure in regional communities across the state.

Courts: resources

Mr CLARK (Box Hill) — My question without notice is to the Attorney-General. I refer the Attorney-General to the annual report of the Department of Justice, which claims that his department is making the courts more efficient and reducing the cost of justice, and I ask: can the Attorney-General explain why it is that despite these claims, Victoria is now experiencing a backlog of 528 Supreme Court criminal appeal cases, the worst backlog in Australia; a backlog of 2173 County Court criminal cases waiting to be heard, the highest in Australia, 31 per cent of which have been waiting for more than 12 months; and the highest backlog in Australia of Magistrates Court criminal cases, with more than 35 000 cases waiting to be heard compared with 26 000 cases in 2003?

Mr HULLS (Attorney-General) — As the shadow Attorney-General would know, there has been a quiet revolution taking place in the justice system in this state. As he would also know, that has led to more resources being put into our courts than ever before, more judicial officers in our courts than ever before, the rebuilding of courts and the building of new courts and more infrastructure in our justice system than ever before. We are also, as he would know, looking at ways to resolve matters outside the court process through a focus on ADR. It used to be called 'alternative dispute resolution'; I call it 'appropriate dispute resolution'

because it is part of the main game. It should not be an alternative; it should be a part of the main game. This is all about changing the culture within our justice system to ensure that justice in this state is far more accessible.

What the shadow Attorney-General has not quoted is the clearance rates in our courts. It is the clearance rates that are important. Yes, there are more matters going before our courts. Guess why? We have more police in this state. Guess what police do? They actually charge people, so more matters are going before our courts. But the clearance rates are higher, and that is the important measure in relation to court efficiency. The clearance rates are higher than ever before.

Honourable members interjecting.

The SPEAKER — Order! I ask all members to cooperate while the Attorney-General continues to tell us about the quiet revolution.

Mr HULLS — In response to the annual question of the shadow Attorney-General — he asks me one a year — all I can say is that he should get his facts right.

Hospitals: regional and rural Victoria

Mr CRUTCHFIELD (South Barwon) — My question is to the Minister for Health. I refer to the Brumby government's commitment to making Victoria the best place to live, work and raise a family, and I ask: will the minister update the house on how the Brumby government is investing in regional health services to improve patient outcomes, and are there any alternative policies?

Mr ANDREWS (Minister for Health) — I thank the member for South Barwon for his question. In every year of our term in office we have been pleased to support country communities across our state with additional funding not only for the recurrent costs of delivering first-class health care but also to buy new pieces of equipment and to upgrade the physical facilities and infrastructure that are so important to the provision of health care across country Victoria.

We have invested more than \$1.5 billion in supporting 87 different capital works and other improvement projects right across the regions of country Victoria. As a government we are proud to say that when it comes to health care and service provision more broadly we govern for every single Victorian. There is no toenails approach to resource allocation under this government. What that investment means is that the record number of extra nurses and doctors enables us to make the best use of the best technology and the best skills to provide

even better care to growing and thriving country communities right across our state.

The member for South Barwon asked this question, and he knows only too well the strong investments we have made right across Barwon Health at existing facilities in his local community. There are other commitments made in this year's budget to build a second hospital for Geelong's growing southern suburbs, to purchase land and undertake critical planning — not to simply keep pace with growth in that growth corridor but to stay in front of that growth. The member for South Barwon knows how important that is and so does every member on this side of the house. It is critically important, and it is only possible when you are prepared to consistently invest in regional health infrastructure to support regional communities.

There are many examples in this year's budget alone. If we look at other investments this year, we see substantial allocations for the Coleraine and District Hospital, the Leongatha Memorial Hospital and the integrated cancer centre at the Ballarat Hospital. There are many other examples. The shining example, though, which must certainly be the biggest health infrastructure project ever funded in the history of country Victoria and across the history of our great state, is the \$473 million allocation in this year's budget for the Bendigo hospital, coming on top of the \$54 million the year before that, funding to upgrade the emergency department the year before that, planning money the year before that and the commitments given only by Labor at the election of 2006 to make this a reality for the people of Bendigo and the rest of the people of the north-west of our state.

I have been asked about alternatives. There are always alternatives. For instance, you could as a government, rather than investing across country Victoria, spend very little money; in fact you could spend about \$350 million. You could, if you chose to, spend less over seven years across all of country Victoria than this government is spending at Bendigo alone. You could also, if you chose to, close hospitals across country Victoria rather than investing in infrastructure by accepting that if you back country health, country people do better. You could, rather than seeing more nurses and more doctors work in our regions, sack our medical workforce — you could reduce the number of nurses working in country areas.

These are the choices that governments make and the priorities that inform the choices that the community makes. At the end of the day, every four years this government has invested the length and breadth of this state, governing for every Victorian when it comes to

health care. The alternatives I mentioned do not belong to a party of investment, they belong to that policy-free zone opposite.

FAIR TRADING AMENDMENT (AUSTRALIAN CONSUMER LAW) BILL

Second reading

Debate resumed from 14 September; motion of Mr ROBINSON (Minister for Consumer Affairs).

Mr PERERA (Cranbourne) — I will start from where I left off yesterday. The Australian Consumer Law (ACL) is enhanced by adopting 14 best practice provisions drawn from existing state and territory consumer protection and fair trading laws.

Interestingly, 11 of these originated from the Victorian Fair Trading Act, reconfirming Victoria's position as the leader in consumer law provisions. Victoria's legacy to the ACL includes provisions prohibiting the use of unfair contract terms, a provision targeting false and misleading testimonials and restrictions on door-to-door sales. Victorians have for many years benefited from these innovative laws, making Victoria the best place to live, work and raise a family and where they can reasonably safely purchase consumer products.

The Productivity Commission estimates that the current reforms could bring in benefits of around \$1.5 billion to \$4.5 billion a year. These benefits would stem from improvements in coordination of consumer policy development, the harmonisation of consumer laws and their administration across jurisdictions in Australia and removal of regulatory duplication and inconsistencies.

In the past Australian consumers had differing protections and redress options, depending on where they lived or made their purchases. These differences provided inconsistent signals to consumers about their rights and responsibilities. They also meant that people could be treated inconsistently in relation to the same types of consumer protection issues.

The business compliance costs were also increased by the need for suppliers to comply with multiple regulatory regimes. Even where there were no actual differences in regulation, suppliers could still incur legal costs to ascertain their obligations across jurisdictions. Unfortunately these costs were then being passed on to consumers in the form of higher prices. This is a ridiculous situation creating an unwanted cost. Once the full legislative framework is in place, the

national consumer law will implement a national approach to product safety.

The states and territories will retain the power to develop interim product bans within their respective jurisdictions. If a product is unsafe for consumers in one state, it is unsafe for consumers in all other parts of Australia. Under the national approach to product safety a state imposing an interim ban on a product will notify its federal counterpart immediately. The federal government will be able to apply that interim ban nationally and then commence a process to determine whether a permanent national ban should be implemented.

This bill reflects Victoria's leading role in shaping the new Australian Consumer Law and helping it to become a reality. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to debate on the Fair Trading Amendment (Australian Consumer Law) Bill 2010. The purpose of this bill is to apply Australian Consumer Law to Victoria by inserting the relevant application provisions into the Fair Trading Act 1999, repealing provisions of the Fair Trading Act 1999 that are superseded by the commonwealth law and making consequential amendments to the Fair Trading Act 1999 and other acts.

This bill contains some provisions which are mostly to do with aligning Victorian consumer law with the national law. That has come from the review of the Australian consumer policy framework report of 2008 wherein the Productivity Commission recommended the adoption of a single generic consumer law to apply across Australia. This was accepted by the Council of Australian Governments in the national partnership agreement to deliver a seamless economy. The federal, state and territory governments agreed to complete the legislative process and implement the Australian Consumer Law by 31 December 2010 so that it can commence in all jurisdictions by 1 January 2011. The bill adopts and applies the Australian Consumer Law as a law of Victoria.

Victoria will include regulations made by the commonwealth for the purposes of the Australian Consumer Law, although under the intergovernmental agreements state governments will be able to propose amendments and the product safety regime of the Australian Consumer Law covers the supply, installation and maintenance of consumer goods. State ministers will retain the ability to issue interim product safety bans, compulsory recall notices and public

warning statements but only federal ministers will be able to issue permanent bans.

The most important part of this for my electorate of Mildura is the issue of door-to-door salespeople. My constituents will feel great relief that, as part of this act, door-to-door salespeople will not be able to contact households after 6.00 p.m., must leave premises on request, disclose information about the purpose and identity of a supplier and inform consumers about their right to terminate an agreement. In recent times my office has received a number of calls from people who have had people knock on their door offering them contracts and deals, particularly during the insulation program and also during the period of some of the energy supply changes. Some older constituents were concerned about being pressured or about what was actually happening, particularly with the government insulation scheme, when they were told that the government was promoting such a program. They were confused by this, and the way the approaches were made was very intense in, particularly with salespeople arriving between 6.00 p.m. and 8.00 p.m., which is dinner time for most people. I think many people, who were only too glad to be on the do-not-call register so they could sit down to dinner in peace with their family, would be upset to find someone knocking on their door trying to sell them something, and in particular insulation or the deal of a lifetime for their energy!

I would like to put in a plug here for local suppliers. For many of these programs — particularly insulation — the door-to-door salespeople were from out of town, and if there were any difficulties with that insulation scheme, they were very hard to deal with. My advice to many of those people who contacted my office was to stick with a local supplier so if there is a problem at least you can go down to its counter and can camp out there until the problem gets solved. Many of my constituents were disappointed to be left waiting on phones if they had a problem and then to find they did not understand the answer given to them.

Issues with door-to-door sales are still there, but at least they are not going to be at your door when you are trying to have dinner. The Nationals in coalition are not opposing this legislation, and I welcome the changes to door-to-door sales provisions in particular.

Mr ROBINSON (Minister for Consumer Affairs) — I thank all members who have made a contribution to the debate on the Fair Trading Amendment (Australian Consumer Law) Bill. It is a very substantial reform. It follows on from a series of consultations involving not only Council of Australian Governments and ministerial councils and consumer

affairs departments but also some get-togethers of consumer affairs ministers from across the country in recent times. It is a landmark reform. I acknowledge the support of the opposition in this matter. Above all else, it is common-sense reform that will benefit the country for a long time to come.

I acknowledge that the member for Gippsland East has expressed objections and has indicated he will not be supporting the bill. Ultimately he cannot bring himself to support measures that in any way reduce the role of a state parliament. I can understand why he would have that view, but I have to say to him, and many other members will agree with me, that the evidence over many years in a number of areas has shown that when state parliaments are able to take the step that the Victorian Parliament appears to be on the brink of taking, good undoubtedly arises from it.

If, for example, we were to think back to the way in which companies and corporations were governed across Australia for many years, we would realise that it was a state-based regime right through until the 1980s or early 1990s, and I do not think anyone today would claim that that oversight was effective or best practice. That was the sort of patchwork supervision that allowed rorts and bad practices to flourish. What governments and parliaments around the country did was cede authority to the commonwealth in that important field. I think Australians have benefited from that vision.

Similarly here, in establishing a national consumer law we are in effect strengthening — at the very beginning of the application of that law — the contents of that law. Victoria's great contribution to that has been in respect of unfair contract terms — something that has been pioneered in Victoria. It is a power that the regulator here at Consumer Affairs Victoria has used quite wisely. It has not resorted to it on every occasion but has used it quite wisely. It has been instrumental in achieving better outcomes for consumers in a number of specific industries where problems have emerged.

The Australian Consumer Law is off to a great start by dint of the commonwealth having agreed to accept the best of what was in the state consumer acts across the country. So, much as I understand the member for Gippsland East's reservations, I cannot agree with him. I am of the understanding that not many other members in this chamber support him in that.

A couple of questions were posed in the debate yesterday, one of which was about the new Victorian Consumer Law Fund. I am asked to give an undertaking that this fund will not be used to finance the day-to-day activities of consumer affairs, and I give

that undertaking. The arrangements that will apply in respect of the new Consumer Law Fund are not unlike those that apply to other trust funds which have been operated by consumer affairs for some considerable time.

The Consumer Credit Fund would be the most obvious of those. Therefore the operations of the Consumer Law Fund will be open to scrutiny and publicised. The fund will be distributed in accordance with court orders as court orders are made from time to time. Those court orders may include, for example, requirements that new education programs be commenced or that research projects be undertaken for the benefit of consumers. That is in keeping with what has happened from time to time with the Consumer Credit Fund.

I was further asked about who might apply for grants from the fund. The bill does not propose an exclusion of not-for-profit businesses or industry representatives. They will be able to apply for grants from the fund, but the grants would need at all times to be improving consumer wellbeing. The way in which trust funds have operated within consumer affairs over a number of years in this state — by governments of both persuasions — I think has been in a manner that has benefited consumers. Should the shadow minister require additional advice on that between now and the time the bill goes to the upper house — which might be quite soon — we would be happy to provide that. However, I am confident the pattern of trust fund operations under consumer affairs administration is a good one and will serve the state well.

There are a couple of technical amendments which were circulated yesterday. I thought those were canvassed quite well by the shadow minister in his contribution. They were simply about making the legislation operate more efficiently, given some of the uncertainties about federal regulation making. I do not intend to talk about those at any length through the next part of the business of the house, but it is sufficient to say we appreciate the opposition's support of those amendments. I encourage all members to support this bill.

The DEPUTY SPEAKER — Order! The question is:

That this bill be now read a second time.

All those of that opinion say aye, against say no.

Honourable members — Aye.

Mr Ingram — No.

The DEPUTY SPEAKER — Order! I think the ayes have it.

Mr Ingram — The noes have it.

The DEPUTY SPEAKER — Order! As there is only one member voting for the noes, I declare that the second reading of the bill is passed.

Mr INGRAM (Gippsland East) — Deputy Speaker, I would like my dissenting vote to be recorded.

The DEPUTY SPEAKER — Order! The member for Gippsland East's dissenting vote will be recorded.

Motion agreed to.

Read second time.

Consideration in detail

Clause 1 agreed to.

Clause 2

Mr ROBINSON (Minister for Consumer Affairs) — I move:

1. Clause 2, line 2, omit "1 January 2011" and insert "a day or days to be proclaimed".

Mr O'BRIEN (Malvern) — As I flagged in my contribution to the second-reading debate, the opposition does not oppose this amendment.

Amendment agreed to; amended clause agreed to; clauses 3 to 39 agreed to.

Clause 40

Mr ROBINSON (Minister for Consumer Affairs) — I move:

2. Clause 40, lines 20 to 31 and page 35, lines 1 to 4, omit all words and expressions on these lines and insert —
 “() The Minister must publish in the Government Gazette a copy of any notice that the Minister publishes on the internet under section 109, 111(2), 113, 122, 129 or 130 of the Australian Consumer Law (Victoria).”
3. Clause 40, page 35, lines 14 and 15, omit “the publication of the order in the Government Gazette” and insert “the imposition of the interim ban or the issue of the recall notice under the Australian Consumer Law (Victoria)”.
4. Clause 40, page 35, lines 30 to 32, omit “or recall notice is published in the Government Gazette” and insert “is imposed or the recall notice is issued under the Australian Consumer Law (Victoria)”.

Mr O'BRIEN (Malvern) — The opposition does not oppose these amendments.

Amendments agreed to; amended clause agreed to; clauses 41 to 46 agreed to.

Clause 47

Mr ROBINSON (Minister for Consumer Affairs) — I move:

5. Clause 47, line 14, omit "1 January 2011" and insert "the commencement day".
6. Clause 47, line 18, omit "1 January 2011" and insert "the commencement day".
7. Clause 47, lines 19 and 20, omit "1 January 2011" and insert "the commencement day".
8. Clause 47, line 29, omit "1 January 2011" and insert "the commencement day".
9. Clause 47, page 40, after line 6, insert —
 "() In this section, *commencement day* means the day on which section 17 of the **Fair Trading Amendment (Australian Consumer Law) Act 2010** comes into operation."
10. Clause 47, page 40, line 8, after "by" insert "a provision of".
11. Clause 47, page 40, line 12, omit "1 January 2011" and insert "the date of the commencement of that provision".
12. Clause 47, page 41, line 26, omit "1 January 2012" and insert "the first anniversary of the first day on which all of the provisions of the **Fair Trading Amendment (Australian Consumer Law) Act 2010** are in operation".

Mr O'BRIEN (Malvern) — The opposition does not oppose these amendments.

Amendments agreed to; amended clause agreed to; clause 48 agreed to.

Clause 49

Mr ROBINSON (Minister for Consumer Affairs) — I move:

13. Clause 49, line 2, omit "1 January 2012" and insert "the first anniversary of the first day on which all of its provisions are in operation".

Mr O'BRIEN (Malvern) — The opposition does not oppose this amendment.

Amendment agreed to; amended clause agreed to; schedule agreed to.

Bill agreed to with amendments.

Third reading

Motion agreed to.

Read third time.

ROAD LEGISLATION MISCELLANEOUS AMENDMENTS BILL

Second reading

Debate resumed from 14 September; motion of Mr PALLAS (Minister for Roads and Ports).

Mr FOLEY (Albert Park) — It gives me great pleasure to rise to speak in support of the Road Legislation Miscellaneous Amendments Bill 2010. I note that the bill seems to have the support of those opposite, and I am sure that will speed its passage through the Parliament.

What this bill does, in an omnibus sense, is amend a series of bills and acts to bring about continued reform in the road safety and road management program that this state needs so much for both its economic and its community activity. Perhaps most importantly it continues the trend towards ever-increasing vigilance around the issues of road safety and reform. In particular it does this through its provisions such as extending the licence suspension arrangements to certain offences relating to drug-affected driving.

It also proposes a range of amendments such as improving access to operator-owner systems in the case of excessive speed infringement notices. It amends EastLink and Melbourne CityLink arrangements. It also amends the Transport (Compliance and Miscellaneous) Act. It is essentially derived from a process of the government's continued review of all of these pieces of legislation. It has also been the subject of consultation with a number of key stakeholders in this sector, both public and private.

I might just confine my brief comments to the continued implementation of the government's Arrive Alive 2 program. This bill is but another step in that path. Arrive Alive 2, like its predecessor, is all about saving lives, reducing injuries and minimising the impact the road toll has on communities, individuals, families, workplaces and the entire Victorian community. What Arrive Alive 2 seeks to do is reduce death and injuries arising from road accidents by 30 per cent by its target date of 2017.

In 2009 we saw 290 too many deaths on our roads. That was one of the lowest road tolls on record,

particularly in regard to country Victoria, where there were 144 deaths. Whilst 2010 will see a sad increase in that number, or so it would look like at the current rate, that should not distract us from our eternal vigilance in trying to reduce the overall level of road accidents.

Having said that, despite the increasing number of vehicles, the increasing number of trips and the increasing number of road users, Victoria continues to be well below the Australian average and indeed well below many international comparative benchmarks in the numbers of deaths and injuries on its roads. We have seen lower accident rates arising from the largely bipartisan support received for measures like those contained in this bill and in Arrive Alive 2, and also in the Arrive Alive 1 strategy that we have been able to build on.

In terms of seeking to improve the areas of enforcement around serious drug-driving offences, on-road safety measures, particularly targeting run-off-road and intersection accidents, and the whole issue of controlling and reducing speed and promoting safety, this bill is a worthy one. I note the widespread support for it in the Parliament and across the community, and I wish the bill a speedy passage.

Mr PALLAS (Minister for Roads and Ports) — In summing up, I would like to thank all members for their contribution to this debate: the member for Polwarth, the member for Melton, the member for Rodney, the member for Yuroke, the member for Hastings, the member for Lara, the member for Benalla, the member for Derrimut, the member for Ferntree Gully and of course, finishing off, the member for Albert Park.

In speaking in support of this bill and summing up on the contributions to the debate that have occurred so far, I want to put in context the overall objectives of the bill. It makes a number of amendments to road transport legislation in Victoria. It improves road safety by providing for a mandatory three-month licence cancellation and disqualification period for a first offence and a six-month period for a subsequent offence when a person is convicted or found guilty by a court of failing a drug-driving test. It extends immediate licence suspension to the offence of refusing to provide a sample of oral fluid. It removes the maximum licence cancellation and disqualification period for failing a drug-driving test, which was 6 months for a first offence and 12 months for a subsequent offence. It provides for a three-month licence suspension for a drug-driving infringement.

The bill also improves the operation of the operator onus system. It enables Victoria to participate in the national information-sharing initiatives to combat motor vehicle theft and insurance fraud and to assist vehicle and trailer dealers to avoid fraudulent transactions. It provides flexibility in relation to the areas of Crown land that are subject to leases as part of the Melbourne CityLink arrangements. The bill facilitates the operation by VicRoads of a number of freeway management systems installed on the link road as part of the M1 upgrade. In relation to both CityLink and EastLink, it clarifies that a suspended tollway billing arrangement cannot be used as a defence for a charge of driving a vehicle that is not registered for tolling purposes in a toll zone. The bill clarifies the powers of state road authorities in relation to vehicles that are illegally parked or causing an obstruction or a potential hazard, and it clarifies the intended operation of the regulation-making power in the Transport (Compliance and Miscellaneous) Act 1983 to facilitate the operation of evidential provisions relating to the smart card ticketing system.

In commenting on the amendments in this bill, which require that a drug-driving offence must result in the driver losing his or her licence, the suggestion was made by some contributing to this debate — those opposite in particular — that the government had been slow to respond to this issue. That suggestion is completely unfounded. In fact in 2004 Victoria was the first jurisdiction in the world to introduce random roadside tests to detect persons who had consumed illicit drugs. Since drug testing was first introduced more than 122 000 drivers have been tested and almost 2000 of these have tested positive for illicit drugs. In the six months to July 2010 Victoria Police members have tested 22 473 drivers for drugs, with 336 drivers — or 1 in every 69 — returning a positive result.

In relation to Victoria's drug testing program, Inspector Martin Boorman of Victoria Police's drug and alcohol section has been quoted as saying:

We have taken 2000 dangerous drivers off the roads with this program, and we'll continue coming up with new ways to catch more.

The toughening of the penalties for drug driving in this bill are part of the Labor government's proactive efforts to take a leading role in response to this very serious road safety issue. With that, I commend the bill to the house.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

FIRE SERVICES COMMISSIONER BILL

Second reading

Debate resumed from 2 September; motion of Mr CAMERON (Minister for Police and Emergency Services).

Mr RYAN (Leader of The Nationals) — The Fire Services Commissioner Bill has its genesis in the Gippsland and Black Saturday fires of January and February last year. As we in this chamber are all too well aware, 173 people died as a result of the tragedies of Black Saturday, thousands sustained physical injuries and many people still bear mental scars as a result of the events that occurred throughout Gippsland and other fire-affected areas that were the subject of the horror of Black Saturday, more than 2200 homes were destroyed and a vast array of property and stock losses were suffered by many people. Even today, as we know, many people are continuing to battle to recover from the horrors of the fires of last year, and that will be the case for a long time.

Other remarkable features emerged in the course of the fires and subsequently. The way people conducted themselves was an absolute testament to human spirit. The extraordinary courage shown literally under fire was something to behold. Thousands of personal experiences will never be told. I have had the honour, indeed the humbling experience, as the shadow minister for bushfire response, to sit over these past 18 months and listen to probably hundreds of people talking about the horror of what they went through and in many cases what they still encounter. Many of those stories will never be told publicly.

There were instances of extraordinary courage and resilience, and we saw the generosity of spirit of many people. We saw the financial generosity not only of Victorians but of Australians and of many people around the world who contributed to the Victorian Bushfire Appeal Fund. In amongst that we saw the efforts of those mighty volunteers — the Country Fire Authority (CFA) members in particular, but also many others contributing in many spheres — together with those who worked with the police and the other

agencies that were engaged in combating the nightmare which was the fires of 2009.

Since then other matters that were not necessarily obvious at the time have become apparent. The state was not as well prepared as many thought it was and as it might otherwise have been. Many recommendations from previous inquiries and investigations had not been implemented in Victoria. On Black Saturday there were many things that worked properly in terms of the overall administration and organisation around fighting the fires, but it must be said that on that day there were also many things that did not work properly. The former Chief Commissioner of Police, Ms Nixon, has apologised. The former CFA chief fire officer, Mr Russell Rees, has apologised. The chief fire officer of the Department of Sustainability and Environment (DSE), Mr Ewan Waller, has apologised. The Premier of the state has also apologised.

Be that as it may, it all led eventually to the conduct of the Victorian Bushfires Royal Commission. The commission sat for 155 days. It heard from 400 witnesses and more than 1000 exhibits were tabled. An expenditure of something approaching \$40 million of taxpayer funds was undertaken in the course of those hearings. Interim reports were delivered by the commission last year, the majority of them in August, when 51 recommendations were made. Those recommendations were accepted by the government in totality. It is the fact that not all those recommendations have been implemented and it also the fact that at page 404 of the final report, which was eventually delivered on time by the commissioners on 31 July this year, the commissioners made reference to their disappointment at a lot of those initial recommendations in the interim report not having been implemented.

In the final report 67 recommendations were made. The coalition parties — the Liberals and The Nationals — have accepted in principle all 67 recommendations. The government has accepted either in principle or in part 65 of the recommendations. It has substantially rejected recommendation 27 with regard to the treatment of powerlines. It has completely rejected recommendation 46, which deals with the purchase of properties and resettlement on a voluntary basis.

This bill now before the house is based on recommendation 63 of the commission's report. The foundation for the commission eventually coming to its conclusion, as reflected in recommendation 63, is contained within chapter 10 of part 2 of the report entitled *2009 Victorian Bushfires Royal Commission — Final Report — Fire Preparation, Response and*

Recovery. It appears at page 360 under the heading 'Organisational structure' and there are some general observations which I would like to read into *Hansard* that must be made in passing to give a proper foundation to some of the basics underpinning what the commission ultimately recommended.

The report states at page 360:

The commission proposes the introduction of a new position of fire commissioner to lead the fire services and to undertake a program aimed at improving integration and interoperability between the different fire agencies. The occupant of the new position would also perform the role of state controller under Victoria's emergency management framework.

It states further:

The Country Fire Authority was established in 1945 and operates under the Country Fire Authority Act 1958. It is responsible for fire and emergency services (outside the metropolitan fire district) on private property throughout Victoria. In addition to fire suppression, the CFA is involved in planning decisions, fire prevention programs and, most recently, provision of advice on community refuges and bushfire shelters.

The report states at page 361:

The CFA's large volunteer base offers comprehensive coverage of Victoria and considerable surge capacity for rural firefighting. As the organisation's chief officer, Mr Russell Rees, put it, this is a 'real strength for CFA'. It is also a cost-effective way of delivering fire services, and it plays an important part in the life of many Victorian communities.

I must say no truer words have ever been spoken. It states further:

The Department of Sustainability and Environment is responsible to the Minister for the Environment and Climate Change, the Minister for Water, and the Parliamentary Secretary for Water and Environment. DSE derives its primary legislative responsibilities relating to fire from the Conservation, Forests and Lands Act 1987, the Forests Act 1958, the Country Fire Authority Act 1958, the Emergency Management Act 1986 and (for fire management on public land) the National Parks Act 1975. DSE was created under the Public Administration Act 2004 and evolved from the Department of State Forests, established in 1907, and more recently the Department of Natural Resources and Energy.

The report says at page 362:

DSE's firefighting equipment and resources are primarily designed for forest firefighting. The department has access to the following firefighting personnel:

2700 staff across the state with defined fire roles, of which more than 1200 are on-ground firefighters

700 project or seasonal firefighters during summer.

It says at page 363:

The Metropolitan Fire Brigade (formally known as the Metropolitan Fire and Emergency Services Board) was established in 1891 under the Fire Brigades Act. It currently operates under the Metropolitan Fire Brigades Act 1958 and is responsible for fire and emergency services in the metropolitan fire district. This district was originally defined as a circle centred on the GPO in Melbourne and with a radius of 10 miles (about 16 kilometres). This was expanded, most notably in the 1960s, to include much, but certainly not all, of metropolitan Melbourne.

The MFB is a statutory authority governed by a board appointed by government; the board is responsible to the Minister for Police and Emergency Services. The chief executive officer heads the organisation and also holds the position of chief officer.

It says further:

The MFB employs over 2000 staff, of which more than 1700 are career firefighters. It is 'a very highly urbanised brigade', maintaining in the metropolitan fire district 47 stations organised into four zones requiring 269 operational staff per shift.

At page 365, under the heading 'The need for operational improvement and reform', the commission has said:

The commission heard evidence of examples of successful management of resources across agencies on 7 February. There were, however, also instances of existing arrangements hindering operational performance, demonstrating that change is required.

The commission went on to say:

Operational shortcomings dominated, followed by matters of policy, at times reflected in legislation, and governance, which in some cases diluted and confused the chain of command.

It says further:

On 7 February there was no single person in charge of operational planning, tasking and accountability.

It says further at page 368:

The appointment of the DSE chief fire officer is an internal departmental matter and is not made pursuant to a delegation of particular statutory power. The chief fire officer is responsible for performing fire prevention and suppression activities on behalf of the secretary, as set out in s.62(2) of the Forests Act. Depending on the circumstances, the chief fire officer may also rely on s.33(2)(b) of the Country Fire Authority Act and s.16 of the Emergency Management Act to perform these functions. The commission wonders why this position is not a statutory appointment, in keeping with the chief officers of the CFA and the MFB.

Under the heading of 'Other considerations', it says:

The commission became aware of the differing cultures in the various fire agencies. Recognition of volunteers is

fundamental in the CFA, and some underlying tensions were exposed where it appeared that volunteer capabilities were not being fully used.

It concluded:

The commission concluded that the three fire agencies, as currently structured, did not collectively contribute to their maximum potential on 7 February. Most of the concerns identified related to operational matters such as control, operational integration and interagency standards. The commission therefore considers the problems identified need to be substantively redressed, with a focus on augmenting operational capability.

Ultimately all of that led to recommendation 63, which reads:

The state enact legislation designed to achieve two specific ends:

appoint a fire commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as the senior operational firefighter in Victoria

make the chief fire officer of the Department of Sustainability and Environment a statutory appointment.

The fire commissioner should have responsibility for the following:

promoting and directing reform aimed at increasing the operational capability, interoperability and resilience of Victoria's fire services

developing and building operational capacity to prepare for the days of highest bushfire risk and exercising control over level 3 fires as the permanent state controller

providing to government periodic advice on the metropolitan fire district boundary on the basis of triggers, frequency and criteria approved by government

representing Victorian interests on operational matters in national committees.

All of that sets the scene for the legislation which is before the house today. I now turn to the bill. It is instructive for members to have a look at the explanatory memorandum in the bill, and I urge them to do so. It starts by referring to the two specific intentions behind the legislation, which are: to appoint the fire commissioner as an independent statutory officer responsible to the minister and as the senior operational firefighter in Victoria; and to make the chief fire officer of the Department of Sustainability and Environment a statutory appointment.

It says in part 1 of the preliminary parts of the legislation that, interestingly, this bill is to commence on 1 December 2010, which is my wife's birthday. The bill will commence operation on a day or days to be proclaimed but if not proclaimed, by 1 December 2010.

Clause 3 is important, because it provides definitions which represent a pathway for members who are considering this legislation. Amongst other things, there are definitions for 'fire services agencies', being the Country Fire Authority, the Metropolitan Fire Brigade or the secretary to the Department of Sustainability and Environment when performing fire suppression or prevention functions.

The 'fire services reform action plan', which is referred to in the body of the legislation, means a plan developed under new section 12. The new section requires the fire services commissioner to develop a three-year plan to enhance the operational capacity and capability of fire services agencies to operate.

There is the definition of 'incident management operating procedures', which is said to mean operating procedures developed under new section 21. Under the new section these procedures are developed and reviewed in consultation with fire services agencies.

There is the definition of 'major fire', which in the context of this legislation is a very important definition because the whole focus of this is how we are going to deal with major fires. A major fire is defined as:

... a large or complex fire (however caused) which —

has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or

has the potential to have or is having significant adverse consequences for the Victorian community or a part of the Victorian community; or

requires the involvement of 2 or more fire agencies to suppress the fire; or

will, if not suppressed, burn for more than one day;

There is a definition of 'work program', which means a program included in a fire services reform action plan under new section 13. The work program must include joint initiatives or programs to improve the capacity of fire services agencies to operate together in planning, preparing for and responding to major fires. Those definitions are important in working through this legislation to see the way in which it is intended to operate.

Part 2 of the legislation deals with the fire services commissioner. It says in clause 4 that we are to have a fire services commissioner. The primary function of the fire services commissioner is to develop up operational expertise, particularly with major fires, and there are the usual provisions in relation to appointment, payment and the like. There is a five-year period of appointment

and an entitlement to be reappointed. Needless to say it is a full-time job. There are various other elements of a formal nature which go through the usual manner of appointment for a position of this type.

Clause 10 sets out the functions and powers of the fire services commissioner. In the interests of time I do not intend to go through them, but they are 10 in number, and when you read through them and match them up against recommendation 63 and also the commentary contained within chapter 10, members will see that the functions and powers broadly encompass the matters which the commissioner set out, plus some other matters.

Importantly clause 10(3) refers to the fact that the fire services commissioner in undertaking the many tasks assigned to him or her must have particular regard for the importance of CFA volunteers. I recognise that there are present in the chamber members who are also serving members of the CFA. As I have said many times, and as we all have remarked, the CFA is a wonderful organisation that does great work for Victorians, and accordingly this provision is very appropriate.

Division 2 of part 2 of the bill deals with the development of fire services reform action plans. It requires the fire services commissioner to develop such a plan with a particular focus on enhancing the operational capacity of the agencies, as well as enabling them to better work together as a primary focus of undertaking these plans. The plans have to have a work program, and I have just read out the definition. However, as I said, a key component of all of this is that they be able to work together much better than perhaps has been the case before. There is the necessity for consultation, for approval by the minister and publication of the plan on the website — and all those matters are accommodated.

Division 3 of part 2 of the bill deals with performance standards for fire agencies. Again, the fire services commissioner is asked to deal with the performance by each fire service agency of that agency's functions, although interestingly not the DSE's fire prevention function. I pose the question of whether that element of activity by DSE is subject to any formal reporting process, because on my examination of it I cannot see specifically where that might be. It might be embodied somewhere in the plan or it might be in the work program or in the annual report, for which there is provision, but it is important that given the history of things we need to have before the Parliament a means whereby DSE's fire prevention functions are reported to the Parliament.

Division 4 of this part deals with incident management operating procedures. I have read out that definition, but in the main, as is set out in clause 21, they are to deal with training, incident management facilities, incident management systems and the management of the state's primary control centre. There are again provisions for consultation, review and the like.

Division 5 of this part deals with the fact that community warnings, which are appropriate in the case of major fires, rest in the hands of the fire services commissioner. There are guidelines whereby the operating procedures and protocols are to be developed to enable those warnings to be given. Extensive delegation powers are provided so that the fire services commissioner can delegate those powers to a range of people, including all the primary agencies, and there are provisions for subdelegation.

I note that clause 33 provides indemnity for the fire services commissioner while he is undertaking the tasks in the course of his normal duties. I cannot see anything within the legislation which then enables that indemnity provision to apply to those who are subject to delegation of powers by the fire services commissioner or to subdelegations where they occur — because you can have a cascading delegation. It is important that it be clarified whether the indemnity provisions are passed on to those people who are fulfilling the fire services commissioner's role.

Part 3 of the bill deals with general issues. There is a range of them which are important. However, in the interests of time I will not go through them all. As described in clause 31 the annual report is very important, because we need to know, given the history of all of this, precisely how the fire services commissioner's function is being fulfilled, and I am sure we will all study it carefully when that report comes before the house in accordance with clause 32. Part 4 deals with the amendment of emergency-services-related provisions. It is also important in the context of this legislation.

Sections 16 and 16A of the Emergency Management Act deal with all forms of emergencies that happen in Victoria, including fires. They deal with explosions, road accidents, earthquakes, plagues, epidemics and a variety of other such events. What this bill does is substitute new sections for sections 16 and 16A of the act as they now exist. Those provisions deal respectively with control of response to fires and control of emergency responses other than fires. They insert into the Emergency Management Act new sections 16, 16A, 16B and 16C. The basic intent of these provisions is to give total control of the

management of major fires to the fire services commissioner. He in turn can delegate, and he is also able to assume all the powers provided to the chief officer under the provisions of the Country Fire Authority Act. That in turn is a very important provision.

Substituted section 16A deals with the issue of what is to happen if, for whatever reason, the fire services commissioner is, as it is termed, unavailable. A series of steps are set out to accommodate the circumstance of the fire services commissioner not being available. In essence the section enables the chief officers of any one of the other agencies to be appointed, and if they cannot agree amongst themselves on who is going to do the job, then the state coordinator, who is the Chief Commissioner of Police, can appoint one of their number to do it. There are other provisions around the capacity of the Chief Commissioner of Police, in the role as state coordinator, to be directly involved in the way in which one of the other officers would take over the management in the event that the fire services commissioner was not available.

All the powers that go with the fire services commissioner travel with the delegation, and there is reference in the bill to the Interpretation of Legislation Act and its sections 42 and 42A. Having considered those, I accept that those powers do travel, on delegation or subdelegation, to those who are the recipients.

New section 16B deals with the fact that the state coordinator, the Chief Commissioner of Police, can advise — can indeed direct — the fire services commissioner and the chief officers to exercise the major fire control powers. If there are any doubts about it, there is capacity in the state coordinator to see it happen. New section 16C deals with control of emergencies other than fires. Section 4 of the act defines them now, and section 16C goes through the process whereby those emergencies other than fires are able to be dealt with in accordance with the legislation. In particular new subsection 16C(1) recites the fact that either at the request of the state coordinator or of their own volition the agencies can prioritise the way whatever the emergency is in each instance is to be dealt with.

In passing I will say that, as I have remarked to the clerks, there seems to be a slight mistake on page 16 of the explanatory memorandum. In the middle of the page is a reference to the Emergency Services Act 1986; no such act exists. I strongly suspect it is supposed to be the Emergency Management Act, but I will leave that to those who know these things much

better than I do. The focus is around the management of other emergencies in a way which leaves the fire services commissioner free to deal with the issue of major fires.

A variety of other amendments are set out in division 1 of part 4. They are important to the future management of the different forms of emergencies that can arise. They include the capacity of the emergency services commissioner to be involved in setting standards for the other agencies involved in emergency management and monitoring those standards, as well as monitoring the standards that are set up by the fire services commissioner under the terms of this bill for the way the agencies generally conduct themselves.

In division 2 of part 4 the Country Fire Authority Act amendments are present. They simply implement the requirement of the CFA to do the sorts of things, in a compliance sense, which the fire services commissioner has set up under the earlier provisions. Similar such provisions occur under division 4 of this part dealing with the Metropolitan Fire Brigade. Essentially they deal with compliance and reporting obligations.

Division 3 of this part is important. This is the amendment to the Forests Act. I refer particularly to the provisions under clauses 49 and 50, which refer to the involvement of the Department of Sustainability and Environment in making sure that one of the main aims of the act is achieved. The explanatory memorandum states that clause 49 inserts a new provision which provides that:

the Secretary to the Department of Sustainability and Environment may authorise the Chief Fire Officer as appointed under proposed clause 54 —

I suspect that is a mistake; I think it should be clause 50 —

to perform any functions that the Secretary has in respect of fire related activities in every State forest, national park or on protected public land.

Clause 50 is important because, apart from anything else, having set out the functions and indemnity provisions and the like it recites the fact that the secretary has an overriding capacity to require the prevention and suppression works to be undertaken on public land, despite what might be the wishes of Parks Victoria. Concern has been expressed to me by some volunteers about the capacity for the enforcement of those provisions. Clause 50 is pivotal to understanding that it can and it will be done, should the need arise, because the Governor in Council — through the minister, of course — can make the appropriate directions that it happen.

In essence, that is this legislation. It pays particular regard to the volunteers and the great work they do — and quite rightly so. I have raised a number of issues here. I have a concern about the practical operation of the multiple delegation events and how that will happen under the pump when the fires are rolling. But hopefully all of this will come together, should it be — and I suppose almost inevitably it will be — that our state will again face the nightmare of such fires. One would hope that this legislation will be part of the framework of ensuring that in time to come we will be much better prepared as a state on the back of the recommendations — and I would hope the implementation of all 67 recommendations — which in the final analysis intend primarily to keep the lives of Victorians safe.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on the Fire Services Commissioner Bill 2010. This bill arose, of course, out of recommendation 63 of the 2009 Victorian Bushfires Royal Commission report, which states:

The state enact legislation designed to achieve two specific ends:

appoint a fire commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as the senior operational firefighter in Victoria

make the chief fire officer of the Department of Sustainability and Environment a statutory appointment.

It also states:

The fire commissioner should have responsibility for the following:

promoting and directing reform aimed at increasing the operational capability, interoperability and resilience of Victoria's fire services

developing and building operational capacity to prepare for the days of highest bushfire risk and exercising control over level 3 fires as the permanent state controller ...

That was recommendation 63 of the bushfires royal commission, and the government has been supportive of almost all of its recommendations in totality. This recommendation, which is now being enacted in this bill, is particularly welcomed by our firefighting personnel, whether they be career firefighters or volunteers. No doubt there was some concern from volunteers that the royal commissioners may have gone down the path of recommending one fire service, and they certainly welcome the outcome of this position being created to coordinate our three great fire services in this state, being the Country Fire Authority (CFA),

the Metropolitan Fire Brigade and the Department of Sustainability and Environment (DSE).

Obviously this bill is the mechanism that establishes that position, but anyone who has read the media in the last month could not fail to know that the Premier has already announced the appointment of Mr Craig Lapsley as Victoria's first fire services commissioner. He is already in place and doing the job on an executive contract, but this bill will ensure that his appointment can be translated into a Governor in Council appointment.

I would like to take a few minutes to endorse the appointment of Craig Lapsley to this position. I do not think there is anyone else I know who could have taken up the role in this inaugural position. Anyone who has read the media would conclude that Craig Lapsley was probably born to take this position. He is a former deputy chief fire officer of the CFA. He was held in enormous regard as a career firefighter and moved up through the management ranks to the deputy chief officer role. I know that volunteers in particular were very sad when they saw Craig Lapsley depart the CFA.

Craig has certainly added to his curriculum vitae and his suitability for the fire services commissioner role. In the last few years he has been the director of emergency management at the Department of Human Services. Not only has he had the faith and confidence of operational firefighters — both career and volunteer — but in his emergency management position he played an enormous role in supporting communities across the state, in particular my community and survivors of Black Saturday, who speak extremely highly of him. That makes him an incredibly well-rounded appointment to this role. He understands the job at hand, and he has the skills and connections to deliver. Having Graham Fountain, formerly with the CFA, as the CEO of the Metropolitan Fire and Emergency Services Board (MFESB), Craig's connections to the CFA and his existing working relationship with the Department of Sustainability and Environment and the Office of the Emergency Services Commissioner mean that he will do a great job. I look forward to continuing to work with him in my role as Parliamentary Secretary for Police and Emergency Services.

In terms of the scope of the work that is to be undertaken, the bill gives the fire services commissioner, as the permanent state controller, responsibility for exercising control over level 3 fires — that is, major fires — including on forecast dangerous fire-risk days, among other things. The bill also empowers the fire services commissioner to assume from one of the fire service agencies' chief

officers control of the response to a major fire or a fire with the potential to become a major fire. The bill allows a chief fire officer of a fire agency to transfer control of the response to a potential or actual major fire to the fire services commissioner, and it permits the fire services commissioner to appoint one of the fire chiefs as the state controller.

The 2009 Victorian Bushfires Royal Commission also envisaged that the fire services commissioner would make standing delegations of this control function for level 3 fires to the chief officers — for example, for urban firefighting — unless intervention was required, and the bill gives the fire services commissioner a delegation power for this purpose.

The chief fire officers will retain control over the response to level 1 and 2 fires — that is, less than major fires — in their jurisdiction. The bill's use of major fires to distinguish the state controller role, together with the use of this delegation of powers, is designed to facilitate this arrangement.

Importantly — and I think this is something that the community and all our fire service agencies will welcome — there will be a fire services reform program. The reform program will be driven by the development of performance standards for fire service agencies, standard operating procedures that will apply across all our fire services and a rolling three-year action plan to be developed by the fire services commissioner in consultation with the fire agencies and with the approval of the Minister for Police and Emergency Services.

Each of the three fire agencies — the CFA, the MFESB and the DSE — will be required to use their best endeavours to comply with the fire services commissioner's standards, to deliver their aspects of the reform action plan, to comply with any joint standard operating procedures, and to report on their performance in terms of compliance with the fire services commissioner's standards and their progress or achievements against the reform action plan.

As I said at the outset, the bill also proposes to convert the chief fire officer of the Department of Sustainability and Environment to a statutory appointment. This requirement will be included in the forest acts, where the secretary of the department's fire prevention and suppression responsibilities on public land reside. The chief officer's responsibility will be to perform the secretary's fire duties as the secretary determines.

The bill also makes changes to the emergency services commissioner. It removes the standard-setting function

for the fire service agencies from the emergency services commissioner's role but makes it clear that the commissioner is to monitor the agency's performance against those standards.

The bill takes a minimalist approach to establishing the fire services commissioner and will need to be visited again in 2011. The review will create the opportunity to examine more broadly the role of the emergency services commissioner and the interaction of that role with that of the fire services commissioner.

In conclusion, I commend the establishment of the fire services commissioner as an embodiment of the recommendation of the royal commission. Again I also commend Craig Lapsley, the inaugural fire services commissioner, and wish him all the best in this very large and exacting task. I know he is definitely up to the job, takes the role very seriously and has the confidence of all our fire service agencies, firefighters and the community. It is a continuation of the seriousness with which the government has taken the results of the Black Saturday fires, whether it is picking up the majority of the recommendations of the bushfires royal commission, supporting communities in their recovery and rebuilding efforts or resourcing our fire services agencies across the board. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Fire Services Commissioner Bill 2010. The 2009 Victorian Bushfires Royal Commission's final report was tabled in Parliament on 31 July 2010. One of the aspects it examined was the organisational structure of Victoria's fire service agencies — that is, the Country Fire Authority (CFA), the Metropolitan Fire and Emergency Services Board and the Office of Land and Fire Management in the Department of Sustainability and Environment. In its final report the royal commission recommended that the state enact legislation designed to achieve two specific ends: to appoint a fire services commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as the senior operational firefighter in Victoria and to make the chief fire officer of the Department of Sustainability and Environment a statutory appointment.

The royal commission also said the fire services commissioner should have responsibility for: promoting and directing reform aimed at increasing the operational capability, interoperability and resilience of Victoria's fire services; developing and building operational capacity to prepare for the days of highest bushfire risk; exercising control over level 3 fires as the permanent state controller; providing to government

periodic advice on the metropolitan fire district boundary on the basis of triggers, frequency and criteria approved by the government; and representing Victorian interests on operational matters in national committees.

The purpose of this bill is therefore to establish the role of a fire services commissioner and introduce related amendments that are required to implement recommendation 63 of the 2009 Victorian Bushfires Royal Commission report. The creation of the role of the fire services commissioner is vital in ensuring the smooth operation of the coordination of any future bushfire response in Victoria. One of the most common remarks made to me during and after the bushfires was that residents felt like they were on a ship without a captain. While the bill will address some of the operational and accountability problems in the chain of command, ultimately the Minister for Police and Emergency Services is still the overarching coordinator-in-chief of emergency management in the state.

While new measures regarding annual reports provided by the fire services commissioner to the minister may improve the minister's understanding of what is personally required of him or her and the state government as a whole, the bill does not impose any additional formal obligations on the minister. Regarding this matter, it is accepted that in the future any minister may or may not have the specialist skills needed prior to entering Parliament that would make him or her of any real use in a control room when an emergency does occur. However, what I hope has been learnt is that the people of Victoria rightly expect a modicum of ethical and moral duty to be shown to the population when a minister represents them and acts as advocate for them.

On days when the magnitude of the disaster is considerable, the best way for any minister to ensure he or she is accessible to the decision-makers who work under them is to physically be present. Emergency responses require individuals who are extraordinarily dedicated. I hope that the people of Victoria will not be let down again as they were by the Minister for Police and Emergency Services, the former Chief Commissioner of Police, Christine Nixon, and the former chief of the CFA Russell Rees.

In terms of the duties of the fire services commissioner, on 19 August the Premier announced that Craig Lapsley, the former deputy chief fire officer of the Country Fire Authority and current director of emergency management at the Department of Health and Department of Human Services, would be

appointed as Victoria's new fire services commissioner. Mr Lapsley will have two principal roles. Firstly, as the commissioner he will be the permanent state controller responsible for the planning, preparation and overall response of the fire agencies to major fires. To provide flexibility and to cater for the escalation in the scale of fires, the bill amends the Emergency Management Act 1986 to assign to the commissioner the role of state controller of the overall responses to potential or actual major fires; to empower the commissioner to assume control for one of the fire services agency's chief officers of the response to a major fire or a fire with the potential to become a major fire; to allow a chief fire officer to transfer control of the response to a potential or actual major fire to the commissioner; and to permit the commissioner to appoint one of the fire chiefs as the state controller.

A major fire is defined as a large or complex fire which has the potential to cause or is causing a loss of life and extensive damage to property, infrastructure or the environment — a fire which has the potential to have adverse consequences for the Victorian community or requires the involvement of two or more fire services agencies to suppress a fire that will, if not suppressed, burn for more than one day. It is important this definition is as clear as possible to prevent any disputes among the emergency services hierarchy about who has control and ultimate responsibility for fires.

My main concern with this bill lies with the fire services commissioner's delegation powers, particularly in relation to community warnings. While a degree of delegation is necessary and expected given the scope of the fire services commissioner's role, the ability for any other prescribed person to further delegate the duty of notifying the community to any other prescribed person creates concerns regarding accountability, particularly in contexts of the high-stress circumstances personnel are likely to face in the event of a major bushfire. It is a heavy burden to bear, so the lines of accountability must be clear. The Leader of The Nationals has also highlighted these concerns. We will wait to see how they work in practicality.

The royal commission concluded there was no compelling evidence for the merger of the three fire service agencies and that such a move would undermine the individual strengths and specialisations of the agencies. The coalition has already stated that under no circumstances would it contemplate merging the Metropolitan Fire Brigade, CFA and the Department of Sustainability and Environment. There is no additional benefit to be gained from merging the agencies. It will not provide us with better protection. In some cases it is better to have the diversity of undiluted

expert advice to assist the commissioner in making decisions in the best interests of all Victorians.

I am pleased to see the government has listened to the royal commissioner's advice regarding the contribution of volunteers. The bill requires the fire services commissioner to take the importance of volunteers into account in performing his or her functions. Our volunteers in the CFA are exceptional, and were particularly so on Black Saturday and the days following in the way they responded professionally and courteously with so much dedication. During the Black Saturday bushfires and in their aftermath thousands of people wanted to volunteer and to give of themselves in any way they could to help people who had lost a home, who could not find a missing relative or who needed transport. Others wanted to help in relief centres and to be a shoulder to cry on. The response and ongoing contribution of all volunteers makes my heart swell with pride at being an Australian and a citizen of a country where mateship and helping strangers is part and parcel of the way of life.

The minister has stated that the reform program to improve the operational performance of fire services agencies will focus on enhancing their operational capacity and capability, particularly their ability to work together. The bill requires the commissioner to drive this reform program through, firstly, the development of a rolling three-year reform action plan; secondly, the setting of performance standards for each fire service agency; and thirdly, the establishment of incident management operating procedures. In developing these measures the fire services commissioner is required to consult with the agencies and take into account their available resources. The operational phrase in relation to this issue is 'available resources'.

In terms of the fire services levy, this government had to be dragged kicking and screaming before it reluctantly accepted the bushfires royal commission's recommendation to replace Victoria's inequitable insurance-based fire services levy with a fairer property-based system. Even in its official submission to the royal commission the current government said the commission should not make any recommendations on the matter. That was despite the fact that the need for change had been highlighted in reports and advice since 2001.

Although the funding model for the fire services commissioner will not take effect until July 2012, those changes should be made sooner, and we also need on the table now the details of how those changes are

going to be implemented and what the plan is for how that levy is to be collected.

Under the bill the fire services commissioner must provide the minister with an annual report, which the minister is required to table in Parliament. The report must include all the information on the progress of the reforms. I sincerely hope Mr Lapsley never has to supervise the organisation of the firefighting services in a fire of the size that we had on Black Saturday.

Mr HARDMAN (Seymour) — I rise to support the Fire Services Commissioner Bill 2010. The purpose of the bill is to establish the position of the fire services commissioner and provide for the commissioner's functions and powers. It makes the Department of Sustainability and Environment's chief fire officer a statutory position by amending the Forests Act 1958, and it makes amendments to the Emergency Management Act 1986, the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958.

The bill also implements recommendation 63 of the *2009 Victorian Bushfires Royal Commission — Final Report*, which is that the state enact legislation designed to achieve two specific ends: to appoint a fire commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as a senior operational firefighter in Victoria; and to make the chief fire officer of the Department of Sustainability and Environment a statutory appointment.

The 2009 Victorian Bushfires Royal Commission also recommended that the fire services commissioner should have responsibility for the promotion and direction of reform aimed at increasing the operational capability, interoperability and resilience of Victoria's fire services; developing and building operational capacity to prepare for days of the highest bushfire risk; exercising control over level 3 fires as the permanent state controller; providing to government periodic advice on the metropolitan fire district boundary on the basis of triggers, frequency and criteria approved by government; and representing Victorian interests in operational matters on national committees. The amendments contained in this bill will implement those recommendations.

The bill is a timely response, and it is also responsive to the Victorian bushfires royal commission, which was given broad terms of reference. It was asked to make recommendations on the preparation and planning for future bushfire threats and risk, particularly for the prevention of loss of life; the emergency response to bushfires; the public communication and community

advice systems and strategies; and training, infrastructure and overall resourcing needs. The bushfires royal commission certainly met those terms of reference with its recommendations.

The Victorian bushfires royal commission was formed to ensure that all steps were taken to prevent a recurrence of the tragic loss of 173 lives, and obviously there was the catastrophic loss of more than 2000 homes, the damage and destruction to 430 000 hectares of land and the loss of businesses and community buildings. For people generally it was the loss of their whole community. The impact of that has left many people bereaved, whether it be for the loss of family or friends, the loss of property or the loss of community and life as people once knew it. There was also loss of personal history and heritage and those things that define who we are. That is a story I hear on a regular basis when talking to the people who have been affected by the fires. We must do as much as possible to prevent that kind of event from happening in the future, because the fewer people who have to experience the feelings associated with that trauma the better.

I would like to talk about the announcement by the Premier of the appointment of Craig Lapsley as the fire services commissioner. Craig's history and appropriateness for the role is well documented in the media, and that is fantastic. I had read about Craig Lapsley's history prior to the 2009 fire, but since Black Saturday I met him personally when he was the Department of Human Services emergency management team leader. He will be greatly missed in that role. He will leave some big shoes to be filled by whoever takes his place. I am sure whoever goes into that role will do so with a sense of trepidation, knowing they will have to do the job as well as Craig did. Craig has done that job with dedication and an ability to work with everybody he has come into contact with. He listens to people, no matter what their rank, who they are, or where they sit in the community; he listens to all people. He takes a hands-on approach out there on the ground, and he is diligent; he cares about his work. That says a lot about the type of person we are going to have as the fire services commissioner in Victoria.

It is important that the Country Fire Authority (CFA) members who are out fighting fires, especially those of the nature of the Black Saturday fires, and their families are able to have trust in the people who are in control of them. When working at the Tallarook fire brigade on Black Saturday I had a sense of trust in the captain of the brigade, who was the driver of the Tallarook truck; my fellow CFA volunteers; all the other members of the strike teams; and the people who were leading from

above. They were keeping us safe and making sure we were going to the right places. That is important. All of Craig's qualities which I mentioned before will ensure that the trust remains within the services. When you think that this is about Department of Sustainability and Environment fire officers, Metropolitan Fire Brigade officers, CFA fire brigade officers and CFA volunteers, you realise it will affect a broad range of people. The fire services commissioner will have an overarching responsibility and will need to be able to empathise, listen and know what people are thinking, and Craig Lapsley is an excellent choice for this position because of his qualities.

One of the big parts of Craig's job — apart from managing a major issue in the future — will be the reform program, which will be driven by performance standards for the fire services agencies. Standard operating procedures will apply across the fire services. A rolling three-year reform action plan will be developed by the fire services commissioner in consultation with the fire agencies and approved by the Minister for Police and Emergency Services. To be able to do that the fire services commissioner is going to need to establish trust between all those agencies and all the players in those groups.

Anyone who has met and spoken to the people in the fire services agencies would know that those people have very strong opinions about the best way to go, how we should do things and how they should be managed. That will be an important role. The fire services commissioner will have to mesh all of that together to ensure that all of those agencies have ownership and trust in the position of the fire services commissioner, who will be directing their operations as the person at the top of the leadership ladder on those days when all emergency services are in play.

Obviously he will also have to work with the chief fire officer of the Department of Sustainability and Environment, and this bill will ensure that the chief fire officer will become a statutory officer. That is certainly an important part of the bill. It ensures that the royal commission's recommendations are implemented, that in Victoria we have the best management of fire that we can possibly have and that we continue to learn and improve our services. With that, I would like to commend this bill to the house.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the important Fire Services Commissioner Bill. The purpose of the bill is to establish the position of fire services commissioner and provide for his functions and powers, and to amend the Forests Act to make the position of chief fire officer in DSE

(Department of Sustainability and Environment) a statutory position. The creation of the position of fire services commissioner was recommended by the 2009 Victorian Bushfires Royal Commission to help address the significant failures in leadership exposed during the tragic Black Saturday bushfires. There certainly were some significant failures in leadership. At this point I recognise the significant role played by volunteers through the Country Fire Authority and those volunteers who helped in responding to this emergency. There has certainly been no criticism whatsoever — there has been nothing but praise — for the CFA officers on the ground and the volunteers who assisted during that tragic day and afterwards.

I note on page 7 of the bill in clause 10 that the new fire services commissioner must, in performing his or her functions, have regard to the importance of the volunteers of the CFA. I endorse that, and that is why I am concerned to have received a news note from Volunteer Fire Brigades Victoria dated 9 September, which states under the heading ‘CFA union deal a setback for volunteering’:

Volunteer Fire Brigades Victoria (VFBV) representing Victoria’s 60 000 CFA volunteers is concerned that the CFA’s newly signed enterprise bargaining agreement with the firefighters union is a major setback for Victoria’s volunteer firefighting resource.

This industrial deal significantly disadvantages volunteers and was concluded without reference to them, departing from the CFA’s signed commitment to involving volunteers in decisions that affect them.

The industrial agreement goes beyond normal union matters such as pay and conditions, and seeks to regulate CFA operations and management of other staff and volunteers.

In making this deal, CFA has committed itself to processes and practices that should relate to the 1 per cent of their workforce the agreement covers, yet inextricably impacts heavily on another 97 per cent (the CFA volunteers) who have had no say and, it would seem, no rights.

The DEPUTY SPEAKER — Order! I understand that the CFA is mentioned in the bill, but I am not sure that an enterprise bargaining agreement or a similar arrangement relates to the bill.

Dr NAPHTHINE — Clause 10 of the bill requires the commissioner to have regard to the importance of volunteers. I would have thought that one of his first roles should be to look at how the volunteers have been treated badly with respect to this sell-out to the union mates of the Labor government.

Let me move on. The coalition supports the recommendation for the appointment of a fire services

commissioner. I personally know Craig Lapsley, and I wish him well in this new and challenging role.

I now wish to raise some questions and issues raised by some constituents of mine who are actively involved in fire services and emergency management. I refer to clause 10, which outlines functions and powers of the fire services commissioner. I note — as my constituent noted — that this seems very much to be directed to dealing with wildfire on high-risk major fire days. My constituent seeks advice on what if any role the fire services commissioner would have in the event of a major structural fire, such as in a high-rise apartment or on a major industrial site. I ask the minister to respond by outlining the role of the fire services commissioner in those circumstances. Some of those circumstances may occur in metropolitan Melbourne or at industrial sites in the CFA regions.

I also refer to clause 51 of the bill. Many of my constituents who are long-serving and very experienced volunteers have raised concerns about the proposal in clause 51 to replace subsection 62(2) of the Forests Act with proposed subsections 62(2) and 62(3) in the bill. They point out that proposed subsection 62(3) seems to contradict proposed subsection 62(2), which says that the secretary can carry out sufficient works in state forests or national parks or on protected public land in terms of prevention, suppression and planned prevention of fire — particularly, for example, with fuel reduction burning and other activities. Proposed subsection 62(3) says that the secretary must not carry out work on national parks and protected land controlled by a person unless the person has agreed or the secretary has gone through what may be a very convoluted and time-consuming process to get the agreement of the Governor in Council. Their concern is that this would mean that Parks Victoria may prevent much-needed fuel reduction burning.

I give the example in my area of the Bay of Islands Coastal Park — a 32 kilometre coastal strip from Peterborough to Warrnambool. There is genuine concern among adjoining landowners about significant fuel build-up and lack of fuel reduction burns in this area. The CFA has regularly sought to undertake fuel reduction burns, but Parks Victoria has consistently refused to allow the CFA to be involved in fuel reduction burning. Parks Victoria has not undertaken any such activity itself, leaving that community dangerously exposed to that fuel build-up in that park.

In a similar position is the Nelson township, which is nestled in far south-west Victoria on the border between South Australia and Victoria at the mouth of the Glenelg River and which has been identified as one

of the 53 high-risk fire-prone areas in the state. The biggest risk for the residents of Nelson and its many visitors is the 27 300 hectare Lower Glenelg National Park immediately north of the township. Clearly what is needed is a significant cleared firebreak between the national park and the township which would protect the township from fire coming from the north fanned by hot northerly winds, but Parks Victoria has consistently refused to allow such a firebreak to be created on its land and it has consistently frustrated the townsfolk in their efforts to provide a proper firebreak which would protect the town — a very vulnerable town that does not have easy escape routes because the roads in and out of the town go through open land and bushland which is extremely dangerous.

What we need is cooperation from Parks Victoria to put in a significant firebreak on the southern end of the Lower Glenelg National Park and on the northern edge of the town to protect the township. Similarly in the Gorae-Bolwarra area there are very real concerns about a lack of fuel reduction burning in the Cobbobonee National Park along the rail lines and roadsides. Again, VicParks has been less than helpful in relation to fuel reduction burning. These are the sorts of things that the fire services commissioner needs to get on top of immediately so that we can protect communities from major wildfire.

When we talk of fuel reduction we often mean fuel reduction burning, which is the most commonly used way of reducing fuel load, but we can also undertake fuel reduction by mowing grass, by clearing areas, by poisoning and by selective grazing. I think all of those options need to be looked at as part of our fuel reduction program across Victoria. Similarly, the Country Fire Authority cannot burn roadside firebreaks without approval under the local municipal fire plan, a section 12 permit from VicRoads, a road-use consent from VicRoads or the council, a memorandum of consent for traffic control devices and approval from DSE (Department of Sustainability and Environment) in relation to native vegetation. CFA volunteers also need to undertake a full-day course to operate a stop-go sign and may even need courses if they are using herbicides or chemicals in the area. These are the sorts of red tape impediments that make it difficult for CFA volunteers to undertake fuel reduction programs that are in the interests of all Victorians.

Finally, I would like to highlight an issue that was raised with me by an experienced member of the CFA at Nelson. His email to me states:

One other problem we have is the lack of ability of DSE or CFA to be the controlling agency in each other's area if

required. An example of this currently exists in Nelson (and I am sure elsewhere in the state) that there is 100 acres of private bush between the national park and the township of Nelson that has not been burnt since 1959. The only way it can be burnt as a prescribed burn is with a CFA burn OIC

The email goes on to say that there are limited resources to do this, however, and that it would be better if DSE were able to come in and do it on the CFA's behalf. Currently it is outside DSE's jurisdiction; it is not allowed to perform that role. We need to have a provision so that the best and most appropriately equipped organisation, whether it be the DSE or the CFA, can undertake such works in areas where they are needed.

I wish Craig Lapsley well. I hope he does not have to get involved in a major event such as we saw on Black Saturday. I urge him to take on board the need to genuinely deal with the fuel reduction issues that need to be addressed right across Victoria. Fuel reduction is the key to a safer state.

Mr HOWARD (Ballarat East) — As we in this place are all thoroughly aware, the fires of 7 February 2009 were clearly horrific for all who experienced them either directly or indirectly. Not only did we see 173 people die directly in the fires, but 2000 properties, 60 businesses and some 430 000 hectares of land were destroyed. As a flow-on effect many people across this state were traumatised as a result of the fires. Many are still working through those issues.

As we know, two days after those fires the Premier announced that a royal commission would be appointed to evaluate every aspect of the bushfires, to learn lessons from that tragedy and to propose measures that could be put in place to ensure that future catastrophes like it could be avoided. As we also know, the 2009 Victorian Bushfires Royal Commission brought out an interim report in August 2009, before last year's fire season, so that actions could be taken ahead of time. The interim report contained 51 recommendations and the government accepted all of them. We know that those recommendations were acted on, whether by way of developing township protection plans or improving communications associated with the threat of fires and so on.

The final report of the royal commission came down on 31 July 2010. Following the release of that report the government held a further period of consultation. Two consultations were held in my electorate, both of which I was pleased to attend. I found the feedback provided by people with regard to the recommendations of the royal commission very useful, and those people who were able to attend were pleased to have had the

opportunity to feed back into the government's final response to the bushfires royal commission report.

It is also known that one of the report's recommendations was that the state should enact legislation designed to achieve two specific ends: to appoint a fire commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as a senior operational firefighter in Victoria, and also to make the chief fire officer of the Department of Sustainability and Environment a statutory appointment. Within two days of the bushfires royal commission's recommendations the government announced that it was accepting that particular recommendation, and on 19 August the government announced that Craig Lapsley would be appointed as the first fire services commissioner. I understand he is already undertaking work in that regard, and this legislation will officially confirm that Governor in Council appointment.

The government is keen to move on with the recommendations as quickly as possible. This legislation is a very quick response to the bushfires royal commission's recommendations. The fire services commissioner will have a number of roles. Firstly, he has a role in reviewing fire services and developing a fire services action plan of reform. His role will be to review that plan over a three-year rolling cycle. As part of that he will set standards for fire services agencies. He has a clear role in evaluating the fire services as they exist.

The commissioner also has the additional roles of being involved in incident management and being the responsible person in the event of a fire incident, although we know that while he would initially assume operational control of a major fire incident, he can delegate to senior fire officers for them to take on that role, if he sees fit. Under the legislation he also will assume responsibility for providing the community warnings about fires and so on. This is clearly a significant step forward and a direct action in response to the royal commission recommendations. Obviously we will be hearing from this government about additional actions that will take place ahead of this coming fire season to further improve both operational responses of fire services and community advice in regard to fire activities.

I again commend the Country Fire Authority staff in my area, as well as the Department of Sustainability and Environment staff who are responsible for fire management and fighting fires. Both the volunteers of the CFA and the career firefighters have done a fantastic job in the past and will continue to do a great

job in the future in supporting so many people across the state in keeping them and their properties safe. This new management structure will more clearly define the roles both within incident control and in the overall management of fire services. I certainly commend the bill to the house.

Mrs POWELL (Shepparton) — I am pleased to speak on the Fire Services Commissioner Bill 2010. The opposition will not be opposing this bill, because it is in response to one of the recommendations of the 2009 Victorian Bushfires Royal Commission. The coalition accepted in principle every single one of the recommendations of the commission. We are disappointed that the government has accepted only 65 out of 67 recommendations and did not accept two of the major recommendations.

The role of the fire services commissioner will be as an independent statutory officer responsible to the Minister for Police and Emergency Services and as the senior operational firefighter in Victoria. This is a very important position. As the royal commission reported, there was some criticism of leadership during the Black Saturday fires on 7 February last year. It was a total fire ban day for Victoria; it was a day of extreme weather. Most Victorians were on high alert, and there was some criticism of the chain of command as well as of the leadership of the state. As a result of the fires 173 people died, which is one of the worst death tolls in Australia's history, 414 people were injured and over 2000 homes were destroyed. It was a very significant event, not just in Victoria but in Australia, and we need to make sure that that sort of incident never happens again. We need to make sure, as the bushfires royal commission said in its recommendations, that we set out what is needed in incident control management and emergency control management when we have any emergency in the state of Victoria.

I understand that the fire services commissioner, Mr Craig Lapsley, has already been appointed. As a number of people have said, with his experience he will be a great asset in that role, and we all want to make sure that he has an important part to play in Victoria for emergencies, particularly the fire emergencies.

My electorate was not directly affected by the fires in the way the electorates of other members were. We sat in this chamber for a whole day listening to the horrific stories told by members who were affected. Many of them broke down as they recounted stories about their constituents and the relatives of those constituents on that day. It is very much one of those incidents that has meant a lot to all of us, and nobody could fail to be moved when they heard the stories of those who died,

those who were injured and also those who were left and are still suffering the loss of their friends, their family and their property, some of which was very valuable property that cannot be replaced. We grieve for those people as well.

My electorate deployed CFA (Country Fire Authority) members to the fires. The City of Greater Shepparton also gave assistance and equipment, so all of Victoria was affected in one way or another. I think it is important when we look at the Fire Services Commissioner Bill that we go through some of the clauses and understand their effects. I think this is very important. Clause 10 sets out the functions and role of the fire services commissioner. It is a fairly substantive role. The following are just some elements of the role:

- (a) to work with the fire services agencies ...
- (b) to develop and maintain standards for the performance of functions by the Country Fire Authority and the Metropolitan Fire and Emergency Services Board;
- (c) to develop and maintain standards for the performance of fire suppression functions by the Secretary to the Department of Sustainability and Environment;
- (d) to develop and maintain incident management operating procedures;
- (e) to have overall control of the response to major fires ...

As the shadow Minister for Local Government, I wonder if there will be some relationship between the fire services commissioner and local councils, because I think there needs to be. Municipal councils very much have a role in emergency management, and they have a higher role now because of some of the recommendations by the bushfires royal commission, which put quite a few responsibilities onto councils. A fair bit of the work that is undertaken in local communities will be by local councils. I wonder if there is a role for the commissioner to maybe inspect some of the controls, protections and conditions that are put in certain areas in permits and so forth and whether there is a role for the commissioner to make sure that all of that is in line with what he sees as the way to protect Victoria and local communities.

Clause 15 requires the fire services commissioner to consult the fire services agencies, the emergency services commissioner, the state coordinator and any other emergency service agencies, if necessary, in developing a fire services reform action plan. Again, I wonder if there is a role there for local councils, local government and the Municipal Association of Victoria to help form some sort of a relationship with the commissioner so that everything that needs to be done is being done and that people are not working in

isolation. I am sure that local councils, particularly those small rural councils with large geographic areas, would look forward to having some sort of assistance from the commissioner in ensuring that their municipal emergency plans are appropriate.

Clause 21 provides that the fire services commissioner must develop, and review from time to time, incident management operating procedures. Such procedures relate to planning and preparation for the response to and responding to major fires. It goes on to say that the commissioner must also consult with fire services agencies. I understand that is the role of the fire services commissioner — to work with the fire agencies and the state government — but again I urge the government to make sure that local councils are not kept out of the communication loop and not denied any information that could be given to them.

In the 2009 Victorian Bushfires Royal Commission interim report recommendation 8.6 says:

The state to have commenced progressively identifying, establishing and advertising designated community refuges and neighbourhood safer places ...

The government has passed that role on to the councils, and again the councils are saying that they need more support. As I go around the state and speak to councils, there are still some that are not able to have neighbourhood safer places in some of their high-risk areas because they are not able to meet the criteria. There may be some way for the commissioner to talk to councils or to the CFA to make sure that every community in a bushfire area has some sort of designated place, whether it is a refuge or a neighbourhood safer place. I know that communities are starting to believe that these safer places are the places they are to go to as a first resort, and it is important that we make sure that neighbourhood safer places (NSPs) are places people go to as a last resort and that they have their fire plan in place.

I have met with a number of councils in those high fire-risk areas, and they tell me that across the state it will cost hundreds of thousands of dollars for councils to develop and maintain their NSPs. We need to make sure that costs are not cut when we are protecting communities and that the government puts everything it can into making sure that local communities have whatever resources they need.

The fire services commissioner will play a very important role in protecting the Victorian community and properties in Victoria. The CFA will also have a huge responsibility in making sure it continues its great

work with the councils and the communities to protect those communities.

On the issue of roadsides, the Country Fire Authority Act requires councils to remove any fire risk to make sure that there is no opportunity for fires to get out of control and use the roads as corridors, as they did on Black Saturday. Yet the Environment Protection Act requires councils to leave some native vegetation on the roadsides for the protection of wildlife. The government needs to put in place legislation that is consistent and easy for councils to comply with.

I wish the new fire services commissioner all the best in his role in protecting Victoria. I know it will be a hard job, but hopefully we have all learnt the lessons from Black Saturday.

Ms BEATTIE (Yuroke) — It gives me satisfaction to stand and support the Fire Services Commissioner Bill 2010. In itself it is a very simple bill with very simple objectives: to establish the office of the fire services commissioner and to make the chief fire officer of the Department of Sustainability and Environment a statutory position. The bill relates to recommendation 63 of the 2009 Victorian Bushfires Royal Commission findings, and if enacted before the 2010–11 season, it will establish the fire services commissioner and, as I said, make the chief fire officer of DSE a statutory position.

Although in its character it is a fairly simple bill, its path to this Parliament is a very tragic path. At the outset I would like to say we still mourn the loss of the 173 people who died on Black Saturday and our thoughts are with their families. We all know that 7 February 2009 was the day on which Australia's worst natural disaster occurred after more than a decade of drought and significantly below-average rainfall. The fires raged across the state for some weeks and on that day caused a significant loss of life — as I have said, 173 lives were lost — and enormous property damage. Property can be replaced but lives cannot.

In relation to property, more than 2000 properties, 60 businesses, significant community assets and almost 430 000 hectares of land were destroyed. In the effort to control the blaze more than 10 000 personnel, including firefighters, support workers, police and emergency service personnel and many community volunteers, were involved in the response, which was the largest ever coordinated emergency and community response. We saw the Premier very quickly take control of things, showing great leadership and great sympathy. On 9 February the Premier announced the establishment of a royal commission to which he gave very broad

powers so we could minimise the chances of the same losses occurring ever again.

With the very broad terms of reference, the commission was asked to make recommendations, including on the preparation for future bushfire threats and risks, emphasising particularly the prevention of loss of life; an emergency response to the bushfires; the communication and community advice systems and strategies; and the training, infrastructure and overall resources need. We all know in this house that the commission delivered an interim report with recommendations in time for the implementation for the 2009–10 fire season. Then the final report of the commission came down on 31 July. The Brumby Labor government supports 51 recommendations from the interim report, and I commend the government for that.

But the bill before us today talks about the establishment of the fire services commissioner. As members will know, the Premier has announced that the fire services commissioner designate is Mr Craig Lapsley, and I congratulate Mr Lapsley on his appointment to what is going to be a huge job. There were criticisms of the way things were done on 7 February. Indeed it was an absolutely terrible day and the worst natural disaster in our history; we had never been confronted with anything like that before. It is one of those instances when people will remember where they were on 7 February when the bushfires took hold of Victoria in the same way that people years ago would say they remembered where they were when the *Titanic* sank and President John F. Kennedy was assassinated.

As I said, it is fair to say that we had never been confronted with such a disaster before and there are lessons to be taken from it. I would like to commend the three commissioners on the work they have done in handing down the report.

Just recently we have been confronted by floods. I was interested to turn on the radio and hear some people's responses to the floods. Emergency services personnel were trying to evacuate people. I heard one fellow say that it was his house, that he was going to stay with his house and that nothing was going to take him away. So we also have those very real, human responses to take into consideration when we implement these things.

The fire services commissioner will have broad powers. It is a Governor in Council appointment. Mr Lapsley will be called upon to show great leadership in bringing the services together. The bill commits the fire services commissioner to appoint one of the fire chiefs as the state controller.

I know there are many people who want to make contributions, so in conclusion I say that this is a good bill. I know the other parties and the Independent member support this bill, and I think that is a really good thing. Nowhere in the findings of the royal commission does it say that if all these recommendations are implemented, this will never happen again, and it should not have said that, because we cannot say that this will never happen again. What we have to do is put in place the blocks to make sure that if tragic fires ever occur again, we minimise the loss of life. I am sure that by the appointment of a fire services commissioner, by the creation of that office and by making the chief fire officer of the Department of Sustainability and Environment a statutory position we are on the right path to minimising the tragedy if there is ever an event like Black Saturday again. With those few words, I commend the bill to the house

Mr R. SMITH (Warrandyte) — I rise to speak on the Fire Services Commissioner Bill 2010. The bill establishes the position of the fire services commissioner and provides for his functions and powers. It also amends the Forests Act 1958 to make the position of chief fire officer in the Department of Sustainability and Environment a statutory position. Further to that, it makes some amendments to some related acts.

Recommendation 63 of the 2009 Victorian Bushfires Royal Commission reads:

The state enact legislation designed to achieve two specific ends:

appoint a fire commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as the senior operational firefighter in Victoria

That particular recommendation and this bill are both about the issue of leadership. The report from the Victorian bushfires royal commission clearly shows us that there was a lack of leadership on 7 February last year.

Those opposite seem to have got into a habit in recent times of accusing the opposition of political point-scoring whenever we on this side of the house raise issues relating to the bushfire. When it comes to this very important issue we find that the government continually says we are politicising the issue. I find that quite typical of this arrogant government. Whenever it is asked serious questions about its actions, and whenever it is asked whether it should be accountable for its actions, the government says we are politicising issues — and so begin the personal attacks. While

making those personal attacks the government seeks to avoid the questions we are asking.

What I want to do is point out the obvious: that the government of Victoria — whichever party it is that holds power — needs to be held accountable. The public rightly expects that the opposition will raise the questions, makes sure the government is accountable and seeks answers from it. Certainly the coalition in opposition feels that it is its job to continue to demand answers to those questions, and it does not take that responsibility lightly at all. We will continue to ask the questions, and we will continue to make this government accountable.

Having said that, on Black Saturday the Minister for Police and Emergency Services had, under legislation, the title and the role of the coordinator and chief of emergency management. That title carried with it all the responsibilities of that role. Despite the fact that the Victorian bushfires royal commission found that these responsibilities would be better carried out by an alternative appointment, the fact is that, under law, on 7 February last year the Minister for Police and Emergency Services was bound to take on these responsibilities.

The minister for police made a number of choices on that day. He made a choice to stay at home, he made a choice to abrogate many of his responsibilities and he made the choice later during the royal commission hearings to excuse his behaviour by claiming he should never have had those responsibilities in the first place. That testimony contributed to the recommendations which have brought the bill to us today. Instead of demanding that the minister for police step up to his legislative responsibilities, we have instead a recommendation to remove those responsibilities from him entirely.

The coalition does not oppose the establishment of the fire services commissioner. Indeed, we have very publicly stated that we are supportive of all the royal commission's recommendations. However, we must not allow the royal commission's recommendations to divert the public's attention away from the lack of leadership that was shown by the government on Black Saturday.

I do not intend to rehash the many points that have been made in relation to the performance of senior government-appointed officers on the day. I do not particularly want to talk about the actions of the chief commissioner or the heads of the Country Fire Authority or the Department of Sustainability and Environment, but I think it is fair to say that the lack of

leadership was clearly demonstrated all the way from the top. That fact was highlighted in the *Weekly Times* of 30 July. In a story headlined 'No leadership on Black Saturday', it reported:

No-one with the highest responsibility for emergencies was at the helm when Victoria burned ...

That was further to a story that the *Herald Sun* ran on 30 April, headed 'Our leaders deserted us on Black Saturday'. A section of that article says:

Black Saturday was a day that should have seen our leaders lead.

...

Cometh the hour, cometh the man ...

Instead, the hour cameth, and the leaders went. To hairdressers and dinner. To their private business. To their farm. To their Bendigo home.

Finally, it is worth noting media personality Derryn Hinch's comments posted online on 3 August, which state:

John Brumby was derelict that day. The state needed him and he was AWOL.

These sentiments speak for themselves. I believe they are a damning indictment of the government for the lack of leadership shown on Black Saturday.

I want to move to clause 31 of the bill. This clause deals with the issue of annual reports and states that the fire services commissioner must provide the minister with an annual report which is to be tabled in Parliament and which must report on the performance of the commissioner's functions, the exercise of the commissioner's powers and the progress made by fire services agencies on the implementation by them of the work program that applies to them to give effect to the fire services reform action plan.

The minister commented on this clause in the second-reading speech, where he said:

Importantly, for transparency and accountability purposes, the annual report will include a report on progress against the fire services reform action plan and the agencies' performance against the standards set by the fire services commissioner.

I am pleased that an annual report will be tabled in Parliament, because history has shown us that it usually takes quite a fight to get any degree of accountability or transparency from this government.

Leaders must have the foresight to plan for the unforeseeable disasters that visit us from time to time, and it is fair to say that this government has shown a fair lack of foresight. That fact is evident when you

look at the large number of recommendations from previous reports and reviews in relation to fire and land management that this government has ignored over recent years. This government's ineptitude was again on display when only last week, in the middle of the worst flooding this state has seen for years, it was reported that a government review of flood management in Victoria is two years behind schedule. That is another example of the way this government reacts rather than looking forward and trying to plan for these events.

When our state faces these disasters and challenges Victorians look to their leaders in government. It is deeply disappointing that in recent times, particularly with the Black Saturday bushfires, these leaders in government let down many Victorians in many, many different ways.

Mr SEITZ (Keilor) — I rise to support the Fire Services Commissioner Bill 2010. I congratulate the government on bringing this bill before the house, and I also congratulate the royal commission for the work it has done.

Let me address some of the issues and talk about what has happened in the past. We heard the last speaker talk about people being absent at the time and about who was in charge and responsible. Incidents like this have happened in Australia before. We had the cyclone in Darwin, where it was unclear who was in charge and could take command. It was several years before they had another emergency in Darwin; it was an attack of the black striped mussel in the harbour. Once again, no-one was there who could be in charge and take control of emergencies. After that incident, a plan was developed.

After the bushfire disaster here, a person has been put in charge. A fire commissioner has been appointed in an orderly fashion, after a lengthy royal commission with a lot of consultation with and advice from the community and input from everybody concerned about an independent office being set up and somebody being responsible for those issues. With departments and individual ministers, at times the power is not there if it is not provided under legislation. This bill spells out the powers, duties and responsibilities of the commissioner, which is the important part of it.

In Victoria we had the Ash Wednesday bushfires. I was in Parliament in 1983 when we had the big fires up through the Mount Macedon region, Aireys Inlet and right through that area where there is fire danger. In summertime we will always have fire danger areas because of our vegetation. Our native vegetation is

prone to fire bombs. When the eucalyptus trees get hot the oil turns into gas and the trees become fireballs, so there is a rapid expansion of fire, particularly on windy days when that happens the fastest and is the most dangerous. At such times human beings cannot keep up with it.

I believe that at the time sufficient warnings were given for people to evacuate the area. The choice was: stay and defend, or evacuate. There is freedom for people to make their own choice. We heard the previous speaker talk about the current floods. The Premier acted very fast in establishing a subcommittee of cabinet to deal with that issue, to visit the flooded areas, to provide assistance where needed and to mobilise the State Emergency Service.

It is commendable that we are moving in this direction with a clear understanding and that we have the time to establish an office and the machinery that goes with it. The various departments will get to understand the set-up and the regulations, who is in charge and making the decisions, and when and how they have to follow instructions. There needs to be a lot of cooperation and a lot of people involved.

We can look at the United States, which I have visited at different times, where they bring in their reserves — usually the National Guard. In Australia we do not use the military for these sorts of services; only civilians do this sort of work, and they need to be coordinated, trained and skilled up for it.

I refer to the annual report. It is important that each year a report is presented to both houses on progress and development. That is an important part of keeping everybody informed. We are talking about it now because we are still living and have feelings about the fire. But 10 years down the track, after I am gone from here, people will forget about it. It is important to have the reports coming in to remind members who come in after I am gone from this house that there is a responsibility and that money has to be allocated in the budget to provide these services.

Modern technology will constantly improve. The system we are using today for the warning signals which has been recommended by the royal commission will probably completely change in 10 years' time. As the world moves to more modern technology we are able to handle issues a lot differently, and we have to keep people up to speed. It will be the job of the chief fire officer and the responsibility of his department to oversee the various agencies and make sure they are coordinating and establishing modern equipment. In the past the Country Fire Authority had different couplings

on its pumps and the hoses of the Melbourne Fire Brigade could not fit onto them, while the equipment of the Department of Sustainability and Environment did not match up so it could not coordinate things. We have come a long way in our processes.

No matter what we do today there is still the loss that is felt by those families who lost their dear ones. I express my sincere commiserations to them. Not long ago I visited Kinglake and talked to the community there about food production and agriculture. I met the people and visited the sites. I hope they will recover and come back and join the rest of society. I hope they rebuild their homes, get settled and get back to being a normal community. I hope the village camp, kitchen, showers and other joint things that are there at the moment are removed as soon as possible and the community is returned to normality. I hope people are integrated so they are not left with the idea, in staying there, that that will be the way of life in the future. That is important.

We have to physically rebuild right around the area as soon as possible, but there is also the mental strain and stress that people are going through. Some of them have not got over their grieving, and some have not yet made the decision about whether they are going to stay or move out of the area. With those few words I wish the bill a speedy passage through the house.

Mr MORRIS (Mornington) — I am pleased to join this discussion on the appointment of a fire services commissioner. The government has already announced not only its intention to appoint the commissioner but also who it intends to appoint. I certainly welcome this relatively prompt response to a recommendation of the royal commission. The recommendation was that a fire commissioner be appointed as an independent statutory officer, and also that the chief fire officer of the Department of Sustainability and Environment be appointed as an independent statutory officer. This legislation supports the implementation of those recommendations, and it is certainly legislation that I can support.

As other members who have spoken in the debate have remarked, the recommendations arise from the tragedy of Black Saturday — the loss of 2000 homes, the absolutely horrendous loss of life, the injury of over 400 individuals and the incredible toll on the community both in financial and psychological terms. It is certainly a day that will live forever with anyone who was in Victoria at the time.

It was a day marked by great tragedy, by incredible fortitude on the part of some and by service above and beyond any possible extent of the call of duty from

volunteer and professional firefighters alike. I take this opportunity to again acknowledge the work done by the Country Fire Authority (CFA) brigades of Mount Eliza, Mornington, Mount Martha and Moorooduc, which were all active on Black Saturday and were all prominent in the work that was carried out in the days and weeks following the initial fires. I thank them for their great service to the community.

This legislation in no way detracts from the efforts of any of those who served on that day, particularly the brigades that worked on the ground. To the contrary: I think implicit in this legislation and certainly in the commentary from the royal commission is not only an acknowledgement that the troops on the ground performed exceptionally well but also a recognition that the leadership structure showed room for improvement. Without reflecting on the performance of any individuals, I think that is clearly the case. There were some difficulties with the structure, not only in terms of how operations went on the day but also in terms of how preparations were conducted and how various services were resourced and coordinated.

History suggests that we should learn from experience, and if there has been one consistent feature of the Victorian landscape through recorded history — and science tells us for probably tens of thousands of years before that — it has been the threat of wildfire. We know wildfires occur regularly, and under the current climatic circumstances it is highly likely that the risk will increase even more in the years to come. Wildfires will certainly increase in severity, and the risk is that they will increase in number in years to come.

There is another matter that is of concern — that is, the impact of settlement patterns. We have seen the sea change and tree change phenomena and also the substantial expansion of the metropolitan area. When I was a small boy if there was a wildfire somewhere it probably was not in a metropolitan area. The closest I can recall fires coming to a relatively settled area was in the Dandenongs in the early 1960s. Wildfire was largely a rural phenomenon, but that is certainly not the case any more. Many formerly lightly settled areas are now much more densely settled, and consequently there is a much greater risk of serious loss of life.

There have, of course, been many major natural disasters, and in most cases we have learnt from them. The tsunami in the early 2000s caused a catastrophic loss of life, but within a couple of years an early warning system was in place, and we have seen from some of the smaller tsunamis that have occurred since then that warnings come out fairly frequently. We were reminded just the other night that within two years of

the disaster of the sinking of the *Titanic* the International Ice Patrol was established in the North Atlantic. As a consequence of the establishment of that patrol not one life has been lost as a result of a vessel being sunk by icebergs since the loss of the *Titanic* so many years ago.

Unfortunately, despite many large fires — campaign fires — in recent years it has been apparent that the government has not taken the lessons of those fires to heart. I am certainly pleased that with this bill there seems to be some movement on that front. It is not a great deal of movement, I grant you, but at least it is a beginning, and I am certainly pleased to see it.

The bill itself establishes the functions and powers of the fire services commissioner. He or she will have a number of duties — —

Mr Delahunty interjected.

Mr MORRIS — The member for Lowan interjects, ‘He’. I am aware that the proposed inaugural fire services commissioner is a male, but I have no doubt that in years to come, should the position endure, it will be filled by a female at some point, and that will be a good thing.

As I was saying, the individual concerned will have to prepare a reform action plan, and included in that is the necessity to deal with planning and preparing for the response to major fires. Unfortunately what the bill does not indicate is exactly what is entailed in terms of preparation: whether it is simply preparation on the part of the brigades — equipment, training and all those sorts of things — or whether it is fuel reduction measures and so on. If that is the case, then clearly there needs to be good coordination, particularly regarding the CFA volunteers.

In every municipality we have municipal fire prevention committees. While the CFA figures prominently in the organisation of those committees, getting the work done is often the responsibility of local government. We need to make sure that works. There are a number of other issues included in the position — that is, the requirements to develop performance standards for fire agencies, to develop incident management operating procedures and to centralise the responsibility for the delegation of community warnings about fires. The bill makes it clear that under the Emergency Management Act the commissioner will have responsibility for the response to major fires.

This bill is an important step forward. We need to remember that without our volunteers we simply would not have the capacity to fight wildfires in this state on

any major scale. We would even have great difficulty in protecting our urban areas. It is essential that whatever legislation we introduce will support and maintain the enthusiasm of our volunteers to continue to serve our community. It is also essential to achieve the degree of coordination that is proposed by this bill, and that the appointee treat the three services with respect and get the best out of them. I will be watching the way this bill is implemented.

Ms KAIROUZ (Kororoit) — It gives me pleasure to rise to contribute to the debate on the Fires Services Commissioner Bill 2010. Black Saturday is a day Victorians will never be able to forget. The fires of Saturday, 7 February 2009, devastated the Victorian community, Australians and many people around the world. As we all know, 173 people tragically died, many others were injured and many Victorians were left without homes. Wildlife and hectares of land were destroyed as a result of these ferocious fires.

Right after that tragic day, the Premier showed true leadership and a lot of sympathy and courage, and announced a royal commission with the key objectives of learning from this tragedy and putting in place measures to ensure that future fires do not cause the same catastrophic loss as was seen on Black Saturday. The commission's report was tabled in Parliament on 31 July 2010. It provided a list of recommendations. Two of them were to appoint a fire services commissioner as an independent statutory office responsible to the Minister for Police and Emergency Services as the senior operational firefighter in Victoria and to make the chief fire officer of the Department of Sustainability and Environment (DSE) a statutory appointment. Once again the Premier took quick and decisive action when he announced the appointment of Craig Lapsley as the fire services commissioner designate.

The bill before us today provides for the establishment of the position of fire services commissioner, provides for the formal appointment to that position and makes the chief fire officer of DSE a statutory position. The role of the fire services commissioner is to act as or to delegate the role of the state controller of the response to major fires and to drive a fire services reform program. The bill also gives the fire services commissioner responsibility to exercise control over level 3 fires as the permanent state controller, including the forecasting of dangerous risk days. The bill also empowers the fire services commissioner to assume control from one of the chief officers of the response to a major fire, allows the chief officer of a fire agency to transfer control of the response to a potential or actual major fire to the fire services commissioner and permits the fire services commissioner to appoint one of the fire chiefs as a state controller.

I believe the most important aspect of this bill is the fire services reform program which will be driven by the development of performance standards for fire services agencies, the development of standard operating procedures to apply across the fire services and the rolling out of a three-year reform action plan, which is developed by the commissioner in consultation with fire agencies and approved by the Minister for Police and Emergency Services. I am sure all of these measures will make us more prepared in the event of future bushfires.

The bill before us is very simple; it takes a straightforward and minimalist approach to establishing the position of fire services commissioner. This matter will be revisited in 2011. However, in the meantime I am sure Victorians will be pleased and feel assured that a structure is in place if a fire occurs in the coming fire season. I wish the fire services commissioner, Mr Lapsley, all the best in his new role. I hope he will not need to exercise any of the powers he has been entrusted with. This is a good way to put measures in place. It will be reviewed. I congratulate Mr Lapsley on his new role. I commend the bill to the house.

Mr DELAHUNTY (Lowan) — I have the honour of representing the Lowan electorate here and speaking in front of you, Acting Speaker, again. Last night you were in the chair and you gave me good guidance in difficult circumstances.

The ACTING SPEAKER (Mr K. Smith) — Order! It must be your lucky day!

Mr DELAHUNTY — This is a serious matter, though, that is dealt with by the Fire Services Commissioner Bill 2010. Like all my parliamentary colleagues on this side of the house, I am not opposed to this bill because, as we know, it implements one of the 67 recommendations that came down from the 2009 Victorian Bushfires Royal Commission inquiry into the Black Saturday bushfires. It is important to recognise that we on this side of the house have supported in principle all of the 67 recommendations, which is different from the position of the government, which has supported only 65. However, we are not talking about that; we are now focusing on recommendation 63, which is set out in the *2009 Victorian Bushfires Royal Commission — Final Report — Summary*. The recommendation is that:

The state enact legislation designed to achieve two specific ends:

appoint a fire commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as the senior operational firefighter in Victoria.

...

The fire commissioner should have responsibility for the following:

- promoting and directing reform aimed at increasing the operational capability ...
- developing and building operational capacity to prepare for the days of highest bushfire risk and exercising control over level 3 fires as the permanent state controller
- providing to government periodic advice on the metropolitan fire district boundary ...
- representing Victorian interests on operational matters in national committees.

It is interesting to note that recommendation 64 is that:

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

That is one I have been lobbying hard for in the 11 years I have been in this place. Despite the Premier and other government members saying that the fire services levy is not a tax, the Henry report, the bushfires royal commission and everyone else said it is a tax and that it is unfair and inequitable and needs to be changed. I am pleased to see that after many years the government has finally come to its senses and will be changing the levy. It is a pity the change will not come about until July 2012.

As has been discussed in this place, the fire services commissioner is a new position. It will be the first time we will have a fire services commissioner. Mr Craig Lapsley has been appointed to that position. I do not know the man personally, but friends of mine say he is highly regarded, a good operator, has good knowledge and is a common-sense man. The shadow Treasurer asked how he would work with this government, but, honestly, we wish him the best because he will play an important role. As I said, I have been told he is a good, common-sense man, and I wish him all the best because he will need to continue this approach in the new position he will hold.

There are a couple of other purposes of this bill: it amends the Forests Act 1958 to make the position of chief fire officer in the Department of Sustainability and Environment a statutory position and makes related amendments to the Emergency Management Act 1986, the Country Fire Authority Act 1958, and the Metropolitan Fire Brigades Act 1958.

All of this has come about because of Black Saturday. As we know, that happened on 7 February 2009, but fires occurred not only on that day; there were fires going on before that date and for many days after it. There were 173 lives lost. Not only were lives lost but

many people were injured, and they still have not only the physical scars but also the mental scars. We have to remember those people, and it is important we do everything possible to make sure we are prepared for fires and, more importantly, that we can operate at the maximum efficiency to deliver fire protection not only for property but also for life.

Clauses 4 to 30 of the bill require the fire services commissioner to drive reform. I will talk about them in some detail. The commissioner has to develop a rolling three-year reform action plan, set the performance standards for each fire service agency and establish an incident management operating procedure. Those reforms have come from concerns raised in much of the evidence that came before the bushfires royal commission inquiry.

Recommendation 63, which is the basis of this bill, is addressed in volume II, part 2, of *2009 Victorian Bushfires Royal Commission — Final Report*. At pages 360 to 381 — 21 pages — the report refers to the organisational structure. It refers to the current arrangements with the Country Fire Authority (CFA), which has about 63 000 volunteers, including more than 30 000 operational volunteers, and 2000 employees, including 500 career, or paid, firefighters. It covers the Department of Sustainability and Environment (DSE) and the Metropolitan Fire Brigade. The conclusion on page 369 states:

The commission concluded that the three fire agencies, as currently structured, did not collectively contribute to their maximum potential on 7 February. Most of the concerns identified related to operational matters such as control, operational integration and interagency standards.

Since I came to this Parliament in 1999 there have been numerous bushfires and other fires in my area. I think we have done an exceptionally good job with the agencies concerned. That has come about because of experience. As I said, there have been numerous fires, and today I got a list of those fires from the CFA. It has classified 12 as major fires in the Wimmera district, and there have been many thousands classified as significant in the last 10 years. When I started here in 1999 we had the Mount Difficult fires. Then we had the Laharum fires in 2000, the Big Desert fires in 2002, the Fulham fires just north of Balmoral in 2005 and an enormous fire on Mount Lubra in 2006, which took out nearly 70 per cent of the Grampians National Park and a lot of private land. In the Wimmera district we have had a lot of fires — an average of one major fire every year.

There has been good cooperation between the agencies, including the CFA, DSE, and Parks Victoria, and even

the councils have played an important role in that area. DSE incident controller Geoff Evans is highly regarded. It comes down to the personalities at the various agencies, which can really help in taking a cooperative approach. It will take a lot of work. I wish the fire services commissioner all the best.

The report refers to the clearing of land and preparation for fires, which the bill also deals with, and also refers to fuel reduction. As we know, fuel reduction can be done not only by burning but also by spraying, slashing and mowing. It is interesting to look at page 313 of volume II, part 2, of the report where it talks about firewood. It says:

The commission considers the introduction of new measures permitting firewood removal from roadsides earmarked for prescribed burning a pragmatic step aimed at promoting efficient public use of firewood fuel, while making a small contribution to reducing fuel loads on roadside vegetation.

There are many good things we can pick up from this report that will help us to prepare for fires and assist in our work as the fires are happening and, importantly, during the recovery period. On behalf of the Lowan electorate I say I am not opposed to the bill. I wish Craig Lapsley all the best in his new role as the first fire services commissioner in Victoria.

Mr STENSHOLT — On behalf of the residents of the Burwood electorate I rise to support the Fire Services Commissioner Bill 2010 as part of an appropriate and wide-ranging response to the tragic fires of 7 February 2009, which were the worst natural disaster in Australia's modern history, involving the tragic deaths of 173 people and many others being injured.

Other members have already talked about the damage to people, people's lives, the community, assets, businesses, properties and to land. They have also talked about the enormous response to this emergency by the probably more than 10 000 people involved and about the community recovery. To his great credit the Premier announced an open royal commission so that we could learn lessons from the tragedy and so that measures could be taken in future. This bill implements one of the measures — a very important measure. In the final report tabled on 31 July the commission examined the issue of what was the best way for us to respond to fires and asked, 'What should be the right and appropriate structure and how can we do these things better in the future to achieve the best emergency response in the face of extreme fire?'

The commission recommended that the state enact legislation to appoint a fire commissioner — the term

used by the commission — as an independent statutory officer to be the senior operational firefighter. That is the key point of responsibility. The commission also recommended that the chief fire officer in the Department of Sustainability and Environment (DSE) play a specific role pursuant to a statutory appointment. The member for Lowan gave the house the advantage of hearing the further details of that recommendation. The Premier announced on 2 August that this recommendation was supported in principle. Within a bit more than two weeks the Premier announced the appointment of Craig Lapsley as the fire services commissioner designate. I congratulate the Premier on that very prompt response as part of the very appropriate government response to the royal commission's recommendations and to the tragedy which the state, and indeed all of Australia, suffered.

The bill provides for the establishment and formal appointment of the fire services commissioner in time for the fire season. It also provides, as was recommended by the commission, for the statutory appointment of the chief fire officer at DSE. It is important that the fire response system be a comprehensive one that can meet the requirements of the day. There are a range of consequential amendments to integrate the fire services commissioner's role into the existing fire and emergency management arrangements. They are quite comprehensive in terms of the roles of the Chief Commissioner of Police, the emergency services commissioner and the heads of the various agencies, and they are specified in various clauses of the bill. The fire services commissioner position is appointed by the Governor in Council, and it is required that the person who is appointed be somebody with the appropriate management, professional, technical and operational skills and expertise that would enable them to fulfil this role as the senior professional operational firefighter in Victoria.

There are a range of consequential amendments, including that the fire services commissioner lead a program of reform, which other members have talked about, and that the commissioner improve the operational performance of the agencies. This was considered an absolute priority by the commission in its report and recommendations. It is included in the bill that the commissioner has to develop a three-year fire service reform action plan in consultation with the fire services agencies, the emergency services commissioner and the state coordinator, who is the Chief Commissioner of Police. There has to be a work program for each of these fire service agencies that takes into account the resources of the agencies. The Premier has already announced that these fire services

agencies will be given appropriate resources and has specified that it will be an enormous response to this tragedy in terms of the resources the agency will be given.

Naturally there needs to be follow-up and revision of the reforms. The bill provides for that as well, including the work program and recommendation for an ongoing review process. To make sure that the public and the Parliament understand what is happening, the fire services commissioner has to prepare an annual report. This is in the best interests of transparency and accountability of the fire services commissioner and the fire services agencies have to report on their performance against the various standards. There are parts of the bill which talk about the standards. Importantly, because you are just setting out reform plans, you have got to show where the progress is going to be made in terms of the progress under the reform action plan.

There are a number of other consequential amendments to the existing statutory arrangements in the bill. The bill introduces timely arrangements to implement the key recommendations of the commission to improve the organisational structure, the operational response and the interoperability of the fire service agencies for the next fire season. It is very important that they work together. The powers will be in place prior to the season. This is a very appropriate bill and an appropriate response to what has been an absolute tragedy here in Victoria.

Dr SYKES (Benalla) — I rise to contribute to the debate on the Fire Services Commissioner Bill 2010 and, along with my colleagues in the Liberal-Nationals coalition, I declare my desire to see this and the remainder of the 67 recommendations of the 2009 Victorian Bushfires Royal Commission implemented.

I start by acknowledging the massive losses that occurred in the Black Saturday bushfires — the tragic loss of 173 lives and the tragic ongoing emotional scars borne by many people. It does not take you very long when you spend time with people affected by the fires to realise that they are still hurting like hell. You just need to look into their eyes and listen to the quiver in their voice to realise that complete recovery is a long, long way away. Part of that is associated with the ongoing challenge of being frustrated by red tape and a can't-do bureaucratic mentality as they attempt to rebuild their lives. I will cover that on another day.

This bill relates to the implementation of recommendation 63 of the 2009 Victorian Bushfires Royal Commission. As I have said, the

Liberal-Nationals coalition supports the implementation of that recommendation as it supports the implementation of all of the recommendations from the bushfires royal commission.

This appointment of one person as fire services commissioner to deal with large fires is absolutely critical. In times of crisis it is a no-brainer; you must have one simple, clear line of command — one simple, clear line of communication. As has been highlighted by other speakers, particularly the Leader of The Nationals and shadow minister for bushfire response, on Black Saturday there was a clear failure of leadership, which was due in no small part to the failure of both this government and previous governments to have in place a simple line of responsibility and command for major fires.

We have heard this acknowledged by the leaders. We have had apologies from Christine Nixon, former chief commissioner of Victoria Police; Russell Rees, former chief officer of the CFA (Country Fire Authority); Ewan Waller, chief fire officer of DSE (Department of Sustainability and Environment) and John Brumby, the Premier of Victoria. All acknowledged that things could have been done better had a better system been in place and had people better carried out their duties.

This bill is a step towards addressing the failings of the past. In making those comments I want to make it clear that I, along with other members, am in no way critical of the many people who were at the front line, particularly the CFA volunteers and the other CFA staff, but also those from DSE, MFB (Metropolitan Fire Brigade) and the many other people who put their heart and soul into firefighting and who also at times unintentionally risked their lives. This bill addresses the issue of leadership at the top.

There will be a number of challenges for the new fire services commissioner. His first challenge will be to win the hearts and minds of the staff of the DSE, the members of the MFB and the staff and volunteers of the CFA. That is a significant challenge, because they are individual organisations with their own cultures. There has been a range of both friendly and fierce rivalries between members of each of those organisations. The challenge for the fire services commissioner will be to win the hearts and minds of those people and organisations and get them to come together as one in the face of adversity.

Whilst this legislation intends to provide the legislative basis and the regulatory powers to make that happen, I can assure you, Acting Speaker, that there is a saying that was drummed into me during my regulatory career

early on in my life and that is, 'You cannot legislate for cooperation'. For the fire services commissioner to get the cooperation that he needs, he is going to have to demonstrate outstanding leadership skills to drive the cultural change that is required and to have the people with him when it really matters.

The appointee, Craig Lapsley, is a good person who is very well regarded. I wish him well in what will be a very significant challenge. Personally I believe he is up to it, but he will need the support of many people as the first fire commissioner to get this job in hand.

The other thing that the fire services commissioner will have to do is bring into the equation common sense rather than being bound by red tape and procedures and a can't-do, cover-your-butt mentality that often compromises the ability to get things done when it really matters — when you are under pressure at the fire front and you have to make things happen quickly because lives depend on it.

I use the example of a fellow called Ken Dwight — a policeman from Woods Point, which is a little backwater up in my neck of the woods. Ken was one of two coppers who took the common-sense decision in Marysville and led a convoy out in the face of the fire coming at them. They did not comply with the regulations. Ken had the courage of his convictions and the personal courage, along with his mate, to lead people to safety. That is what I am talking about — common sense being applied in the face of adversity.

The new commissioner also has to listen to locals. A plea that has been made to me many times by CFA volunteers is 'Listen to us! We know what goes on at the ground level!', particularly in the case of back-burns when you often have a limited window of opportunity to get a fire going and the weather conditions are right.

In 2003 fellows like Syd Dalbosco from Porepunkah and Harry Ryder from Tawonga raised concerns that they were not being listened to, and by the time the decision-making process worked up the command tree and back down, taking many hours, the opportunity was lost, and so the fires kept going when they could have been contained. We need a shorter decision-making and command chain.

We also need common sense in relation to fuel reduction burns. We need to expand the window of opportunity, revisit the constraints that limit the window of opportunity at this stage and ask, 'If we take a greater risk, can we achieve a much greater outcome?'. It is to the credit of the DSE and the firefighting authorities that they have adopted that

attitude of moving to trialling night burns this year. I say: well done; continue to think laterally; continue to look at options for doing more with what you have got as well as asking for more resources. We also need simple things like more permanent fire tracks to be retained in our bush country so we can get in there and do the work more efficiently without having to recreate fire tracks every time the proverbial hits the fan.

This legislation enables the same command principles to be applied to other disasters. We have just been through a flood event up our way in which a few people got wet feet. I should credit all the people involved in that response, particularly the lead agency, the State Emergency Service, with Keith O'Brien doing a very good job at Wangaratta and Colin Croxford and his team doing a great job at Benalla. They were well supported by the police and many other people.

What we need is for that to continue, and this bill allows for that. We also need to make sure we continue to refine our processes. For example, the community warning system was a balancing act between going over the top versus getting timely messages through, and there is work to be done there.

This bill is a step in the right direction. We need to continue to implement all 67 recommendations of the 2009 Victorian Bushfires Royal Commission.

Ms DUNCAN (Macedon) — I rise in support of the Fire Services Commissioner Bill 2010. As we have heard, this is the government implementing one of the recommendations of the 2009 Victorian Bushfires Royal Commission. The bill establishes the office of the fire services commissioner as a Governor in Council appointment, and we have already heard there has been an appointment made: Mr Craig Lapsley will be the first commissioner. He will have two principal roles: firstly, he will be the permanent state controller responsible for planning, preparation and the overall response of the fire agencies to major fires; secondly, he will be responsible for driving a reform program to improve the fire services agencies' operational performance. Both of these roles reflect recommendations made by the royal commission.

As Mr Lapsley said, his role will be about taking charge on the worst fire days, making sure the fire agencies are better prepared and coordinating a better flow of information to the public, including in relation to warnings. I congratulate Mr Lapsley on his appointment, and I wish him all the very best. I hope that he never has to use these coordinating responsibilities and that we do not see the likes of the

fires we had on Black Saturday again. I commend the bill to the house.

Mr BURGESS (Hastings) — It is a pleasure to speak on the Fire Services Commissioner Bill. The purposes of the bill are: to establish the position of fire services commissioner and provide for the functions and powers of the fire services commissioner; to amend the Forests Act 1958 to make the position of chief fire officer in the Department of Sustainability and Environment (DSE) a statutory position; and to make related amendments to the Emergency Management Act 1986, the Country Fire Authority Act 1958, the Forests Act 1958 and the Metropolitan Fire Brigades Act 1958.

The main provision of the Fire Services Commissioner Bill is that there is to be a fire services commissioner appointed by the Governor in Council. The role of fire services commissioner is to be a full-time role with an initial appointment of five years, which can be reappointed. The commissioner is to have all management, professional, technical and operational expertise required to control response activities in relation to major fires. Provisions regarding vacancy, resignation, suspension and removal from the role are outlined in the bill in clauses 8 and 9.

The bill outlines the fire services commissioner's general duties, including: enhancing the fire services agencies' ability to prepare for high-risk fire days; developing and maintaining performance standards for the Country Fire Authority (CFA) and the Metropolitan Fire and Emergency Services Board; developing and maintaining standards for fire suppression; developing incident management operating procedures; controlling the response to major bushfires; promoting the independent and joint operational capabilities of fire services agencies; managing the state's primary control centre; and advising, reporting to and making recommendations to the minister on all relevant fire management. The bill specifically provides that the fire services commissioner is to have regard for the importance of CFA volunteers with respect to firefighting capacity. The commissioner may delegate these responsibilities to any person.

The fire services commissioner must develop in consultation with all relevant emergency services agencies a fire services reform action plan which will include work programs that outline projects aimed to enhance the operational and planning capacity of fire service agencies. The plan must be submitted to the minister for approval and subject to a rolling review each year prior to the end of the financial year following the year it came into effect. If the

commissioner wishes to revise the plan following the review, the revised version of the plan will come into effect in the following financial year. Each version of the plan is to be in effect no longer than three years, at which time an updated plan should come into effect. The plan shall be distributed to all relevant parties and published on the fire services commissioner's website.

The bill stipulates that the fire services commissioner must develop and review from time to time performance standards for the CFA, the Metropolitan Fire and Emergency Services Board, and the secretary to the DSE's fire suppression functions. Reviews shall take into account resources available, be done in consultation with relevant parties, be distributed to relevant agencies and the emergency services commissioner and be published on the fire services commissioner's website.

The fire services commissioner must develop and review from time to time operating procedures regarding the planning, preparation, and response to major bushfires, including training, development, personnel accreditation, incident management facilities and systems, and the management of the state's primary control centre. Reviews must be done in consultation and cooperation between the commissioner and fire service agencies; distributed to all fire services agencies, the emergency services commissioner and the state coordinator; and published on the fire services commissioner's website.

The fire services commissioner must give fire-related warnings and information to communities for the purposes of protecting life and property according to protocols established by the fire services commissioner. The fire services commissioner may delegate to any other prescribed person the duty to warn the community. The chief fire officer of the CFA, the Secretary to the DSE, and the chief fire officer of the Metropolitan Fire and Emergency Services must all be included. The person to whom the responsibility is delegated can in turn delegate the responsibility to an employee of their respective agency or any other prescribed person, which is in clauses 24 to 26.

Information gathering for the purpose of developing or reviewing plans is also covered in the bill. The fire services commissioner may require the four fire services agencies to provide information relevant to developing and reviewing the fire services reform action plan, performance standards and incident management operating procedures. Requests for information must be written and satisfied within 28 days unless otherwise stated. All personal privacy and human rights laws still apply.

The minister may request the fire services commissioner to advise on any issue relating to fire management. An annual report must be given to the minister no later than 30 September every year detailing the commissioner's functions and progress in relation to the fire services reform action plan.

The bill also provides that there is to be a chief fire officer of the Department of Sustainability and Environment, authorised by the secretary of the department, who will be responsible for dealing with fire and fire prevention and suppression on all state forest, national park or protected public land.

The bill overrides sections of the Country Fire Authority Act and the Metropolitan Fire Brigades Act, which previously delegated sole firefighting responsibility to the CFA or DSE in certain areas of the state, to give the fire services commissioner statewide control over responses to major bushfires. The bill gives delegation and appointment powers to the fire services commissioner and state coordinator respectively in cases when the fire services commissioner may be unavailable or when fire service agencies are needed to control emergencies other than fire.

The bill provides that the CFA, the Metropolitan Fire Brigade and the secretary of DSE must comply with the fire services commissioner's performance and operating standards, and implement applicable work programs as outlined by the fire services reform action plan. Progress reports on performance standards must be provided to the fire services commissioner quarterly by the CFA, the MFB and the emergency services commissioner. The CFA, the MFB and the secretary must provide reports to the fire services commissioner no later than yearly regarding the implementation of the work programs as outlined in the fire services reform action plan. The bill provides that the chief officer of the CFA, the MFB and the secretary of DSE must issue fire warnings to the community if the responsibility has been delegated to them by the fire services commissioner or if it is thought warnings are necessary to protect life and property.

This bill is of immense importance to the state and I am certain that all members of this house are treating it in that way, but there is always a risk that the more time goes by, the more urgency and emphasis dissolves. I urge the government not to allow that to happen, and all those involved to be ever on their guard that it does not happen. I have been involved in a series of meetings following Black Saturday and it has been very clear that as time has passed each of the meetings has had a duller edge to it. The emphasis was not there; the urgency was

not there. Certainly it was there on the part of the community, particularly in the coastal villages where there is a one road in, one road out situation. Any bushfire in those areas is an absolute emergency because people find it very difficult to get out.

The community has asked that there be much more fuel reduction. Initially the government was very keen to have that happen and to be seen to have that happen, but as time has passed all sorts of excuses have been found for fuel reduction not being as important as it had been. I think that is indicative of what sneaks into attitudes, certainly through the bureaucracy that I have experienced, where the importance of fuel reductions is often supplanted by the importance of other environmental concerns. For instance, in the coastal villages it was about where a particular animal was said to be mating, so by deferring the fuel reduction people were putting the mating habits of a particular animal ahead of the safety and welfare of families in those villages on that occasion.

I refer now to an article which was published in the *Sunday Age* of 29 August. It appeared on page 7 and the author was Michael Bachelard, who said:

On the big political issues — powerlines and property buybacks — it is the expense and the political pitfalls that Brumby has rejected.

But on other crucial issues you can almost see the dead hand of bureaucracy bearing down to prevent crucial cultural changes from taking place. The 'stay or go' policy is the biggest victim.

In the mouths of the counsel assisting the commission, the policy was a 'substantial failure' that had placed people at 'great risk' and 'should be abandoned'.

The royal commissioners toned down the rhetoric, but their report, in substance, was highly critical and their recommendations were a long way from business as usual. Most importantly, they wanted managed evacuations on bad fire days and a comprehensive network of shelters and refuges for people to flee to.

Debate adjourned on motion of Mr BROOKS (Bundoora).

Debate adjourned until later this day.

GOVERNMENT (POLITICAL) ADVERTISING BILL

Introduction and first reading

Received from Council.

Mr McINTOSH (Kew) — I move:

That this bill be now read a first time.

House divided on motion:

Ayes, 33

Asher, Ms	Northe, Mr
Baillieu, Mr	O'Brien, Mr
Blackwood, Mr	Powell, Mrs
Burgess, Mr	Ryan, Mr
Clark, Mr	Shardey, Mrs
Crisp, Mr	Smith, Mr K.
Delahunty, Mr	Smith, Mr R.
Dixon, Mr	Sykes, Dr
Fyffe, Mrs	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Ingram, Mr	Victoria, Mrs
Jasper, Mr	Wakeling, Mr
Kotsiras, Mr	Walsh, Mr
McIntosh, Mr	Weller, Mr
Morris, Mr	Wells, Mr
Mulder, Mr	Wooldridge, Ms
Napthine, Dr	

Noes, 43

Allan, Ms	Hulls, Mr
Barker, Ms	Kairouz, Ms
Batchelor, Mr	Lim, Mr
Beattie, Ms	Lobato, Ms
Brooks, Mr	Lupton, Mr
Cameron, Mr	Maddigan, Mrs
Campbell, Ms	Marshall, Ms
Carli, Mr	Morand, Ms
Crutchfield, Mr	Munt, Ms
D'Ambrosio, Ms	Nardella, Mr
Duncan, Ms	Noonan, Mr
Eren, Mr	Pallas, Mr
Foley, Mr	Perera, Mr
Green, Ms	Pike, Ms
Hardman, Mr	Richardson, Ms
Harkness, Dr	Robinson, Mr
Helper, Mr	Scott, Mr
Hennessy, Ms	Seitz, Mr
Herbert, Mr	Stensholt, Mr
Holding, Mr	Thomson, Ms
Howard, Mr	Treize, Mr
Hudson, Mr	

Motion defeated.

Mr McIntosh — On a point of order, Speaker, this was the Premier's own bill. It demonstrates the hypocrisy of this government and the way it goes about business. He second read this bill. He had time to debate this bill 15 years ago — —

The SPEAKER — Order! There is no point of order.

FIRE SERVICES COMMISSIONER BILL

Second reading

Debate resumed from earlier this day; motion of Mr CAMERON (Minister for Police and Emergency Services).

Mr BROOKS (Bundoora) — In making a contribution to the debate on this bill I want to talk about some general points in relation to the recommendations being implemented from the 2009 Victorian Bushfires Royal Commission. The first point we should bear in mind is that the preconditions for the severe bushfires that we had on 7 February last year were about as extreme as anyone could imagine. There has been a lot of debate around the language of how severe those conditions were, but most people who remember those conditions, particularly on the morning of Black Saturday, know how hot and windy that day was. Most Victorians would agree it was a very severe weather day.

The other general point I make is that the wider Victorian community, including the government, has acted very quickly and promptly and in a very genuine way to support the communities that were affected by the bushfires and to help them as best as possible to overcome the impact of those fires and recover from them. That work continues today.

The other general point I make is that the government sought to have the Black Saturday bushfires thoroughly investigated by a royal commission. That royal commission had the broadest possible terms of reference. There has been public discussion and debate about the findings of the royal commission. It is proper in a democracy like Victoria for people to have their say. The royal commission was very robust and included much consultation with the people affected and the agencies involved.

The bill is before us as a result of recommendation 63 of the royal commission. A couple of the key features of the bill include clause 25, which stipulates that the fire services commissioner must develop procedures for dealing with major fires in consultation with fire service agencies. People who followed the proceedings of the royal commission and read the report will understand the importance of having that function assigned to the fire services commissioner. The preceding clause, clause 24, gives the fire services commissioner a statutory duty to warn communities about fires.

Clause 31 stipulates that the fire services commissioner must table an annual report to this Parliament. There is a requirement to include in that annual report an update about the implementation of a fire services reform action plan.

Because of the brief time that has been assigned tonight and the fact that there are a number of speakers wishing to speak on this bill and others, I will close my remarks. I would like to wish Mr Craig Lapsley, the fire services commissioner designate, well in his role. As other contributors to the debate have mentioned, I sincerely hope that the work he does is not tested in the future by the sorts of fires we saw on Black Saturday. I commend the bill to the house.

Mr K. SMITH (Bass) — It is nice to be able to get up and contribute to the debate on the Fire Services Commissioner Bill. It is good from the government's point of view that it has adopted recommendation 63 of the 2009 Victorian Bushfires Royal Commission. The government has appointed a person who, I understand, is very well liked and very well respected, and that is the important thing. He is a very creditable person to have in the position. It is important as we go into the next fire season that we have somebody who will be knowledgeable and will have the authority to show some leadership if we are unfortunately put in the position of having a serious fire like we had on 7 February 2009 — Black Saturday, as it is now known.

It was Black Saturday because of the fire and it was also a black Saturday for the government, with the failure of its leaders: the Chief Commissioner of Police and, in particular, the Minister for Police and Emergency Services who had authority and should have been there making some decisions, as well as the chief fire officer. The chief fire officer and the chief commissioner have since resigned, and it is a shame the minister did not do the right thing by the people and also resign from his position because of the lack of leadership he showed on that particular day. He comes into this Parliament as if he did not have any responsibilities at all on Black Saturday for walking out on the people, and that is very wrong.

I understand Mr Lapsley is a well-respected person, but he has some problems to overcome with some of the decisions that have been made by this government. We know Peter Marshall and the UFU (United Firefighters Union) want to get more permanent firefighters into the CFA (Country Fire Authority) so that the union can spread its tentacles through the CFA, build up its membership and then use those members to harass other volunteer members of probably one of the finest

volunteer organisations in Australia and probably anywhere in the world. The CFA does an absolutely magnificent job. If Peter Marshall and his band of thugs from the UFU get in there, they will cause mayhem. We will find volunteer firefighters walking out of the CFA, even though they have a great responsibility to their local communities to assist and help them.

Not only is the government looking at putting on 300 permanent firefighters, but it is my understanding that they will be paid out of the CFA's own budget. One of the problems is that it will pay for only the initial training. I am led to believe that each region of the CFA will have its budget cut by \$200 000 per year to fund the training of the 300 permanent firefighters who are to be put on at the request of Peter Marshall. It is not good enough for an organisation already struggling to be able to provide enough safety uniforms and supply enough trucks, trailers, hoses and all that sort of stuff to be losing \$200 000 out of each region's budget.

It is just wrong that the government is going to pay for only the initial training of the 300 permanent officers. No money has been allowed for the ongoing training that must be done after that. The officers will have to be paid to go through their training after the initial training; they will be stationed around Victoria and no funding is allowed for them. When you think about it, there is no funding allowed for the ongoing training of the 60 000 volunteers and 30 000 operational CFA volunteers. This is a disgrace!

Craig Lapsley will be in a position where I hope he will take a little bit of control over the situation and say, 'There has got to be some more money put in or we are not going to train up these permanent fire officers'. Peter Marshall wants to have his union thugs in every CFA branch around Victoria. Let him pay for it himself from his union funds. It should not be paid for by the CFA and its volunteers. I understand the CFA is running out of money to get the firefighters' structural apparel. They do not have the safety protection they need to be able to go in and fight those fires, and this is wrong. The government will be putting some of these people's lives at risk, because it is going to steal money from them and put it into training officers for Peter Marshall. He can get those 300 permanent officers who will all be members of the UFU. They will be union thugs, infiltrating each CFA branch to try to force volunteers to join the union, which is an absolute disgrace.

Ms Campbell interjected.

Mr K. SMITH — The member for Pascoe Vale should understand this will reflect very badly on her, although she would not have any CFA volunteers out in Pascoe Vale. You get out into some of the country areas and talk to some of the volunteers who put their lives at risk — —

The ACTING SPEAKER (Ms Munt) — Order! Through the Chair!

Mr K. SMITH — They put their lives at risk and their money is being spent by this government trying to pay Peter Marshall and reward him for the support he has given to the Labor Party and what he will put into the Labor Party at the very next election on 27 November.

Ms Campbell — On a point of order, Acting Speaker, I draw your attention to the bill before us. The contribution being made by the member for Bass bears no semblance of relevance to anything in the bill.

Mr K. SMITH — On the point of order, Acting Speaker, this is part of the bill. This is about the fire services commissioner who will have to make some decisions on this matter. This is all about the bill. It is about somebody showing leadership, which has to be extended to the training of permanent fire officers and who will pay for it.

The ACTING SPEAKER (Ms Munt) — Order! Has the member for Bass concluded the point of order? I cannot see any point of order. I have been listening to the debate. It is a wide-ranging debate, but I ask the member for Bass to confine himself to the bill.

Mr K. SMITH — Can I say, Acting Speaker, that is probably one of the best decisions I have heard from the Chair for some time, and congratulations to you for that.

There is something else the fire services commissioner will have to decide on — that is, this government is now pushing a number of the fire brigades out of their own little patches of ground and putting them within the structure that the government says is the way it should be, with each of the regions having their own fire brigade and having their own education. The Bass Coast group was in region 8 and wants to stay in region 8. The government is putting pressure on the CFA board to force the region 8 people from the Bass Coast area over to Sale. Now this is a ridiculous situation, because there are no communications — and I mean, there are physically no communications. They cannot keep in touch with one another. They cannot get any directions or orders because there are no communications. This stupid government is forcing

these people to abandon and to not look after their own community because they do not have the communications facilities to do it. It is a disgrace. This new commissioner will have to step in and say, 'No, it's not on. Bass Coast — stay where you are'.

Ms CAMPBELL (Pascoe Vale) — I endorse the last sentence from the member for Bass — the member for Bass should stay where he is. I think his constituents would be terrified if they saw him in their electorate.

Moving on to the bill and a couple of the nonsense comments that have been made by the member for Bass, first of all in relation to the Fire Services Commissioner Bill 2010 it is clear that this government, and in fact this whole Parliament, is putting a great deal of trust in the fire services commissioner and will give him or her the ability to report directly to the Parliament. If any of us, even the member for Bass, believed that a fire services commissioner would not report to this Parliament if they thought they required further financial resources, then such a member would be extremely ill informed and extremely naive.

I refer to the funding matters that have been raised here. I want briefly to mention that the Public Accounts and Estimates Committee prepares reports, tables them in this house and examines ministers and relevant public servants in relation to financial matters. Guess what? We have found through the considerations of a number of public accounts committees, as the Acting Chair would know, that record levels of funding have been provided to our emergency services. In addition, referring to the bill — something the member for Bass failed to do — clause 14 provides that the fire services commissioner must have regard to certain matters in developing fire services reform action plans. Guess what? Paragraph (a) of clause 14 refers to resources. I repeat that the resources provided to the emergency services are at record levels.

The last fire we had in Victoria thankfully had really positive results for the safety and life of our firefighters, and I attribute that to the great training that was provided with the use of taxpayers funds through the budget process. The bill makes sure that the chief fire officer of the Department of Sustainability and Environment has a statutory position and that operational leadership will be provided. On that note, this is excellent legislation, and I wish the bill a speedy passage.

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

Mr NORTHE (Morwell) — It gives me great pleasure to rise to speak on the Fire Services

Commissioner Bill 2010. The bill establishes the position of the fire services commissioner and provides for the functions and powers of the commissioner. It amends the Forests Act 1958 to make the position of chief fire officer in the Department of Sustainability and Environment a statutory role. It also makes related amendments to the Emergency Management Act 1986, the Country Fire Authority Act 1958, the Metropolitan Fire Brigades Act 1958 and the Forests Act 1958.

The position of the fire services commissioner comes as a result of the 2009 Victorian Bushfires Royal Commission's final report. As other members have mentioned, Mr Craig Lapsley has been appointed to this position. I understand that this will ultimately be enshrined in legislation as a full-time role with an initial appointment period of up to five years.

I take this opportunity to note, as I have previously in this house, that the Morwell electorate was significantly impacted by the fires of late January and early February 2009. I also note that in the minister's second-reading speech on this bill he stated that the royal commission inquiry was established as a result of the devastating bushfires of 7 February 2009. Whilst this is accurate, the inquiry also covered the Gippsland bushfires of late January. These fires impacted on the communities of Mirboo North, Boolarra and Yinnar. This should not be forgotten in the bigger scheme of the inquiry.

As we know, in late January the Delburn complex of fires caused significant damage throughout Gippsland's communities, destroying some 44 homes and burning 6500 hectares. On Black Saturday the Churchill complex of fires devastated many communities within the Morwell electorate, which unfortunately saw 11 fatalities, a number of injuries, a substantial loss of homes and the burning of in excess of 25 000 hectares over that period of time. We saw the communities of Traralgon South, Callignee, Hazelwood North, Hazelwood South and Koornalla, amongst other communities, devastated by these fires of Black Saturday.

Recommendation 63 in the royal commission's final report refers to the appointment of a fire services commissioner. I think it is important to understand how the royal commission came to the conclusion it did in relation to recommendation 63 and the necessity of appointing a fire services commissioner. As the Leader of The Nationals pointed out in his contribution, chapter 10 of the final report in volume II discusses the organisational structures that currently exist within emergency services in Victoria. It goes on to discuss some of the challenges that occurred on Black Saturday and in late January with the Delburn complex of fires.

If you read further into section 10.2 of the report, you will see that it talks about the need for operational improvement and reform. It goes on to discuss some of the operational shortcomings that occurred on that particular day and through the duration of the fires. I quote from section 10.2.1 of the report:

On 7 February there was no single person in charge of operational planning, tasking and accountability. Responsibilities were divided between the CFA, DSE, the Chief Commissioner of Police and the emergency services commissioner. The two chief officers were responsible for the prevention and suppression of fire by their respective agencies. The Chief Commissioner of Police was responsible for coordination across agencies and ensuring the adequacy of public warnings. The emergency services commissioner advised and kept the Minister for Police and Emergency Services informed.

The report then deals with other issues — the shortcomings of the operations of that particular day, maintaining a decentralised control of the fire, the effectiveness of mutual aid arrangements and a whole host of other issues that are important in ensuring that we have coordination and teamwork across the emergency services sector.

The royal commission's final report concludes section 10.2.3 by saying:

... the three fire agencies, as currently structured, did not collectively contribute to their maximum potential on 7 February. Most of the concerns identified related to operational matters such as control, operational integration and interagency standards.

The royal commission final report deals with some of those inadequacies in what occurred on that day. Recommendation 63 of the report is:

The state enact legislation designed to achieve two specific ends:

appoint a fire commissioner as an independent statutory officer responsible to the Minister for Police and Emergency Services and as the senior operational firefighter in Victoria

make the chief fire officer of the Department of Sustainability and Environment a statutory appointment.

Recommendation 63 highlights some of the roles and responsibilities of the fire services commissioner. The commissioner has two principal roles when undertaking their duties: firstly, they are the permanent state controller responsible for the planning and preparation of the overall response of fire agencies to major fires; and secondly, the commissioner has the responsibility for the reforming improvements of fire services agencies. It is important that we have an integrated approach.

The coalition supports all 67 recommendations put forward by the 2009 Victoria Bushfires Royal Commission. We think this is a sensible step in the right direction. We want to ensure the protection of our communities and this state. We owe it to the 173 people who perished on that fateful day and all those who have been impacted by the disaster of bushfires in this state.

The appointment of the fire services commissioner is a good step in the right direction, and it will help us in the future. If having the fire services commissioner appointed helps in some small way, it will assist us in the future by ensuring that the communities that have been impacted, particular those in the Gippsland region, will be wiser. It will also ensure that we have an integrated and team approach to bushfires in the future.

Other members have spoken about making sure that once we leave this place we have standards and legislation in place that ensures that our communities are protected in the future from the scourge of bushfires. We know the impacts of bushfires that affected many communities in late January and also on Black Saturday, 2009. I have spoken in this house previously about the impacts on communities in my region. The fires of Black Saturday were not the only fires that caused fatalities in our region; there were bushfires in late January, including the Delburn complex fires, which destroyed many homes in our region.

As a local member of Parliament I know that those people who have been impacted by those bushfires are still dealing with many issues. We still face that on a daily and weekly basis. People are still struggling to recover. It is important to acknowledge the Country Fire Authority volunteers and those who helped to fight the fires. It is not only CFA volunteers who helped but also emergency services personnel across our jurisdiction who were extremely supportive. The final report of the bushfires royal commission also notes the good work of the employees from the Hancock plantations in Gippsland, who were applauded for their good efforts in fire prevention and maintenance.

In closing, the volunteers were also noted by the royal commission because of their bravery, dedication and commitment in tackling the scourge of these bushfires.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Fire Services Commissioner Bill. The Nationals in coalition are not opposing the bill, which is a result of the recommendations of the 2009 Victorian Bushfires Royal Commission. The purposes of the bill are: to establish the position, functions and powers of the fire

services commissioner; to amend the Forests Act 1958 to make the position of the chief fire officer in the Department of Sustainability and Environment statutory; and to make related amendments to the Emergency Management Act 1986, the Country Fire Authority Act 1958, the Forests Act 1958 and the Metropolitan Fire Brigades Act 1958.

So much has already been said about this bill. We have concerns about the bill, but we do not have any objections to it. That is the face of this matter. The fire services commissioner is to be appointed by the Governor in Council. The commissioner's position will be a full-time role with an initial appointment of five years and the possibility of reappointment. The commissioner will have all of the management, professional and technical operational expertise to control the response activities regarding major fires. In country Victoria we expect a lot out of this.

Many times I have sat with CFA (Country Fire Authority) volunteers in my electorate, which has huge areas of national parks. There is the interface issue — that is, a fire in a national park is the responsibility of DSE and Parks Victoria; however, when the fire goes out of the park, it is then a CFA responsibility. We expect — and it has been the focus of the royal commission — that the fire services commissioner will take this on board and make this interface work much better.

In the current situation there may be the will at the higher level that this should work well, but the word on the ground from the CFA volunteers is that in many cases it will not. There are response and coordination issues and also concern about the way the two services will work. I know this has been well covered by the Victorian Bushfires Royal Commission; however, often when a fire is occurring in country areas where there are huge national parks the CFA would like to go across the public land and deal with the fire before it gets onto private land and starts damaging fences and infrastructure. I hope with better coordination the CFA, the Department of Sustainability and Environment and Parks Victoria will, as the royal commission wanted, be able to work together. That will be the responsibility of the fire services commissioner.

There are a number of other functions that the fire services commissioner must do. The functions are to come up with an action plan; set performance standards for the fire agency; establish incident management operating procedures; put out community warnings about fires, which is extremely important; and undertake information gathering for the purposes of developing or rewriting plans, standards and

procedures. The commissioner will have to undertake all of those functions. There are also a number of other amendments. The concern for Mildura is about that national park interface. With those words, as I said, I note that we have concerns and we have great expectations, but The Nationals have no objections to this bill so we will not be opposing it.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

CARDINIA PLANNING SCHEME: AMENDMENT

Mr WYNNE (Minister for Housing) — I move:

That under section 46AH of the Planning and Environment Act 1987, amendment C141 to the Cardinia planning scheme be ratified.

The amendment before the house provides for both the redevelopment of the current Pakenham racecourse site and the relocation of Pakenham racecourse to what will be a new state-of-the-art racecourse and training facility at Tynong.

Less than a year ago at the request of Cardinia Shire Council the Minister for Planning referred this matter to the priority development panel. The minister did this to investigate a planning approval process that could assist in the delivery of positive planning outcomes for both the existing racecourse site and the new site at Tynong. This process importantly afforded the opportunity for local residents, local businesses, council, government and other agencies to be involved in the process. I reiterate that this was in fact at the request of the Cardinia Shire Council, which has been a very strong advocate of this proposal.

Based on the priority development panel advice, the minister has now approved the amendment we have before us for ratification today. The amendment provides for the existing Pakenham racecourse site to be redeveloped for medium-density, residential, retail, commercial and community use, paving the way for the Pakenham Racing Club to sell the site and use the proceeds to develop a new racecourse at Tynong. I have had the opportunity to be briefed today in a thorough way by officers from the Department of Planning and

from the office of the Minister for Planning. I will have a bit to say about the Pakenham racecourse in a minute. If my colleague the member for Eltham were here, he would have something to say about it too.

Dr Naphthine — His horse ran second last the other day at Pakenham!

The ACTING SPEAKER (Mrs Fyffe) — Order!
The member for South-West Coast!

Mr Mulder — He needs a new racecourse!

The ACTING SPEAKER (Mrs Fyffe) — Order!
The member for Polwarth!

Mr WYNNE — Let us just say it was second last out of the barrier and remained second last until the end, and some of us are the worse for wear for that particular adventure on Monday at Pakenham racecourse!

The ACTING SPEAKER (Mrs Fyffe) — Order!
The minister, on the motion!

Dr Naphthine — That is why he needed to move it to Tynong — for the horse's benefit!

Mr WYNNE — We will give the member for Eltham's horse a fair go at Tynong. I will not be distracted by the member for South-West Coast. Yes, it is true; we did our money on Monday. The briefing that was kindly provided to me by the Department of Planning and the minister's office painted a wonderful picture of the opportunity that is provided to us by this redevelopment. It is beautifully located, and it is an opportunity for a mixed development of the highest quality, including some medium-density housing, which I know is strongly supported by the Cardinia Shire Council. It will provide both a framework and a model for urban development in that growth corridor.

The redevelopment of the Pakenham racecourse will support the objectives of Melbourne 2030 and the challenges that the government and the community face in relation to Melbourne @ 5 Million through the provision of the medium-density housing, as I indicated, and commercial activity, which will be beautifully located on public transport, as well as actively managing Melbourne's growth within the established activity centres.

The existing racecourse site comprises approximately 27 hectares of land adjacent to the town centre and public transport. The amendment before the house rezones the site to a comprehensive-development zone with an associated comprehensive-development plan to

guide the future development of the land. The new development will ensure that the Pakenham town centre remains the major activity centre in the Cardinia shire and will provide opportunities for a range of uses to meet the needs of the community. I was out at that region only last week. The member for Bass was with me on that day to deal with some issues around libraries in the area. There are great challenges ahead for those communities. In that instance we were dealing with the refurbishment of a mobile library which will circulate throughout some of the smaller townships that are associated with the major activity centre at Pakenham. It was an important opportunity to recognise the extraordinary growth that is occurring in that precinct and the wonderful opportunity that this amendment before us today presents to us.

Importantly, this rezoning also paves the way for the Pakenham racecourse to sell the site and use the proceeds to develop a new state-of-the-art racecourse and training facility to be built on 235 hectares at Tynong, which will be facilitated through this amendment. The new facility will include turf, synthetic and sand tracks; a grandstand; car and float parking; horse stables and training lots; houses for trainers; and the potential for future exhibition and event facilities. Those who are interested in racing — and we will hear from the Minister for Racing in a few moments — will know the crucial importance of having a range of tracks at this new Tynong facility: turf, synthetic and sand tracks. Due to the recent deluges that have occurred throughout the state we have on occasions had to shift race meetings from regional settings because of significant rain damage to the tracks. Many of them have — —

Mr Weller — You could always run it at Echuca.

Mr Ingram — You could always run it at Bairnsdale.

Mr WYNNE — Oh dear! Many of those races have been relocated to the recently refurbished track at Geelong, which is an all-weather track and provides excellent facilities. It has been to the benefit of the Geelong region and to those who seek to actively pursue the punt through the week as well. Both proposals are expected to generate an estimated \$84 million in economic activity and create in the order of 1700 jobs in one of Victoria's fastest-growing and most vibrant areas.

Amendment C141 rezones the Tynong site from a green wedge zone to a special-use zone, identifying the land as a racecourse and training facility. It also allows for the provision of trainer allotments and on-site

accommodation, which is a necessary element for the successful operation of the training facility. It is this element of the amendment which triggers the requirement for parliamentary ratification. I am advised that very important checks and balances have been put in place to ensure that the intent of the amendment is realised in this redevelopment. The proposition is that there will be something of the order of 120 dwellings located on the at the Tynong site and that they will be subject to a section 173 agreement which will ensure going forward that the particular uses of this accommodation are tied to what I will describe as the underlying use, which is for the purposes of horseracing more generally.

Mr Ingram interjected.

Mr WYNNE — The purposes are to have training courses and horseracing itself. The development of the new racecourse and training facility at Tynong supports the implementation of the government's green wedge policy to provide important resources to recreation and tourism, and is an appropriate use to be located within the green wedge. It also has significant environmental benefits, including water retention and recycling, the creation and improvement of dedicated flora and fauna habitats such as a dedicated growling grass frog habitat — —

Dr Napthine interjected.

Mr WYNNE — I am sure you did. And it provides substantial native vegetation as well. In concluding I would like to acknowledge the Cardinia Shire Council, which has done a terrific job in supporting these two projects and helping bring them to fruition. I think it is an excellent example — and I can say this absolutely — of state and local governments working together to benefit the community more generally. It is an example of where you can realise an existing asset and turn it into another excellent community outcome — that is, the establishment of new urban accommodation, that is beautifully located, as I indicated earlier, very close to the town centre.

Mr K. Smith — At the railway station.

Mr WYNNE — Beautifully located at the railway station, as the member for Bass indicates. Indeed in his absence I indicated that we were both out there only a few days ago dealing with some issues around libraries there. It is really just going to lift that whole activity centre in the Pakenham township. I would argue that to have a world-class training and racing facility at Tynong is going to be a superb outcome, not only for the local community out in that region but more

generally. It will attract tourism and economic growth to the area. It is a great investment, and I think it is a win-win for the community out there. I am sure that both sides of the house will strongly support this amendment going forward.

Dr NAPHTHINE (South-West Coast) — The purpose of this motion is to ratify changes to the Cardinia planning scheme amendment C141. That has two components which are based on a recommendation of a priority development panel report of January 2010 into the relocation and land rezoning. That priority development panel recommended two things: firstly, that the Tynong land be rezoned from green wedge zone to special-use zone to facilitate the relocation of the Pakenham Racing Club and its facilities — the racing and training and other equine developments — from the centre of Pakenham out to the Tynong land; and secondly, that the Pakenham land be rezoned from special-use zone to comprehensive-development zone.

The Pakenham land is where the current racetrack is in the centre of Pakenham, quite near the railway station and the central business district of Pakenham. The land is owned by the Pakenham Racing Club, and it is where it currently holds the race meetings for Pakenham. Those who have been to the Pakenham Racing Club — and I have been to a number of meetings at Pakenham and the honourable member for Bass is a regular supporter of the activities of the Pakenham Racing Club and the community there — would say that while it runs some very good meetings and does an excellent job, the track itself is a bit tight and there is room for improvement to the racing opportunities if there were a larger track. Fortuitously the land is extremely valuable, being in the centre of town, right near the central business district and very close to the railway station, and I think it is ideal for development.

Therefore the rezoning to the comprehensive development zone is supported and similarly the coalition in opposition supports the rezoning of the green wedge zone at Tynong to a special-use zone to facilitate the relocation of the racing and training facilities at Pakenham from the centre of Pakenham out to Tynong. The coalition strongly supports the two components of this amendment.

Let us make it very clear that we strongly support the relocation of the Pakenham racecourse and associated facilities to Tynong. This provides an opportunity for the Pakenham Racing Club to deliver outcomes that will be very positive not only for Pakenham and the surrounding district but also for the entire Victorian racing industry, and I think that is a significant step forward. It will provide opportunities for the creation of

a 2400 metre grass track, and an extremely large track — larger than Flemington. Those who are racing aficionados would understand that the larger the track the greater the opportunity there is for a fair race for all horses. Many owners, trainers and jockeys look for the opportunity to race on a large track to give their horse every chance.

The other opportunities at Tynong that Pakenham Racing Club is looking forward to developing and which the member for Bass and the coalition strongly support is the development of synthetic and sand tracks for training purposes and possibly for racing on the synthetic surface.

The history of synthetic surfaces in racing is interesting. Indeed we had some problems with racing on synthetic surfaces at Geelong. There were some significant concerns about the impact on the horses of racing on synthetic surfaces. The track had to be pulled up and rebuilt. During the wet winter we had this year we saw a lot more racing on the reopened synthetic surface at Geelong. So far all the feedback seems to be reasonably positive with regard to — —

Mr Hulls — You opposed it!

Dr NAPHTHINE — No, I did not oppose it. There is still further work to be done. I am sure the Minister for Racing would agree there needs to be further work done to make sure we properly evaluate the impact of racing on synthetic surfaces on the health and welfare of horses over the short, medium and long term.

While the development at Tynong will have a synthetic and a sand track to be used for training, there may be opportunities in the future for racing on that synthetic track in the true sense of racing rather than just training. There may also be opportunities for night racing at that venue.

The facility at Tynong will also provide a great opportunity for the development of a much-needed high-quality training centre for the Victorian racing industry. There is a shortage of training facilities in the Victorian racing industry. A need exists for additional training facilities. The training facilities that are offered in this development will provide real opportunities for trainers, be they experienced, emerging or new trainers, to take up the opportunity to train at Tynong.

The reason this amendment is so important in terms of the planning scheme is that not only will it provide opportunities for trainers to lease boxes on the course but it will also provide a unique opportunity for housing associated with training facilities on the course. Trainers who are looking to own their own house or

facility will benefit through this amendment, which will allow the development of housing and associated stabling facilities for trainers that they will be able to lease or buy and have equity in. I think many trainers are looking for equity opportunities that provide high-quality training facilities; that are close to good-quality grass, synthetic and sand tracks; and that offer a full range of services. They are also looking for a facility where they are able to purchase their own equity and develop their own assets. This amendment will facilitate that at Tynong.

One of the great visions of the Pakenham Racing Club is for this site to be the site of wider equine services, including the establishment of veterinary services that might specialise in racing animals but also equestrian animals. The Cardinia shire, the Casey shire and that part of Melbourne in general is home to many people who are involved in equestrian activities. There is certainly an opportunity there for specialist veterinary services and surgical services to meet the needs of the racing and equestrian industries. Specialist farriers, feed merchants, float operators, horse physiotherapists and other people who service the racing industry will also be able to gather there. There are enormous opportunities for major economic development and job growth associated with this.

I would like to congratulate the club chair, Don Duffy, the chair of the track relocation committee, George Dore, the CEO, Michael Hodge, and the members of the Pakenham Racing Club committee, who have shown enormous initiative in pursuing this option. They have also shown significant fortitude. I will come to that in a minute. It has not been an easy path. I would also like to take this opportunity to congratulate the Pakenham Racing Club, which was recently awarded the Country Racing Victoria award for running the best event for the Pakenham Gazette Oaks Day event. That is a terrific event; congratulations to the club.

I was pleased to visit the Tynong site with the member for Bass, Ken Smith, on 6 September with representatives of the club. On Wednesday, 8 September, an article in the *Pakenham-Berwick Gazette* reported that visit. It states:

Dr Napthine said the new course was an exciting opportunity for racing.

'Pakenham at the moment is a bit tight; this new course will give us all the room we need' ...

...

Dr Napthine said the new facility could provide up to 1000 jobs in the local economy and would provide local businesses with a boost in trade.

I strongly support it, as does the Liberal-Nationals coalition. I urge the government to also back this project. If there is a change in power after the election, we will be riding it all the way to the finish line. I am pleased to see that the Minister for Racing, a week after we were there, come on board and support this project.

The member for Bass was also quoted in the *Pakenham-Berwick Gazette* article. It quotes him as saying 'It's really good to be able to see the site rather than just on plans'. We were out there, we saw it firsthand and we support it.

It has not been smooth sailing all the way. On Monday, 13 September, the *Herald Sun* published some comments. The article states:

RVL chief executive Rob Hines said the development of Nar Nar Goon fell outside racing's five-year plan because there were several unresolved issues relating to the sale of the Pakenham racecourse.

The racecourse is on the Nar Nar Goon-Tynong border, so some people describe it as the Nar Nar Goon site and some people refer to it as Tynong.

This article was published on Monday, 13 September — just this week. The article states further:

'We'll have to wait another six months, maybe a year, to see where Pakenham fits into the future', Hines said. 'We're not pushing for this new track.'

Mr Hines is the Racing Victoria chair.

On Wednesday, 15 September — that is today — an article that appeared in the *Herald Sun* reads:

At the moment Tynong is not in RVL's five-year plan.

So we have people who have made it difficult for the Pakenham Racing Club and this Tynong development, which has been supported every inch of the way by the member for Bass and by the coalition.

In December 2008, in Pakenham at the presentation of a directions paper on Victorian racecourse and training facilities, Racing Victoria Ltd, with the endorsement of the government and the Minister for Racing, Rob Hulls, said that the Pakenham racecourse should be downgraded to a regional racing centre with no training facilities. That is what they said in 2008. They said that under this five-year plan the number of meetings a year at Pakenham and the Pakenham St Patrick's Racing Club combined should be reduced from 12 to 6, and there would be no training at Pakenham. That was the plan put forward by Racing Victoria and endorsed by the Minister for Racing in 2008, but the community of

Pakenham did not accept that. The member for Bass did not accept it. The coalition did not accept it and I, as shadow Minister for Racing, do not accept this downgrading of the Pakenham club.

Mr Andrews — Why don't you quote yourself again?

Dr NAPHTHINE — I will! In a press release I put out on Friday, 19 December 2008 under the heading 'Hulls decision decimates racing clubs', I said:

This government is committed to wrecking racing in Pakenham. Last year Pakenham lost a meeting, now they lose six more and its status as a training venue. The minister has gutted the Pakenham Racing Club in one afternoon.

Mr Andrews — What else did you say?

Dr NAPHTHINE — It just shows that I am consistent in fighting for Pakenham and fighting for the Tynong development, whereas this minister and this government have flip-flopped on their position when it comes to supporting the Pakenham and Tynong development.

An article in the *Pakenham Gazette* of 11 February 2009 said:

Pakenham's horseracing industry is bracing itself for an economic downturn as the future of Pakenham Racing Club hangs in the balance.

Local trainers and produce retailers met with Victoria's shadow racing minister Denis Naphthine ... asking for support amid the threat to their livelihood.

The pleas came as Racing Victoria Limited considers its plan to scrap Pakenham as a training centre and cut its racing schedule —

At Pakenham. The article says further:

The concerned locals received a sympathetic hearing from Dr Naphthine, a former veterinarian and racing enthusiast.

'Its an absolute disgrace', Dr Naphthine said of the plan to displace local trainers.

'This is one of the fastest-growing regions in the state and one of the largest horse training areas in country Victoria.'

It is significant that it is not only a great horse training area, but also a great pretraining area.

Mr Andrews — Keep quoting yourself because no-one else is quoting you, Denis.

Dr NAPHTHINE — It shows that I am consistent about what I say and what I stand for.

An article in the *Pakenham Journal* of 9 February 2009 said:

Horse trainers, owners and Pakenham Racing Club stakeholders are frustrated with Racing Victoria Ltd's proposal to cut professional race meets from 13 a year to 5 and stop funding it as a training venue.

The RVL proposed that horses now trained at Pakenham will be moved to Cranbourne's major training facility.

This is a recipe for disaster, says horse breaker and trainer Julien Welsh.

He talked about the significant number of horses that are pretrained at Pakenham that were not included in Racing Victoria's figures and said that Racing Victoria did not understand the significance of pretraining and Pakenham, Benalla and a number of other regional centres in its plan to shut down those training facilities.

Further in the article, it says:

Shadow Minister for Racing Denis Naphthine, Bass MP Ken Smith and Eastern Region MP Edward O'Donohue were at a meeting held at Mr Welsh's property last Friday to show support for the Pakenham Racing Club.

We have been consistent in our support for the Pakenham Racing Club, and we have been consistent in our support for this development. Indeed, in a letter that I wrote to Michael Hodge on 26 March 2009 regarding the Pakenham Racing Club, I said:

Your local Liberal members Ken Smith, Edward O'Donohue and I are enthusiastic supporters of this exciting visionary proposal.

Mr Andrews — That's what you said?

Dr NAPHTHINE — Yes, that's what I said in 2009. In 2009 we were strongly supportive of the future of Pakenham Racing Club and the relocation to Tynong. It is on the record, and we talked about the fantastic racing training and equine centre proposal for Nar Nar Goon-Tynong.

It is interesting that as a result of the strong representations from the member for Bass, the member for Eastern Region Edward O'Donohue, the Pakenham racing fraternity and me that when Racing Victoria put out its final plans for the Victorian racing and training facilities infrastructure plan in May 2009, Pakenham was reinstated as a tier 1 club with industry-funded training, maintenance and capital. That was a good outcome because of the strong representations of the local member, supported by the shadow minister and the Liberal-National coalition.

What we have had now over recent years is quite a deal of concern about the future of Pakenham Racing Club.

Throughout the whole process, all those challenges, all those ups and downs, all the threats to the very future of the racing club, the threat to take away race meetings and the threat to close the training facility, one thing has been absolutely consistent: the support of the local member, the member for Bass. He has stood up and fought for the Pakenham Racing Club. He has stood up and been counted. He has been a regular supporter of their race meetings, and he has stood up and fought for the future of the Pakenham Racing Club. He has been at the forefront of the fight to implement the vision that the Pakenham Racing Club has for the development at Tynong of a significant racing and training centre — an equine centre.

The member for Bass, supported by Edward O'Donohue, a member for Eastern Victoria Region in the other place, has been absolutely outstanding in standing up for the Pakenham Racing Club, the trainers, the horse owners and the community. What has been achieved through this amendment is the implementation of the next step in what will be quite a visionary project — a proposal that will deliver significant positive outcomes not only for Pakenham Racing Club but also for Victorian trainers and all the stakeholders in the Victorian racing industry.

At the same time, the relocation of the racetrack out of the centre of Pakenham will provide that very fast growing community with significant opportunities to redevelop the CBD and create a significant positive vision for the future of the township. I take my hat off to the visionary people who have been involved in the Pakenham Racing Club for generations. They saw that that land was donated to the racing club, and they maximised the value of that land. They were innovative in their involvement with the electronic gaming machine industry, where they have maximised the opportunities to use their electronic gaming facility to deliver positive outcomes to the racing club and positive outcomes to the community.

This is an amendment that the coalition strongly supports. We have supported it for a number of years. We welcome the fact that the government has come on board with what we have been putting forward, what the member for Bass has been putting forward and what the Pakenham Racing Club has been putting forward. We wish the Pakenham Racing Club all the very best in the development of its new facilities at Tynong and with the development and sale of its land in the centre of Pakenham.

Mr HULLS (Minister for Racing) — I do not know where to start. I might quote myself: 'Denis Napthine is a goose who knows nothing about racing'. I have said

that previously. I am quoting myself; I think I have said that on any day ending in 'y'. No, I will quote the shadow Minister for Racing, because I recall many years ago he said words to the effect that you have to question the future of any country club that cannot stand on its own two feet. So it is good to see he has had a change of heart in relation to country racing and has come on board.

I was at the announcement in relation to this amendment. Jenny Mikakos, a member for Northern Metropolitan Region in the other place, was there representing the Minister for Planning, and a number of the people who have been mentioned by the shadow minister, including Simon Conn, acting chairman of Pakenham Racing Club; Michael Hodge, chief executive of Pakenham Racing Club; Paul Bittar, chief strategy officer of Racing Victoria; Michael Caveny, who is well known to the shadow minister and is chairman of Country Racing Victoria; and Graeme Legge, Mayor of Cardinia Shire Council. They were all there, and they all spoke at that function. I was there and I listened very carefully to everything they said, but they did not thank the shadow minister.

Mr Andrews — Did they quote him, though?

Mr HULLS — They did not quote the shadow minister. They did not give the member for Bass a mention. They thanked the government for its support of this amendment, and they thanked the government for its support of country racing. They said that racing in this state is the best in Australia because of government support, and they made it quite clear that the government is passionate about racing and about country racing.

I do not remember walking out during their speeches, so I did hear every word they said. Not once did the member for Bass get a mention and not once did the shadow minister get a mention, because they know full well the shadow minister just runs around this state talking the industry down. When there is any good news at all, he will try to take credit for it. The fact is that we are passionate about racing in this state and passionate about country racing in this state.

What the shadow minister said is true, though, that Pakenham has a very proud history when it comes to racing. I agree with that. What he might not know is that Pakenham has a proud history of racing firsts. The Pakenham racetrack was the first track in Australia, would you believe, to use decimal currency at a race meeting. Punters had to swap two-bob bets for 50 cents each way. From my own experience, I have lost a bit of

decimal currency at Pakenham — and not just Pakenham, I might say.

A Pakenham race meeting featured on one of the first experimental broadcasts of colour television in 1967 — one of the years when the member for Bass was not in this place. Over the past 135 years the Pakenham racecourse has developed apace with the community around it, growing from a very small country track that held one race meeting a year to being a racing hotspot — really a hub of Victorian thoroughbred racing.

As the shadow minister knows but just cannot get the words out, the Victorian racing industry is one of the best in the world. There is no question about that. We are one of the best racing states and racing areas in the world, and we draw our strength in no small part from our thriving country racing scene. This year we will host something like 454 race meetings across 63 picnic, rural and regional racecourses.

There are a number of reasons that we have such a thriving industry. First of all, the government is prepared to put its money where its mouth is. The government has combined with the three codes to set up a Regional Racing Infrastructure Fund to the value of \$86 million — \$45 million from the state and \$41 million from the industry. It is the biggest infrastructure fund in racing history in this state. That includes assisting clubs like Pakenham.

We are further assisting Pakenham in relation to this planning amendment because, as we know, starting in March of next year the club will start to build its new racecourse, which is just a few minutes' drive from the existing course. The freehold of the current land is owned by the club. It intends to sell that for medium-density housing and commercial development, and this will be the first new racecourse built from scratch in Victoria for more than three decades — since the Bairnsdale racetrack was opened in 1976, from memory.

The club's new home will ensure that Pakenham's long-held love affair with horseracing continues to flourish. It will give that club the ability to develop what promises to be a world-class racing venue. As other speakers have said, there will be a 2400-metre track, a two-tiered grandstand and a sand training track — all built on the club's new 235-hectare greenfield site.

Once complete, this \$40 million track and training facility will be able to accommodate at least 30 race meetings each year, which will make Tynong one of

the busiest country tracks in the state when racing begins in time for the 2012–13 season.

The rezoning of the racecourse site and the construction of the new course will provide enormous social and economic benefits for the booming population in the south-east growth corridor, creating an estimated 950 ongoing jobs. Latest estimates seem to suggest that it will drive economic activity of about \$84 million into the area. The Brumby government is a passionate supporter of racing and country racing. We are delighted to support this vision for a world-class country racing precinct, one that will strengthen Victoria's reputation for decades to come.

I also want to congratulate the Pakenham Racing Club. It certainly has a history of innovation and dedication to racing. I congratulate the Bourke family, who are famous in the Pakenham area. I congratulate Racing Victoria Limited (RVL) and Country Racing Victoria on their long-term vision. I note that with the support of the shadow minister and, from memory, all members of this house, Racing Victoria Limited was set up as an independent body to run racing in this state. The shadow minister seems to forget that, saying that the minister has made this or that decision. The fact is that it is actually RVL, an independent body, that makes these decisions — and that is as it should be. The last thing we want is for the minister to be saying to a particular club, 'You will have X number of race meetings, because I as the minister deem that to be appropriate'. That brings politics absolutely into racing, and it would be inappropriate.

For instance, if I were to go down to a particular race track and promise an extra race meeting for the Latrobe Valley on Caulfield Cup day, I expect I would be accused of political interference in the independent running of the industry. It would be absolutely inappropriate, because it would mean that a politician is deciding race fixtures. Guess what? That is exactly what the shadow minister has done. He is actually — —

Dr Napthine interjected.

Mr HULLS — He says, 'They love it'. What he is really saying is that if he ever became racing minister — God forbid! — he would decide which tracks, which race meetings and when they were held, based on an electoral pendulum. That is outrageous. He should actually come out and say it. Rather than just go around to each track in the state and say, 'Oh, if you vote for me, guess what? You will get an extra race meeting', he should actually be supporting RVL as an independent body without political interference.

Mr K. SMITH (Bass) — It is not often that I get excited about announcements, but it is good that we are here tonight talking about ratifying amendment C141 to the Cardinia planning scheme. We are very supportive of this. We have fought for it for a long time. I would have been equally excited if the minister had sent me an invitation to the announcement in my electorate last Tuesday morning when he was making the announcement down in Pakenham. He did not have the courtesy to even extend an invitation to me or the shadow Minister for Racing to go to the announcement for something that was truly important.

It is hypocrisy for the racing minister to be standing up here, big-timing himself, when he and Rob Hines did their best to close down the Pakenham Racing Club, to cut down the number of meetings they could have and to close down their training facilities. The minister and Rob Hines were the two who were doing it — and do not say you were not! We worked damn hard with the racing club and we have worked hard with the council.

Mr Hulls interjected.

Mr K. SMITH — I got the phone calls after and before, saying thank you. We were there the week before and committed to it. We have had meetings with that racing committee over a long time. The minister stands up here in total hypocrisy and tries to make accusations about whether I got a mention. It does not matter. We have done the work to get this, and I think it is terrific. We have the support of the local community. You came down, and what did you do? Nothing. You made some announcement that had been written out for you.

The ACTING SPEAKER (Mr Jasper) — Order! Through the Chair.

Mr K. SMITH — The minister just did not care. He thought, ‘Oh, this is really good. This is a club we are going to close down. It is not going to cost us any money for them to develop the track. We will rezone the land in Pakenham. We will give them the rezoning in Tynong, and we will allow them to go ahead’. Less than 12 months ago the minister wanted to close down the club. He said the track was inadequate, it was not good enough for training and it was not good enough for meetings. Last year the minister cut the number of meetings from 11 to 6. He and his mate, Hines, that he gives directions to, did that! The minister said it and he is a disgrace. This is a great opportunity for a club that has been around for a long time, has worked hard in the local community and has seen a town develop and a racing industry develop around this town. It has been very exciting.

Now they have taken a step in the right direction in going to Tynong. The shadow minister and I were out there. We looked at what they are going to do; we had the opportunity to see it. The minister probably did not care. He would not have seen too much. He would not have seen the plans. He would not have taken any notice, but we have. We have had direct contact with the club. We have spoken to the president, Don Duffy, and Michael Hodge.

We have spoken with the local council, which has given total support. Gary McQuillan, the chief executive officer of the council, has given total support for this project to go ahead, because he can see the benefits not only for the local community in Pakenham, where they will be able to develop the acreage they have there into something good but also in the start-up of a brand-new industry in the Tynong area, where it will create something like 1700 jobs in the local community. That is going to be great, and it has the total support of the council.

The project did not have the support of this government less than 12 months ago when it was basically trying to close it down. It did not have that support. The government went around country Victoria trying to close down every race club that there was, to cut out the meetings that they had and the training that was allowed at a lot of the clubs. It cut that out, and it closed down clubs because of what they did.

This minister has stood up in here in a hypocritical way, trying to make accusations about the work that we did. We know the work that we did. Ed O’Donohue, a member for Eastern Victoria Region in the other place, and I worked with the racing club, the shadow minister worked with the racing club, and the Leader of the Opposition has been out there talking about it, so we are all very much aware of what the proposal was and totally supported it. We went out there during the previous week — and it was reported in the paper — and supported it, because it was important.

An honourable member — Why didn’t they mention you?

Mr K. SMITH — They do not have to mention me in everything. I am surprised they even bothered to mention you! You wanted to get rid of them! But you are the minister, so they had to mention you. That is courtesy, because they are decent people. That is more than we can say about the government and what it has done. We are going to have a fantastic track. We are going to have a 2400-metre track; we are going to have a track that will be bigger and eventually, because of the size of it, better than the track at Flemington. There

will be 740 metres of synthetic track to race and train on, and lights can be put up so night racing can take place out there. There can be 30 meetings a year because of the initiative of the club — not through what the minister has done. He wanted to wipe the club out; we wanted to see it go ahead, and now we will get a club that will have at least 30 meetings a year. They will be able to have training out there.

Mr Hulls — Just say ‘Thank you’.

Mr K. SMITH — Who to?

Mr Hulls — To me, to the government.

Mr K. SMITH — You said you had nothing to do with it! You said it was Racing Victoria!

Mr Hulls — The government.

Mr K. SMITH — What do you want? You want everything! Cut it out, Minister.

This club is going to be fantastic. A decent grandstand will be put in and the club will be up and running for the 2012–13 season. That is going to be fantastic. We will be at the opening. The member for South-West Coast will be the racing minister, I will be the local member — the minister will not even get an invitation, as he did not extend one to us on Tuesday morning! That is just disgusting. What did the minister think we were going to do — take some of the shine off his announcement?

We knew how important it was. This club was established in 1875 and it has an extremely proud history. The Bourke family and its contribution to the local area has been magnificent. The family has been a terrific group that has helped run the club over many years and nursed it through some tough times. Now here we are about to go to Tynong and develop a club that will probably be not just one of the best country tracks but one of the best country racing circuits we will have anywhere in Australia. It is going to be in Tynong. Why? It has been planned out and developed properly. On Tuesday we saw the plans, and the work that has been put in by George Dore, who is the chairman of the committee that is looking after this new development, is just fantastic. The work has been done. We have looked at the plans and seen the development that will happen. We know it will be a success because of the work that has been put in by the club. We have a minister who wants to claim all the credit but accept none of the responsibility. You have got to wonder about what this government is on about. The president of the club, Don Duffy —

Honourable members interjecting.

Mr K. SMITH — You two stop your arguing and let me speak on this!

The ACTING SPEAKER (Mr Jasper) — Order! Through the Chair.

Mr K. SMITH — The club president, Don Duffy, is a great bloke and has shown enormous leadership to the club, and George Dore, the chairman of the committee, has put it together. We also have Michael Hodge, the CEO at the club; he has been magnificent with the professional way he has put this together — something that this government has never seen done properly before.

Yet the Minister for Racing has come in in his hypocritical way, and all he wants to do is have a go at us. What I am saying to the minister is: we have worked hard with the community, we have worked hard with the committee, we have worked hard with the local council and we are going to be really pleased to see this club up and going. We know it is going to be a great success because of the work that has been put in by people who care — not like you, Minister; you wanted to close the club down. You wanted to take away its meetings. You wanted to take away its training facilities.

The ACTING SPEAKER (Mr Jasper) — Order! Through the Chair.

Mr K. SMITH — And you wanted to ruin the club. We wanted to make it work, and it is going to work — because of what we have done and our work and consultation with the club. We are going to make it work. You might not want it to work, but we are going to make it work.

Mr INGRAM (Gippsland East) — This is one of the more interesting debates where everyone is supporting the motion. I rise to support the motion as well.

Dr Sykes — Why don't you oppose it? Go on!

Mr INGRAM — I will not take up interjections, Acting Speaker. The reason I will not oppose it is that this is a very good planning amendment. This is something that has been on the agenda for a long while. As other speakers have indicated, the Pakenham Racing Club and the community have long wanted to improve their facilities and have planned for the future, having land made available at Tynong, which I understand was donated to them. That land has been available to them for a number of years and they have planned to relocate

their track to that facility from the current site. This is an issue that came up during the discussions around the Racing Victoria Limited review of training facilities. It was clear through that process that there was extremely strong support for an improved facility for Pakenham at Tynong.

One of the things that has not been mentioned in this debate so far is that this new racing facility will have major beneficial impacts on all racing participants — all the trainers, jockeys and racegoers — east of Melbourne. It will be an extremely good facility for the future of racing in Victoria. The plans have been around for a while and have been fairly highly developed, and the proposal that has been put forward is a really good proposal to improve the racing facilities in the south-east.

A number of people have mentioned the flow-on effects to the racing industry. The flow-on effects to the industry are incredible. I am talking about the effects not just on the trainers and training staff but right through the economy in those local regions — from feed suppliers, farriers and other equipment suppliers to employment for track riders and all the staff who are employed in the racing industry.

In my view it is incredibly important that we provide a large new training and pretraining equine facility in the south-east. I know that is what is planned with this proposal. While there are always concerns about building in green wedge areas, I believe the balance is right in this area. I think what is being proposed in this planning amendment is a really good balance. The current racecourse will be redeveloped into residential and commercial facilities and be close to the centre of town, and a new well-designed racing facility, both for training and for racing, will be created out of town.

This is a good amendment, and it should be supported by the Parliament. I would also like to pass on my congratulations to the Pakenham Racing Club, to those involved in the development of this proposal from the council, and to those involved in the racing industry at Pakenham. I wish the Tynong racing facility all the best. Like many people from my electorate, which is the furthest east in the state, I know the racing industry in my area will benefit from this facility. For people in the east — —

Dr Napthine interjected.

The ACTING SPEAKER (Mr Jasper) — Order!

Mr INGRAM — I will not take up interjections, but will soundly dismiss the comments by the shadow Minister for Racing, who is the member for South-West

Coast. He goes around spreading mischief in regional areas.

The Bairnsdale Racing Club is a very good club. I know trainers at the club. It was mentioned before that the Bairnsdale Racing Club was the last racing facility built in Victoria. The current site is my neighbour — it is next door to my house — and the site it moved from now houses a secondary school. People used to race around the wetlands on what is now the secondary school. This proposal is similar: to utilise an existing racecourse in the middle of town, move the racing centre out of town to a greenfield site and redevelop the racecourse into something with much wider community use.

This is a good proposal, and I support the amendment.

Motion agreed to.

ROAD SAFETY AMENDMENT (HOON DRIVING) BILL

Second reading

Debate resumed from 2 September; motion of Mr PALLAS (Minister for Roads and Ports).

Opposition amendments circulated by Mr MULDER (Polwarth) pursuant to standing orders.

Mr MULDER (Polwarth) — I rise to make a contribution to debate on the Road Safety Amendment (Hoon Driving) Bill 2010. I will briefly touch on some of the provisions before I come back to a number of them in more detail. Clause 4 extends the period of time for which a vehicle can be impounded or immobilised by a member of Victoria Police from 48 hours to seven days through an amendment to the principal act.

Clause 6 gives new powers to Victoria Police members to search for or gain access to a vehicle believed to have been used in the commissioning of a hoon driving offence and to ask persons at the premises being searched to provide information as to the location of the vehicle. Clause 8 allows a member of the police force to search premises — including but not limited to garages — without a warrant if the member reasonably believes the vehicle is located at those premises. It also makes it an offence for a person who is directed to provide information about the location of a vehicle to decline to do so.

Clauses 10 and 11 allow a Victoria Police member or a person authorised by Victoria Police to fit a steering

wheel lock to immobilise a vehicle. Clause 15 makes it an offence for a person to copy or try to copy the key to such a steering wheel lock. Clause 17 inserts new circumstances in which vehicles may be forfeited.

Clause 41 allows the Minister for Roads and Ports to revoke a road declaration in relation to land that is not required for Melbourne CityLink, thereby freeing up the land to be used for other purposes.

Going into more detail, I will comment on my proposed amendments to the bill. The government seeks through the bill to change the period of impoundment of a vehicle from 48 hours to seven days. There is no doubt that when these impoundment provisions were first announced the broader community thought a lot of younger people would see a 48-hour impoundment of a vehicle for hoon driving as some sort of badge of honour. It was also viewed as being hardly worthwhile, given the time it takes the police to lock up a hoon driver's vehicle only to see it back on the road a couple of days later. The government said, 'We want to stiffen this up and make it 7 days instead of 48 hours'.

On Friday, 22 January, the opposition — the Liberal Party and The Nationals — released a hoon driving policy. We believe that for a first hoon driving offence there should be an immediate 30-day vehicle impoundment and a requirement on the offender to complete a safe driving course. However, our amendments only deal with the issue of the 30-day impoundment.

Someone who is convicted of a serious hoon driving offence cops a fine, incurs the cost of towing that vehicle to the location where it will be impounded and faces additional costs for the storage of that vehicle. I would suggest they are deterrents for anyone who is thinking of engaging in that type of behaviour — the fine, the towing costs and the cost of impoundment for 30 days. It may well be that an offender is better off leaving their vehicle there, because it will be an extremely expensive exercise for someone who engages in that type of behaviour.

There are other provisions in the bill that I will get to later on that provide the police with the opportunity to go down another pathway if they wish, using their discretion, for a lesser type of offence and a different type of activity in terms of immobilising a vehicle.

Under our amendments and under the policy that we have announced police will be able to lock a vehicle away for a month, so that offenders will have to wear out a bit of shoe leather. They will also have to watch their bank account going down, because they will cop

the full force of the law. That is the way it should be in relation to the way a lot of younger people have behaved.

You only have to look at television to see the way they snub their noses at the law. They drag race in residential streets late at night, disturb the peace and put the lives of others at risk — people who are going about their family business and young people who have probably just got onto the road and are doing the right thing when they come across this type of activity. If it is not stopped, there is no doubt it will continue to grow; it will get completely and totally out of hand.

We think we need to be very tough on these people and send some clear messages. I do not know how many times we have seen horror stories in news articles and television reports of cars wrapped around concrete telegraph poles or around trees somewhere. There is a massive loss of life, and there are young people standing around mourning the loss of friends. We believe we can turn that around, but you have to send a tough message — and there is nothing tougher than this, because this would hurt the pocket of anyone who is considering going down the pathway of hoon driving.

I will seek some clarification from the minister when he is summing up in relation to clause 4 regarding the issue of relevant offences, including a tier 1 or 2 relevant offence. The clause clarifies what relevant offences are.

It has been put to me — and I have asked the minister to clarify this — that someone who does not abide by their licence conditions could be picked up under these provisions, such as an elderly person who has a condition — —

Mr Pallas interjected.

Mr MULDER — Yes. For instance, an elderly person may have a condition on their licence that they must wear glasses when driving or elderly people who start to lose some of their driving skills may have a condition on their licence that they are not to go outside a certain area that includes their own home or can only drive at certain times of the day. I have seen this happen quite often, and I have assisted a lot of people. It has been put to me that perhaps these people will be inadvertently caught up in these provisions and could be classified as hoon drivers. If that is the case — and I believe it would be unintended — I suggest to the minister an amendment should be proposed in either house in relation to this. We would cooperate to make sure that if there were an amendment to that provision, we would support any changes. We want to catch

people who are causing problems; we do not want to catch people who have made a marginal error. A person might have had a lapse of memory in relation to an issue — for example, they may have forgotten to take their glasses with them or might have taken the wrong glasses out with them and have found themselves captured by these provisions. That is not what we are about, and we should not be about that.

Clause 6 relates to the powers of Victoria Police to search for or gain access to a motor vehicle. There is no doubt young people spend an enormous amount of time doing up and modernising their vehicles; they are young people's absolute pride and joy. If a young person has been involved in hoon driving, knowing they are going to have that vehicle taken away from them is going to hurt. These provisions give the police more power to search for and gain access to a vehicle. Under these provisions and others that follow in the bill, police can do so without a warrant.

Under clause 6, proposed paragraph (ab) of section 84(1) states police can 'direct a person of or over the age of 18 years at the premises being searched to provide information concerning the location of the motor vehicle'. These are coercive and strong powers given the issue we understand we are dealing with here — that is, it may well be that a young person who has been caught up in this particular law may decide to hide their car. We know there are issues at the moment concerning the switching of numberplates. People who have scant regard for the law may decide they will not tell the police, when they come to conduct a search, where the vehicle is located. Under these provisions, the police can demand they be told where the vehicle is.

I raised some issues and concerns in relation to this provision, where it refers to the location, as to whether the police can force an individual to say who has the car — that is, not the location of the car but who has the car. Perhaps someone could say, 'I do not know where it is', when they have given it to someone and someone else has taken it and has done what they wanted to it and hidden it somewhere. I queried that. The advice we got was that it is believed that the provisions as they stand are strong enough to enforce the law that this particular clause of this bill seeks to achieve.

It would be of some concern if the intent were not able to be delivered because of the wording of the bill. We will follow this through; we will see how it works and see whether it causes any problems in the broader community. We support the principle behind it — that is, that if someone has done the wrong thing, then their vehicle should be handed over and they should face the full force of the law.

In relation to the search of the motor vehicle, proposed section 84GA says:

... for the purpose of seizing a motor vehicle under this Part, a member of the police force may, without consent and without warrant, enter and search —

- (a) the garage address for that motor vehicle; or
- (b) any land or premises, or any part of land or premises, where the member reasonably believes that the motor vehicle is present (either at that time or from time to time).

Basically this provision talks wholly and solely about the location of the car and not about whether the vehicle could be in the hands of another person.

The bill then describes a number of penalties in relation to failing to cooperate, failing to tell the police where the vehicle is and so forth. They are fairly strong provisions, and we understand what the intent is. We want to make sure that if we make laws, they can be implemented. We want to make sure that we get off the road young people who have scant regard for others in the community and who are doing the right thing — and we have to keep them off the road. There is no doubt the coalition supports that entirely.

Clause 10, headed 'Impoundment or immobilisation of a motor vehicle', says:

In section 84I(b) of the Principal Act, after "wheel clamps" insert ", a steering wheel lock".

The bill also confers powers to persons authorised by Victoria Police in relation to steering wheel locks. I made the point early in the piece that this is another mechanism for dealing with hoon drivers — for instance, if they are well away from a compound and there are other compelling reasons why a Victoria Police officer, when going through the process of issuing a fine to someone who has been involved in hoon driving, wishes to have that vehicle taken off the road. The bill will allow Victoria Police officers to fit a vehicle with a steering wheel lock so that the police can then say to the person, 'It is now immobilised. Take it to where you want to store it. Let us know where the vehicle is, because there will come a time when the steering wheel lock will be removed, but we need to know where the vehicle is'.

For an offence that the police did not think was as serious as, for instance, someone driving at 180 kilometres an hour in a 100-kilometre-an-hour zone or running a red light and all the rest of it — for something at the lower end and for someone who was in extremely difficult circumstances — they may make a decision in such a circumstance to fit a steering wheel

lock and not impose the enormous financial burden that would be brought about under the impoundment laws, with the vehicle being taken away and stored and the person having to pay the storage and towage costs plus the fine on top of that.

It is interesting to look at where the government has picked up on this; it has come from Tasmania. This particular law has been in place in Tasmania for some time. I note that the *Mercury* of 21 January reports that since 11 December 2009 more than 26 vehicles were disabled with steering locks in the state's south, while there were 17 in the north, 10 in the east and 9 in the west. Victoria is seeking to cooperate and work with the Tasmanian police force to understand how that provision has been working there. It would appear from the results we are seeing that it is working well and that it will provide Victoria Police with yet another tool in their fight to get hoon drivers off the road.

An article that appeared in Launceston's *Examiner* of 14 September reports that the police fitted a clamp to a vehicle and that it will stay in place for 28 days. I point this out in terms of immobilising or impounding a vehicle. The article points to the fact that in Tasmania a wheel clamp has been fitted to a vehicle for 28 days. What we are proposing with our amendment is that it should be for 30 days. It is not as if we are proposing a system that is much tougher than what is happening in other states. If the government is prepared to look further at what is happening in Tasmania and take on board some of the ideas that the Tasmanian government has put in place for law enforcement, it will see it is close to what the opposition has proposed with its amendments.

I say to the minister that these amendments should be supported. If it were going in the opposite direction and we were looking to soften the laws on hoon drivers, I could understand why there would be some concern about the position we are taking, but as the minister would be aware this has to be tough. For a young man who has a car worth \$5000, \$6000 or \$7000, to be faced with the prospect of that vehicle being impounded for 30 days and all the costs that go with it is not a slap on the wrist; that is one hell of a financial penalty. That is the message that we need to send out to the public — not just to those people who are going to engage in hoon driving but also to other members of the community who want the protection on the road that they deserve and the knowledge that we are looking after their interests.

It is interesting to look at the devices they have in Tasmania. The information I have in front of me is about a device called a Disklok. It states:

The full cover Disklok prevents the steering wheel from being cut under attack in order to remove the security lock.

...

A vehicle cannot be steered when it is fitted with a Disklok.

...

The Disklok weighs 3.8 kilos (small). The weight, which at first may appear to be a little heavy, but its ease of fitting and simplicity with its folding handle for compact storage all add to the quality of such a proven steering wheel lock for your vehicle. Its strength and unique qualities make it one of the most popular products of its kind when it comes to choosing car security.

Why would it not say that? This is from the company that actually makes the locks. It goes on:

Each Disklok comes with three operating keys. Replacement keys may be purchased on request. Full information is available in the instruction leaflet.

What has happened in this process in Victoria with the government picking up the law as it stands in Tasmania in terms of making sure that a lock cannot be tampered with and that keys cannot be cut is that we now have the provisions in the Road Safety Amendment (Hoon Driving) Bill. These provisions state that a person must not copy or attempt to copy a key to a steering wheel lock, and an offence under the provision incurs 60 penalty units. It is a stiff penalty for anyone who decides they want to try to circumnavigate the hoon driving laws and reactivate a motor vehicle that has been fitted with a steering wheel lock.

Anyone who did go down that path would understand clearly the next time they came into contact with the police for such an offence that the option of fitting a steering wheel lock may not be the option that the police on the day may determine they will take. Rather, the next time around they may go down the path of impounding the vehicle. Under the amendments we have moved, the vehicle would be impounded for a period of 30 days, which would be very expensive for someone who decides to smoke the wheels on their car by driving at high speed in a dangerous manner, threatening other people on the road.

In relation to the provision dealing with the lock, it is not an offence under subclause (4) for any of the following persons to copy or attempt to copy a key to a steering wheel lock: a member of the police force or a person engaged or employed by a member of the police force for the purposes of copying the key. I have some keys in my pocket, and they have insignia on them

identifying that those keys are not to be copied. I would imagine that the keys that are going to be provided for these steering wheel locks would have the same insignia or they would be engraved in that manner so that anybody who is engaged in cutting keys would have one look at them and know that they belong to Victoria Police and are not to be cut under any circumstances. It would prevent anyone who wanted to take the device out of the vehicle from doing so.

The bill also states that a person other than a member of the police force or an authorised person must not unlock or attempt to unlock a steering wheel lock fitted under this provision with anything other than a key made available under subclause (2). There are probably some lock pickers out there or people who may believe that, without cutting a new key, they would have a chance of opening one of these locks. But the bill provides that anyone who is caught even attempting to remove a steering lock will incur 60 penalty units.

When you start to look through these provisions — those dealing with the key, those dealing with attempting to unlock a steering device, those dealing with someone attempting to cut a key and those dealing with someone refusing to say where their vehicle is or provide other information — going right back through the whole process of the penalty itself, the immobilisation, impoundment and all the costs related to it, you see that there are some strong messages being sent out there.

I have no doubt that we will get on top of this. There has been bipartisan support. I am a former member of the parliamentary Road Safety Committee, and I have worked with members of the government and members of The Nationals on that committee over a long period of time. There is very strong bipartisan support, and we need to do everything we can in terms of getting these people off the road.

I might mention that it is a real concern of mine at the moment, being a rural member of Parliament, to see the road toll rising in country Victoria. It is a definite concern for us. I spoke on an earlier bill in relation to drug driving, and I noted the number of younger people who are driving with illicit drugs in their system. When you combine that type of activity with the activity that we are trying to address here today, you understand that we are dealing with an extremely serious issue. We have a mixture of drugs, alcohol, speed, hoon driving and a lack of respect and care for anybody else on the road — that is basically what this bill addresses. That is why when we have these bills come before the Parliament they are usually supported very strongly.

We would not be doing our job as an opposition if we did not think that we could improve some of the provisions that are contained in this bill. I understand there may be some difficulties with the 30 days. If it cannot be accommodated in the bill before the house, then I would say, 'Go back and think about it', because there are opportunities for police to take other measures if they are dealing with an issue that is not quite as serious.

When I looked at that 30 days I initially thought, 'Boy, that is one hell of a hard hit for a young person — to be fined and to pay the costs of towing and 30 days' storage for that vehicle'. That is one hell of a hit for a younger person, but I believe with the discretion that Victoria Police has, those particular provisions would most likely be used in the most serious cases of the offence — people who have come before them in the past for a similar type of offence. I would hope that the steering wheel lock would be used in cases where somebody has just perhaps made an error of judgement and is going to pay a price for it anyway, without feeling the full impact of a 30-day storage fee plus the other costs that go with it.

We have moved our amendments, and I hope that the minister will give them serious consideration because they are there in an attempt to improve the bill before the house.

Mr NARDELLA (Melton) — The honourable shadow minister has gone through the provisions of the bill and raised a number of issues with us tonight in the house. I want to pick up on a couple of things, particularly in relation to the amendment he has circulated. His amendment 1 is to omit a minimum of 7 days and insert 30 days for any second or subsequent breach of the law. We are not going to accept that position. That is too onerous.

Mr Northe — You are soft.

Mr NARDELLA — No. If you are going to talk about being a soft appendage, then that applies to your side. We are certainly not soft on crime or hoons. But the provision of 30 days — to make out as the Liberal Party has where you wear your underpants on the outside and you have a hairy chest, the sort that you go to the funhouse or show to buy — is not appropriate for these very serious matters of dealing with hoons and threats to people in our society through their actions. We will not accept that. It is too onerous. If you look at it in terms of what the shadow minister was saying before, that if people do not wear their glasses when it is part of their licence requirements, then you are saying to them that they should not forfeit their car for 7 days

but they should forfeit it for 30 days and pay all the other expenses. We will not be accepting that.

The other hairy-chested amendment that he has put to the house — to wear the underpants on the outside to look as if they are being tough — —

Mr Trezise interjected.

Mr NARDELLA — He wears them on his head, reckons the honourable member for Geelong, but that is probably only in the privacy of his own home. We will not go there.

To suggest that the provision goes from 28 days to 30 days, the Liberal Party is about complicating things. I will go through this. Twenty-eight days is a multiple of four sevens. Twenty-eight days is four weeks: 7, 14, 21, 28. That is four weeks. It is pretty simple. You forfeit a vehicle for 28 days; you forfeit it for four weeks. But the Liberal Party wants to be really complicated about these things. Members opposite want to say, 'No, it is not four weeks; it is four weeks and two days'. It is not a multiple of seven days. It is seven days multiplied by four, plus two. That is really simple; even I can get that. It is just a nonsense saying this is going to be a deterrent by increasing it from 28 days to 30 days — it is hairy-chested stuff. It is stuff that members of the Liberal Party dream up in the time that they have to themselves. It is just really a nonsense.

The other aspect is in relation to licence condition breaches and the imposition of empowerment, immobilisation and forfeiture sanctions for second and subsequent licence condition breaches. Licence conditions are imposed on drivers. They are in a table which goes through condition codes such as the driver being required to drive a motor vehicle other than a motorcycle or tractor with an automatic transmission if the driver holds a probationary licence or has a physical disability that prevents the driver from using a manual transmission. A driver might be doing the wrong thing and might be caught. There are some other more serious conditions, such as a driver being required to drive only a motor vehicle fitted with an alcohol interlock.

There are a number of conditions. They include condition S, as the honourable member mentioned in his speech, which provides that the driver must wear corrective lenses at all times while driving. There is a table that goes through those conditions that are posed for safety reasons. A breach of a licence condition is a serious matter and poses a significant threat to public safety. As I said, if you are supposed to be blowing into

an alcohol interlock it is a serious breach if you are driving a car without one.

The strong action is warranted for any second or subsequent offence. That is what the legislation will put in place. If you need corrective lenses, for example, because you cannot see — you are extremely dangerous on the road because you are blind — that is a very serious aspect. If you continue to drive without corrective lenses and you continue to be picked up for it then some very serious sanctions should be imposed.

Mr Mulder — What are you going to give grandmothers?

Mr NARDELLA — The honourable member for Polwarth says, 'What about grandmothers?' If there is a licence condition on Granny to wear a set of glasses so she can see the road, pedestrians, motorcyclists and other vehicles, and Granny decides not to wear the glasses and wants to be a danger on the road, that is a breach of the law. That is the reality of the situation.

Under these provisions, if anybody decides to break the law the police have the discretion to determine whether the breach is serious enough to impose these conditions. They also have the discretion to seize or impound vehicles. If the breach is not a significant public safety threat the police have the discretion of being able to deal with it. For example, if in an emergency you are driving a manual car when you are supposed to be driving an automatic car, as set out in the Victoria Police manual of procedures and guidelines, the police have the discretionary powers not to charge you or take any further action. They can instead issue a warning. There is no need to impose these penalties in those types of instances.

There is a provision within the act that the government could consider making regulations in accordance with sections 84S(2)(c) or 84T(2)(c) as amended by the bill to specify circumstances where immobilisation, impoundment or forfeiture sanctions cannot be imposed by a court if it is found that there are instances where these sanctions should not be imposed, so there is some flexibility there.

Hopefully that answers the question raised by the shadow minister for roads, the honourable member for Polwarth. We have considered these matters. It can be just as threatening and dangerous if people do not abide by the conditions of their licence as it is driving a car, being a hoon, spinning the wheels and racing your mates up the road.

This legislation is very important to provide safety for people out in the community, whether they be

motorists, motorcyclists, pedestrians or other vehicle users. The provisions we have put in place for this legislation are part of the development of the safety regime within the state of Victoria. These changes occur gradually. The honourable member for Geelong, who is here tonight, is a member of the Road Safety Committee, which has undertaken those investigations. The changes will be put in place in a gradual manner; that is part of this process. I commend the honourable member for Geelong for his commitment to that committee over a long time.

I support this bill. The government supports this bill. Hopefully the opposition has taken on board the government's position with regard to both its amendments and the conditions on people's licences.

Mr WELLER (Rodney) — It gives me great pleasure to rise this evening to speak to the Road Safety Amendment (Hoon Driving) Bill 2010. As members would know, both sides of the house are very keen on reducing the road toll and making the roads a safer place. As they would also know, if you fix country roads you will save country lives.

However, the country roads at the moment are in a deplorable state. The wet season has caught up with the lack of maintenance. This affects not only the local roads but the likes of the Murray Valley Highway and the Northern Highway. They are in need of a great deal of repair.

I have been a proud member of the Road Safety Committee of this Parliament, as is the member for Geelong, who is also here tonight. The member for Polwarth is a valuable former member of the committee. He made a very valuable contribution while he was on the committee. The committee has been trying to bring things forward and lead the Parliament to make the roads safer.

I am in full support of the amendments moved by the member for Polwarth. I do not accept the argument put forward by the member for Melton that 30 days is too harsh. While I accept that his arithmetic is right, that four 7s are 28, I believe 30 is always a bigger deterrent than 28. We on this side of the Parliament believe that 30 days forfeiture is an appropriate deterrent. The government has gone soft on hoons by going to 7 days when it should be 30 days; that is a proper deterrent.

When we read new subsection 84GA(2) we see that for the purposes of searching for and gaining access to a motor vehicle — these are the powers police will have without a warrant — police can only open unlocked doors. If I were a hoon and I was wanting to protect my

car, I would lock the door and the police would not be allowed in.

New subsection 84GA(3) reads:

This section does not authorise a member of the police force who is searching for a motor vehicle under this Part —

...

(c) to enter any part of a building if that part is used for residential purposes ...

In the electorate of Rodney there are residences where people live not in houses but in sheds on the weekends and the like. Does that mean police cannot go in when a car is in there? There are all sorts of anomalies in this bill. I agree that police should not be able to enter residential premises, but there is a fine line and I think we will be back here clarifying this and making amendments further down the track.

In regard to clause 13, headed 'Appeal rights', we have to ask if we are going to take the cars off the hoons or not? Clause 13 inserts new subsection 840(3B), which reads:

The Magistrates' Court must not make an order under subsection (3) on the grounds of exceptional hardship relating to the offender's employment unless the applicant satisfies the Court that —

(a) driving the impounded or immobilised motor vehicle is essential (not merely convenient) for the offender's employment ...

I would say the offender should have taken that into consideration before he took action to be a hoon. Here we are, and we have gone soft on them. Are we going to let people off the .05 limit because they need their licence to go to work? That does not happen, so why are we doing this in this bill? The subsection continues:

(b) no other transport to his or her place of employment is available to the offender; and

(c) the offender, after making reasonable enquiries, is unable to arrange for another person to drive the offender to his or her place of employment.

I would suggest that this is very soft and that you can get around it if you carry out actions that a hoon would carry out. You can get off because you can say you need your car to go to work.

The government has gone soft on hoons. This bill is only a sham, and the government is trying to make out that it is tough. While we are not opposing the bill, it could have been a lot stronger. With those few comments, I will not oppose the bill.

Ms KAIROUZ (Kororoit) — It gives me great pleasure to contribute to the Road Safety Amendment (Hoon Driving) 2010, and from the outset I would like to congratulate the government's achievements in road safety, whether it be for the Arrive Alive 2008–17 strategy aimed at reducing deaths and serious injuries by a further 30 per cent by the end of 2017; the 2009 road toll record, the lowest since comprehensive records began; the safety improvements on major roads; the 50-kilometre-an-hour default speed limit in built-up areas; the 40-kilometre-an-hour speed limit in school zones; variable electronic speed limits in 18 shopping strips; the introduction of 3 demerit points for hand-held use of mobile phones; the graduated licensing system; or the introduction of 120 hours of learner driver experience for learners under the age of 21. These examples are just a very small sample from the list of initiatives the government has introduced to improve road safety on our roads.

The bill before us is another example of improving safety on our roads. The purpose of the amendments is to strengthen the vehicle impoundment, immobilisation and forfeiture scheme in part 6A of the Road Safety Act by providing stronger sanctions for hoon driving, facilitating the use of steering wheel locks as a new method of vehicle immobilisation and providing stronger powers for police to assist in the location of vehicles used in hoon offences.

The main changes to the vehicle impoundment scheme are: an extension of the scheme to repeat unlicensed driving, repeat drink driving and repeat drug driving; tougher sanctions for extreme speeding and repeat disqualified driving offences; increased police powers for the purpose of locating vehicles — —

Business interrupted pursuant to standing orders.

Sitting continued on motion of Ms PIKE (Minister for Education).

Ms KAIROUZ (Kororoit) — As I was saying, some of the main changes to the vehicle impoundment scheme are increased police powers for the purpose of locating vehicles that are to be impounded, immobilised or forfeited to the Crown and the introduction of a new vehicle immobilisation method involving the use of a steering wheel lock.

I make no apology for supporting this bill and supporting the government's tough anti-hoon laws. These laws are the toughest anti-hoon regime in Australia and are intended to teach hoon drivers a lesson, to protect innocent people from harm and to protect hoon drivers from causing harm to themselves. I

think this is a very good bill before us, and I commend it to the house.

Mrs VICTORIA (Bayswater) — The Road Safety Amendment (Hoon Driving) Bill 2010 provides for new penalties and tougher penalties for hoon drivers or those who are being very careless. These penalties include longer terms of vehicle impoundment and a new penalty of immobilisation which involves, for example, the use of a steering lock, which is set out in clauses 10 and 11, and even vehicle forfeiture for specific road safety offences. Some of those offences include dangerous careless driving and excessive speed of more than 45 kilometres per hour above the advised speed limit, or in the case of a 100-kilometre-per-hour zone, you would have to travel at over 145 kilometres per hour to fall into that, so it is only a 35-kilometre-per-hour difference there. It also provides the option of vehicle impoundment for drink-driving and drug-driving offences.

The bill specifically deals with drivers who deliberately lose traction or commit street racing offences, and certainly there has been plenty of that in the news of late; make unnecessary noise or smoke; deliberately or recklessly enter a level crossing when a train is near; or refuse to stop when indicated to by a member of Victoria Police. There are also increased penalties for driving while disqualified. I suppose one of the things that I talk about consistently in the house is the concept of prevention rather than cure. There are an awful lot of people out there who are still driving even after they have been disqualified. We hear about them; they have lost their licence up to five times. I think we need to go back to the root of the problem to find out why these people are reluctant to believe in the law and do what the law tells them. How do we educate them about how reckless their actions are?

The timing of the introduction of this bill is interesting. This is the penultimate week of Parliament before the November election and right now is when the government has decided to finally do something about toughening penalties for hoon driving. We have heard about it in the media for many years. The government has had 11 years to do something about this and now, just a couple of months out from an election, it has decided to pretend that it has a tough approach to these particular offences. The coalition has come out and said that it will have much tougher penalties than are proposed by the government under this bill.

There has certainly been a proliferation of speed cameras during the life of this government. I say if you are going to do the crime, you should do the time, but what I do not understand is how people getting a fine

two weeks down the track is reducing the road toll, because it is not stopping them from speeding at the time they are caught on camera. Obviously a greater police presence, and we know we do not have enough front-line police, would be a great deterrent, but what the government is doing here is not necessarily a deterrent because it is all after the fact.

If we have a look at what happens in other jurisdictions, we see that some of them have far tougher penalties than the government is proposing. We could quite honestly say that the government has been asleep at the wheel on this. Western Australia introduced anti-hoon driving laws in 2004 and toughened them up in 2009 — it is well ahead of us. A first offence in Western Australia results in the loss of a vehicle for 28 days; subsequent offences result in sanctions similar to those proposed in this bill. However, in the US state of Arizona dangerous driving laws for extremely high speeds, aggressive driving and even tailgating — I think that is a good one to include — range from a \$750 fine to a 12-month prison sentence and loss of licence for a period determined by the court. That is on the very first offence, so you do not have to be a repeat offender.

Reckless drivers in California are punished by fines and a minimum of five days imprisonment for the first offence. That is what I call getting tough. In New Zealand, driving behaviour equivalent to what we are talking about here in respect of hoon driving attracts a disqualification from driving for a minimum of six months, and fines and terms of imprisonment are included on top of that. In Singapore, dangerous driving attracts penalties of up to \$3000 in fines and one year in prison for the first offence, and \$5000 et cetera for the second offence. These are all much tougher than what is being proposed here. I do not suggest that we bring all the above in here, but certainly there are a lot of jurisdictions that have taken this very seriously.

The coalition has led the way on hoon driving here in Victoria, and wants to see it stamped out. We will not be opposing the bill, but we believe a tougher approach than that proposed in the bill is needed.

Mr TREZISE (Geelong) — I rise to speak briefly in support of the Road Safety Amendment (Hoon Driving) Bill 2010. This bill again highlights the Brumby Labor government's commitment to road safety in Victoria. This government has a proud and very effective record in relation to hoon driving, having first implemented laws back in 2006. Over the years these laws have led to the impoundment of 11 400 vehicles, of which 17 have been forfeited. The introduction of hoon driving offences in 2006 has

resulted in low levels of reoffending amongst first-time offenders.

Up until April this year, 94 per cent of detections of hoon driving offences were in relation to first-time offenders and only 6 per cent of these were second or third-time offenders. These figures highlight the fact that the Brumby Labor government has introduced very effective laws in relation to hoon driving, and they make a mockery of the opposition's claims — a fairytale — that somehow this government is soft on hoons. It was this government that bit the bullet and did something about hoon drivers, as I said, in 2006, when we introduced our first set of laws. We have continued to improve on those laws, as can be seen by this bill tonight.

I have been asked to speak very briefly on this bill. I am a proud member of the Road Safety Committee, and I know that bills of this nature, not only in relation to hoon driving but also the array of legislation that we have introduced since 1999, have ensured that Victoria slowly but surely has decreased the number of deaths on its roads. Over the last couple of years we have seen record low numbers of deaths on our roads in Victoria — well and truly below the averages across the rest of Australia. When I travel overseas I find that Victoria is held in high esteem by most countries across the world because of the bills the state government has introduced in the last 11 years. I am very pleased to support the bill before us tonight.

Mr NORTHE (Morwell) — It gives me great pleasure to rise to speak on the Road Safety Amendment (Hoon Driving) Bill 2010. The purpose of this bill is to establish sanctions such as impoundment, immobilisation or forfeiture of vehicles for road safety offences, including dangerous or careless driving and excessive speed at more than 45 kilometres per hour above the posted speed limit. It also extends the vehicle impoundment scheme to drink-driving and drug-driving offences. The bill essentially seeks to address the issue of inappropriate and illegal behaviour on our roads. The member for Polwarth highlighted some of those behaviours in his contribution; he also spoke about the disproportionate number of fatalities on regional roads, which all regional members of Parliament know resonates across their communities.

We also understand the problem of persons driving under the influence of drugs and/or alcohol and the impact that can have not only on those drivers but also on those who are using our road network and are sometimes caught up in awful circumstances as a consequence of those people driving under the influence of drugs or alcohol. At the outset I say that I

support the amendments circulated by the member for Polwarth, which reinforce the coalition's position of taking a very strong approach to those who undertake such behaviours on our roads. We need to produce a very strong deterrent for such people

In the second-reading speech, the minister spoke about the vehicle impoundment scheme and the areas that it covers in relation to having a vehicle impounded. That can occur for a range of reasons, whether it be for dangerous driving, careless driving, making unnecessary noise or smoke or not having proper control of a vehicle. Some interesting elements of that also relate to driving while disqualified and doing so for a second or subsequent time. If members read further into the second-reading speech, they will see the numbers of offences which have occurred under that scheme. It says that since the scheme commenced operation there have been over 11 400 motor vehicles impounded and 17 vehicles that have been forfeited to the Crown. It also goes on to say that 94 per cent of detections of hoon driving offences were in relation to first-time offenders, 5 per cent of detections related to second-time offenders and 1 per cent of detections related to third-time offenders.

I would contest that this is indicative that the deterrents we have in place at the moment are not severe enough. Whilst I can see that the bill before us goes some way to creating a stronger deterrent, the coalition's position is far stronger and, I think, acts as a much greater deterrent for those who might want to act illegally on our roads. Whilst in a sense we get an understanding of the nature and extent of the offences that have occurred, it is obvious to me that the deterrent is simply not enough at the moment. The coalition position would certainly act as a very strong deterrent to those who want to undertake such behaviour on our roads. The coalition has made its position very clear in terms of hoon laws and is calling for an immediate 30-day vehicle impoundment for a first hoon offence and the requirement that a safe driving course be completed by the offender.

Being a parent of a 15-year-old boy and an 18-year-old boy, I understand that some of our youth believe they are invincible. It is incumbent upon this Parliament and all in this house to ensure that we have a strong deterrent for people who might undertake such hoon activities. We must do all that we can to ensure that we protect not only those who might wish to undertake such activities but also the road users who, as an unintended consequence, are caught up in such activities. I support the member for Polwarth's amendments to this legislation. They are a step in the right direction. However, I believe the coalition's

position is much stronger and would act as a much better deterrent for those wishing to engage in such activities.

Mr PERERA (Cranbourne) — I rise to speak in favour of the Road Safety Amendment (Hoon Driving) Bill 2010. The bill makes a number of amendments to further enhance the measures against hoon offences that came into operation in 2006. From the time the vehicle impoundment and forfeiture scheme commenced operation until 26 July 2010, over 11 376 motor vehicles have been impounded — a rate of about 8 per day. Seventeen vehicles have been forfeited to the Crown. There were 10 599 first-time offenders, 583 second-time offenders, 154 third-time offenders and 29 fourth-time offenders. This pattern indicates that once offenders have tasted the impoundment action, the tendency to reoffend diminishes very strongly. Therefore, increasing the impoundment period for first-time offences from 48 hours to 7 days makes sense at this stage. I think it is too harsh to increase the impoundment period to 30 days, because there is a clear pattern that after the first-time offence and the impounding of the driver's car, the tendency was very much to not reoffend.

Closer to the electorate of Cranbourne, we have seen 291 cars impounded in Casey and a further 316 cars impounded in Frankston. Time after time we are seeing these unsavoury behaviours causing stress not only to the families of these hoons but also to the residents who have been putting up with the unwelcome noise of cars doing burnouts along their streets. I congratulate the police in both Frankston and Cranbourne, who have been driving initiatives throughout these areas to catch these alleged hoons. It is certainly working very well.

Any car that is unfit for the road and fits the penalty criteria will be crushed. Cars that are fit to be driven will be sold and the proceeds directed towards the victims of crime. By any reckoning these are not soft measures; they are tough measures. Recently police crushed the car of a 22-year-old serial hoon driver who recorded three hoon driving offences and was considered a public danger on the roads.

It is bit rich for the Leader of the Opposition to suggest that hoons who have their cars impounded under the road safety laws are treating it as a badge of honour. The Leader of the Opposition is completely out of touch with the lives of average Victorians to say that people are prepared to offend to win this badge of honour because they know they will only lose their vehicle for 48 hours. Only the so-called 'toff' hoon drivers from Toorak with access to multiple cars can afford such luxury.

As part of the Victorian Labor government's effort to save lives on the roads, the government is taking the laws further to see more hoon cars crushed. Recent statistics indicate that Frankston is the top-6th hoon suburb and Cranbourne is the top-20th hoon suburb. Unfortunately the electorate district of Cranbourne encompasses the suburb of Cranbourne, and 60 per cent of the electorate sits within the Frankston local government area. A couple of years ago there were a number of complaints within my electorate about hoon drivers. Some of them went to the extent of seeking government assistance to create drag racing facilities in order to get the hoons off the road.

Hoons do not have an ethnic profile; they come from all walks of life and socioeconomic backgrounds. Recent incidents have proved that there is no age limit for the hoons, either. Victoria's oldest hoon driver, Ron Bell, has been slapped with a suspended jail sentence at the age of 80 after it was alleged that he drove at 160 kilometres an hour. Hoon drivers take away the peace of mind of citizens who are walking, cycling on a stretch of road, taking their children to school or going to work. After the laws were brought in in 2006, complaints about hoon drivers relayed to my office dropped dramatically.

The amended scheme will provide for the escalated imposition of vehicle impoundment and immobilisation or forfeiture sanctions for more serious offences that pose a threat to road safety. This is a good piece of legislation that makes tough laws. I commend the bill to the house.

Mr KOTSIRAS (Bulleen) — It is a pleasure to briefly speak on the Road Safety Amendment (Hoon Driving) Bill 2010. I ask the minister to reconsider his opposition to the amendments proposed by the member for Polwarth and support them. It is not a sin to admit that the amendments improve the bill; it is not an embarrassment if you show you are listening to other people's views. It is not a sign of weakness either if you accept you were wrong and that someone else has put forward an amendment which improves the legislation, so I urge the minister to reconsider his opposition to the amendments and to support the member for Polwarth.

One of our fundamental rights is to be safe at home and safe on our streets. No-one should feel unsafe when walking the dog, jogging, driving the family to the supermarket or going to see a film. Legislation is needed to protect the community from hoon drivers. Driving a vehicle at high speeds is similar to possessing a dangerous and deadly weapon. It is a serious offence, and it is important that this chamber and this Parliament does something to stop hoon drivers.

I am not talking about going over speed limits by 5 kilometres per hour or 10 kilometres per hour, but when you speed more than 45 kilometres per hour over the speed limit or drive in a dangerous or careless way it should not be tolerated at all. Conducting time trials, doing noisy burn-outs down streets or taking part in illegal speed racing must be stopped at all costs. This legislation goes some way to ensure that local residents will be safe on our roads. While everyone should abide by the road laws — 60 means 60 and 50 means 50 — this legislation relates to those who drive dangerously more than 45 kilometres per hour over the limit.

The purpose of the bill is to establish sanctions such as vehicle impoundment, immobilisation or forfeiture of vehicles for road safety offences, including dangerous or careless driving or excessive speeds of more than 45 kilometres an hour above the posted speed limit. It extends the vehicle impoundment scheme to drink-driving and drug-driving offences. The main provision of the bill, clause 4, extends the period of time for which a vehicle can be impounded or immobilised by a member of Victoria Police from 48 hours to seven days through an amendment to the principal act. Again I ask the minister to look at changing this from 7 days to 30 days, which will deter hoon drivers, especially as the owners of the vehicles are liable for the towing costs and the storage costs as well. If you remove hoon drivers from the streets, not only does it save their lives but it saves the lives of other road users as well.

Clause 6 gives new powers to Victoria Police members to search for or gain access to a vehicle believed to have been used in the commission of a hoon driving offence and to ask the persons at the premises being searched to provide information as to the location of the vehicle. That is something I support, and it is good to see it in the legislation.

I recently undertook a survey in my electorate of young drivers under the age of 25 years. The result of the survey indicated that young drivers simply wanted a fair go. They supported tougher penalties for repeat drink drivers and hoons who continue to flout the law and who put the lives of Victorians at risk, and they supported further education programs for young drivers to improve their safety on our roads. On the question of whether there should be a widely used or mandatory alcohol interlock device, 72 per cent of respondents said 'Yes'. In answer to the question 'Do you support the introduction of advanced defence driving education programs?', 92 per cent of respondents said 'Yes'. In response to the question 'Do you agree with stronger vehicle impoundment laws for repeat drink and drug-affected drivers?', 93 per cent said 'Yes'.

These results indicate that the majority of young drivers, in the city of Manningham at least, want the government to take action to prevent dangerous and antisocial driving on Victorian roads while not penalising drivers who abide by the law and do the right thing. This legislation goes some way to ensure that we take hoon drivers off our streets, but I urge the minister to have a proper look at the amendments proposed by the member for Polwarth and to perhaps decide by the time this legislation goes to the upper house to support them, because they improve this legislation, and we all want to ensure that every Victorian is safe on our roads.

Ms BEATTIE (Yuroke) — It gives me great pleasure to speak on the Road Safety Amendment (Hoon Driving) Bill 2010. The bill has simple purposes: to provide strong sanctions against hoon driving, to facilitate the use of steering wheel locks as a new method to immobilise vehicles and to provide stronger powers for police to assist with the location of vehicles used in hoon offences. It also makes a very minor amendment to the Melbourne City Link Act 1995.

Like most other members, it is the hoon driving aspect that I want to focus on. Those relevant offences are: dangerous driving, careless driving, speeding offences where a vehicle is driven at more than 45 kilometres per hour or more over the applicable speed limit, deliberately losing traction, street racing offences, deliberately or recklessly entering a level crossing when a train is approaching and refusing to stop when directed to do so by police. There is also the doughnut situation where hoons make a lot of noise, raise a lot of smoke and often do not have control of their vehicle, and driving while disqualified for a second or subsequent time.

I want to pick up on something the member for Bulleen said when he talked about speeding 45 kilometres per hour over the limit. He said it was not as though it was 5 or 10 kilometres per hour over the speed limit, it was 45 kilometres. I have to say that 60 means 60, not 65 and not 70. We have to get this out of our heads. As far as drink driving is concerned, we have all seen the ‘You’re a bloody idiot’ ads. If the sign says 60, then it means 60. If you think it means 65 or 70, you are still a bloody idiot, whether you have been drinking or not. Hoon drivers get no sympathy from me.

The opposition amendments are before us, but one of the things that hoon drivers often do is try to hide vehicles they have been hoon driving in, and that is where Victoria Police members need additional questioning powers. The bill provides for warrants to

search and seize a vehicle on premises, but these powers are of no assistance if the police cannot identify where the vehicle is likely to be. They can question adult persons as to the whereabouts of a vehicle for the specific purpose of locating a vehicle of interest. That is very important.

I want to highlight a couple of things that have happened locally. I would like to mention a young lady from my electorate. Madison Bird is the young lady’s name. Madison is 11 years old and goes to Mount Ridley College. Madison wrote letters to me and to the local council about hoon drivers in her street. She was very worried about them. Young Madison led a bit of a road safety campaign which resulted in the council installing speed humps in Madison’s street. I would like to congratulate Madison Bird on her good work.

I would also like to congratulate the children of Roxburgh Rise Primary School, many of whom raised local issues with me. Again, hoon driving was a real concern to these young students. I would like to praise their initiative in raising these matters so we can see that not only adults are concerned about this but a whole population of people out there are concerned about it.

Insofar as the opposition amendments are concerned, we have to pick up people who are hoon driving. That is the main thing: to pick them up and stop them from hoon driving. The opposition wants to impound their cars, but that is not the issue. The issue is the hoon driving, and that is what we have to prevent. We have to change the culture in people’s minds.

The member for Bulleen said that it is not as though it is 5 kilometres or 10 kilometres over, but it is all wrong, and that is the culture we have to change. Over is over — 5 kilometres or 10 kilometres over is still wrong. We have to change the culture of this, and that is what we are doing with our tough-on-crime legislation. The extra police we are putting on the streets — and I see the Minister for Police and Emergency Services has come in to listen to my contribution — will go a long way to catching those hoon drivers. We want to catch them before those things happen. With those few words, I commend the bill to the house.

Mr HODGETT (Kilsyth) — It is a pleasure to rise to make a brief contribution on the Road Safety Amendment (Hoon Driving) Bill 2010. I wholeheartedly support the amendments circulated by the member for Polwarth and urge Sideshow Bob, who is at the table tonight, to support the amendments moved by the member for Polwarth. I am pleased the

minister, Sideshow Bob, is at the table tonight to listen to my contribution.

As has been stated, the purpose of the bill is to establish sanctions such as vehicle impoundment, immobilisation or forfeiture for road safety offences including dangerous or careless driving or excessive speed of more than 45 kilometres an hour above the posted speed limit, and extend the vehicle impoundment scheme to drink-driving and drug-driving offences.

In the short time available for my contribution I want to make some points about a few of the main provisions in the bill. The first one is clause 4, which extends through an amendment to the principal act, the Road Safety Act 1986, the period of time for which a vehicle can be impounded or immobilised by a member of Victoria Police from 48 hours to 7 days. Our amendments suggest that the 7-day period is not enough and that this should be amended to 30 days. That is Liberal Party policy, coalition policy, announced earlier this year, which is designed to be tough on hoons and tough on crime — unlike Labor's soft-on-crime approach.

A number of people who have made contributions have talked about the 48-hour period. I am pleased the government sees that the 48-hour period should be amended, although it is amending it to 7 days and we are suggesting it be amended to 30 days. The 48-hour impoundment is very much viewed by many as a badge of honour. Hoons get their car impounded, but they could not give two hoots because they get it back 48 hours later and it is something to brag about. In my opinion seven days is not a long enough period of time given that someone could have been killed by the driver's behaviour. Hoon behaviour is a very serious offence, and in my view seven days is not a long enough period given that someone could have been injured or killed.

We need to penalise people and get dangerous drivers to think about their acts, to value their licences, to value their cars and to drive responsibly. It is a bit like what was said in the previous contribution, which talked about changing the culture. We need to change the culture, change the mindset, get them to value their licences, get them to value their vehicles and get them to drive responsibly.

Time and again I hear from people in my electorate, from the suburbs of Ringwood East, Croydon, Croydon South, Mooroolbark, Lilydale, Montrose, Kilsyth and Bayswater North, that the 50-kilometre-an-hour limit in streets is not policed. Time and again there is poor driver behaviour with hoon drivers speeding up and down streets and doing burnouts up and down nature

strips. When you talk to local police they tell you that proactive policing has gone; there is no longer proactive policing, it is all reactive.

The coalition policy to put more police on streets will address that issue somewhat. But we need to have our police out there actually policing local streets, policing the 50-kilometre-an-hour speed limit and getting on top of the hoon driver behaviour.

The next clauses I want to briefly talk about are clauses 10 and 11, which allow a Victoria Police member or a person authorised by Victoria Police to fit a steering wheel lock to immobilise a vehicle. In practice this will mean that if a hoon driver is caught, they will be fined, they will have their vehicle locked and it will be towed away and stored. They will need to tell police where the vehicle is, and if there is any attempt to tamper with or remove the vehicle lock, there will be appropriate penalties. Some people have suggested that if a hoon driver has an old vehicle, with a \$500 fee to tow it away, the storage costs and the fine, they may not come back and pick up the vehicle. But I think this will teach people that it is their responsibility. From talking to some young people, they might prefer the vehicle lock and the vehicle immobilisation. They can take care of the fine, they can take care of the storage and the towing fee and it becomes their responsibility.

Again I urge the government to seriously consider the amendments circulated by the member for Polwarth. They would improve the Road Safety Amendment (Hoon Driving) Bill immensely. It is a serious issue, and I wholeheartedly support the amendments circulated by the member for Polwarth.

The ACTING SPEAKER (Mr Seitz) — Order! I remind the member for Kilsyth that he must address people by their proper title in the house. In his contribution he used the words 'Sideshow Bob' three times. That is not acceptable. I remind all members that although it is late in the evening the standards of the house and the standing orders must be upheld.

Ms MARSHALL (Forest Hill) — I rise to speak in support of the Road Safety Amendment (Hoon Driving) Bill 2010. This bill seeks to amend part 6A of the Road Safety Act 1986 to strengthen the existing sanctions for hoon driving.

The Minister for Roads and Ports has previously pointed out to the house that the impoundment scheme in its current state as set out in the aforementioned part of the Road Safety Act 1986 provides for impoundment, immobilisation or forfeiture sanctions of

vehicles of drivers who breach the act in respect of serious offences, which include dangerous driving. Graduated sanctions are utilised to punish and deter hoon drivers. For example, a first offence may result in the impoundment of a vehicle for 48 hours whereas a second offence may result in a further court-imposed impoundment or immobilisation sanction of up to three months in addition to the initial 48-hour penalty.

Since being introduced in 2006 these laws have made some headway in addressing hoon driving. As of May, in the Whitehorse police service area in my electorate of Forest Hill almost 200 hoons had been caught. While local police have been working hard and are to be commended on their efforts, the people of Forest Hill want to see stronger, tougher and more sensible hoon laws, which is why I support the bill.

The bill strengthens the impoundment or immobilisation provisions and extends the time frame in which a motor vehicle can be impounded or immobilised. For instance, under the new laws upon detection of a hoon driving offence police will be able to immediately immobilise or impound a vehicle for seven days, which is an increase from the current 48 hours. It will also mean that more serious hoon driving offences will have more immediate and serious consequences than previously.

The bill also expands the types of offences for which impoundment sanctions can be imposed, including repeat unlicensed driving and repeat drink-driving and drug-driving offences. In addition, the bill provides for a mandatory impoundment or immobilisation sanction for a period of not less than 28 days if a court finds someone guilty of any offence for which a three-month impoundment or immobilisation sanction may be imposed. The bill also allows for harsher penalties to be imposed for extreme speeding and repeat disqualified driving offences and gives police more powers to locate vehicles that are to be impounded, immobilised or forfeited. I was shocked to learn in discussions with local police of the lengths some people go to in hiding the locations of their vehicles in an attempt to avoid impoundment or immobilisation.

The utilisation of impoundment, immobilisation and forfeiture sanctions stops hoons from reoffending. Of the 11 376 impoundments between the scheme's introduction on 1 July 2006 and 26 July 2010, only 777 were for reoffending. It is hoped that through the expansion of the offences for which a car can be impounded and the strengthening of and making more flexible the current hoon driving sanctions this bill will deter hoon drivers, reduce hoon driving and decrease the numbers of persons reoffending.

The bill demonstrates yet again this government's integrity in following through with its commitments. In January, after a number of holiday road tragedies, the Brumby government said that it would move to further strengthen hoon driving laws in this state, and that is exactly what this bill provides for. The government does not take the issue of hoon driving lightly. It is continuing to take steps to make sure that police have the powers to keep our streets safe from dangerous drivers. This bill is one of those steps, and therefore I commend this bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Road Safety Amendment (Hoon Driving) Bill 2010. The Nationals in coalition are supporting the member for Polwarth's amendments. The purpose of the bill is to establish sanctions such as vehicle impoundment, immobilisation and forfeiture for road offences including dangerous or careless driving or excessive speeding of more than 45 kilometres an hour above the posted speed limit and to extend the vehicle impoundment scheme to drink-driving and drug-driving offences.

A considerable number of provisions are of interest. Clause 4 has certainly been the basis of most of our discussions this evening, and I will return to discussing it later. It extends the time for which a vehicle can be impounded or immobilised by a member of Victoria Police from 48 hours to seven days by amending the principal act, the Road Safety Act 1986.

Clause 6 gives new powers to Victorian police to search vehicles, to gain access to a vehicle believed to have been used in commission of a hoon driving offence and to ask persons at the premises being searched to provide information as to the location of the vehicle. Clause 8 allows the police to search premises, including but not limited to garages, where a police officer reasonably believes a vehicle is located, without a warrant. It creates an offence for a person who is directed to provide information about the location of a vehicle but declines to do so. Clauses 10 and 11 allow the police to fit a steering wheel lock to immobilise a vehicle, and clause 15 creates an offence for where a person copies or tries to copy the steering lock keys. Clause 17 inserts new circumstances in which a vehicle may be forfeited. There is also a clause to look at surplus land on CityLink.

The bill provides for graduated sanctions over the impoundment vehicle scheme; however, how a vehicle can be immobilised is interesting. Wheel clamps have been used in the past, but they have been replaced with steering wheel clamps. Removing a vehicle by tow truck is much easier if it has wheel clamps on it. At the

end of a period the steering lock must be returned to the police station. The bill allows for storage of an impounded vehicle at a place which is not necessarily a police-specified one, so the driver can arrange for storage of the vehicle in a particular place or perhaps even store it at their home. There is some discretion provided to police officers in country areas, because although we are going to be hard on hoons, specified storage places might be some distance away.

I think what has interested most people in relation to this issue is the reporting of some of the things that have occurred in our suburban streets. Drag racing in suburban streets is dangerous and causes considerable angst to people who live in those streets. We do not want to be soft on hoons, particularly if they are behaving in a dangerous way in suburban areas. The amendments moved by the member for Polwarth are aimed at toughening up our stance on this. Extending the impoundment period from 7 days to 30 days really shows that we are serious about this and serious about protecting the public. I think the amendments show that the coalition is deadly serious about this and that we have had enough of the disturbances in relation to street racing and other things that occur out there in the community that are not only socially unacceptable but also downright dangerous.

Concerns with clause 4 which have been raised by the member for Polwarth need to be clarified. That clause relates to people needing to abide by their licence provisions. There are concerns about people who may or may not have their glasses while they are driving or might have roaming radius or time-of-day restrictions. This does not necessarily make them hoon drivers, particularly when this could apply to some of our older residents. We need to have that clarified.

I also support some of the comments made by the member for Rodney on the state of some of our country roads. That is another safety issue, which is concerning us particularly after the return of more seasonably wet winters, meaning that our roads are deteriorating. All we really want is safer roads, so let us be strong on this issue, support the amendments for tougher control and a tougher approach to hoons and show those out there who think that hooning is something other than downright dangerous that we are serious.

Mr STENSHOLT (Burwood) — I rise to support the Road Safety Amendment (Hoon Driving) Bill. Like many other speakers, I do not have much tolerance at all for hoon driving and racing in our streets, whether it be in Camberwell, Chadstone, Burwood or Bennettswood in my local area. The provisions in this bill being put forward by the minister to address this

particular issue are timely. I have no tolerance for people like Lewis Hamilton either — coming over from the UK and hooning around Melbourne streets, setting a bad example to the youth of Victoria. I think the particular applications of this bill are appropriate, and I support them.

Mr BURGESS (Hastings) — It is a pleasure to rise to speak on the Road Safety Amendment (Hoon Driving) Bill 2010. I will make my contribution short because other members want to speak on this bill. There are two articles that I would like to take a couple of excerpts from. An article by Clay Lucas entitled ‘Dangerous young drivers revealed’, which appeared in the *Age* of 15 April this year, reads:

Sixty per cent of young drivers crash their car in the first five years of driving, and more than half have exceeded the speed limit by up to 25 kilometres an hour ...

Later in the article, Mr Lucas said:

It has found that young Victorians in their mid-20s are speeding, drink driving, not wearing a seatbelt, sometimes under the influence of illegal drugs, and using a mobile phone while they drive.

...

Across Australia, drivers aged between 17 and 25 make up a quarter of road deaths, despite representing only 13 per cent of all drivers. Hoon driving among young drivers has become a key police focus.

A *Herald Sun* article of 11 January entitled ‘Mentally, teens drive best alone’, written by Steve Biddulph, who is a psychologist and the author of *Raising Boys*, says:

Brain-scanning technology has overturned our previous understanding of the teenage brain. Long assumed to be essentially adult in shape, it is now clear that the teenage brain is markedly immature and not in full adult form until as late as 25. In particular, 17-year-olds may be far from ready to handle driving tasks, especially when distracted or excited by others being in the car.

The teenage brain is half-developed, it can function well while calm, but lacks the ability to make good decisions when overloaded by stimuli. It is still likely to revert back to emotional decision making when conditions are not ideal. Every parent knows that teenagers can sound good one minute and be complete idiots the next.

Young children make decisions from part of the brain called the amygdala, which is primarily an emotional centre. By about 25 we use a completely different part of the brain — the prefrontal cortex, and are able to use reasoning, and hold to this reasoning under considerable emotional pressure.

When teenagers behave poorly, its often because we have placed them out of their depth, mentally, to cope. We have simply misjudged what teens are capable of handling sexually, socially, and around alcohol and drugs, to name just a few areas.

Based on this new knowledge, it's clear that governments and parents have to provide more structure and boundaries that recede gradually as children get older, balancing the need for independence and mobility with keeping the young alive.

Luckily, motor accident data helps pinpoint where legislation can do the most good. A young person travelling alone in a car has a modest risk level, but if you add one passenger, the risk of fatality rises by 50 per cent. However, adding another passenger increases the risk by 160 per cent.

The statistics are enough to let anyone know we need to do a lot more than we are doing about deaths in cars, particularly the overly represented youth deaths in cars. There is much room for a variety of measures to stop this devastating loss of life. I urge the government to look again at evidence that has been presented for many years.

I remember a Royal Automobile Club of Victoria report that came out probably eight years ago which made recommendations precisely along the lines I have just outlined — that is, not allowing there to be any more than one passenger in a car or sometimes no passengers in cars when they are being driven by a young person. Victorian law at the moment means that the first licence young people receive is a P-plate — which is called a P1 — and they are only allowed to have one passenger. But that is only for 12 months, so the young person is still going to have a very immature brain and will be making decisions that they are unable to make competently in company. I suggest it would be worthwhile for the government to revisit with a little more courage the research that has been done and consider how that might save some of our children's lives.

Mr FOLEY (Albert Park) — It gives me great pleasure to speak in support of the Road Safety Amendment (Hoon Driving) Bill 2010. This is a fine piece of legislation. On behalf of the people of Albert Park, I thank the Minister for Roads and Ports for this legislation. He has been a great fiend to hoons in my electorate, whether they be on the water or the roads. In relation to bills in this place the minister has already shown his determination to deal with hoons on the water. This is further evidence of his commitment in relation to hoons on roads.

Many hoons, who generally visit from other suburbs, have plagued our roads and streets, particularly Beaconsfield Parade and Williamstown Road, and streets in Port Melbourne and elsewhere. As a general rule our police do a fantastic job in dealing with those hoons. Together with the Environment Protection Authority and other agencies, they do a fantastic job.

In relation to other hoons who come from a long way away, the district of Albert Park has been plagued with a notorious hoon in the form of Mr Lewis Hamilton, and it was with great pride in the work of St Kilda police that we noted that they were able to nab him behaving as a hoon, so we look forward — —

Dr Napthine interjected.

Mr FOLEY — They auctioned his car, and it attracted a premium as a result of Mercedes Benz dealers who were silly enough to promote Mr Hamilton and his hoon driving behaviour. So whether they are international Formula 1 drivers or whether they are yobbos generally from outside the district of Albert Park — wherever they come to our district from — we know that these sensible laws, well applied by the hardworking Victoria Police, will deal with hoons fairly, proportionately and firmly, and we recommend that this bill gets a speedy passage through this place.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to speak on the Road Safety Amendment (Hoon Driving) Bill 2010. The bill seeks to establish sanctions such as vehicle impoundment, immobilisation and forfeiture for road safety offences including dangerous and careless driving and excessive speeding at more than 45 kilometres an hour above the speed limit.

This is another example that the government has failed the Victorian community. Clearly the Victorian community has been calling for many years for action in relation to hoon driving. I know from the surveys I have undertaken of residents in my electorate on a range of issues that hoon driving regularly comes up as an issue of great concern to people in the city of Knox. The great concern amongst residents of my electorate is that very little is being done by this government to put in place preventive measures to try to deter hoon drivers. This bill proposes to implement a first offence penalty of 7 days. It is the coalition that is proposing to have tougher provisions for a first offence of 30 days, and I support the amendment that has been put forward by the member for Polwarth which proposes to extend that provision from 7 days to 30 days.

Hoon driving is clearly a major issue of concern for residents of my electorate. Recently we undertook a survey that received over 900 responses, and this is an issue that regularly comes through. Whether respondents are elderly residents, young families or residents who have barely reached the legal age of driving, hoon driving is of great concern. As the member for Bulleen indicated in his contribution, I surveyed residents who were under the age of 25 and

sought their views. Very interestingly those residents told me that they overwhelmingly, by a large figure, want to see stronger laws in place with respect to the activities of people who drive in a hoon manner.

Clearly there is evidence out there that more needs to be done by this government. This government has dragged its feet on this issue for 11 years. Yes, we are pleased to see that some action has been taken, but clearly more needs to be done. The coalition has shown clear leadership on this issue. We call upon this government to support the amendment that has been put forward by the member for Polwarth, and I look forward to seeing members opposite support our amendment.

Debate adjourned on motion of Mr BROOKS (Bundoora).

Debate adjourned until later this day.

Remaining business postponed on motion of Mr CAMERON (Minister for Police and Emergency Services).

ADJOURNMENT

The ACTING SPEAKER (Mr Seitz) — Order!
The question is:

That the house do now adjourn.

Woolsthorpe Primary School: redevelopment

Dr NAPHTHINE (South-West Coast) — The issue I raise is for the Minister for Education. The action I seek from the minister is that she immediately provide the funding needed for the redevelopment of Woolsthorpe Primary School. Woolsthorpe is a terrific school with a great blend of committed, experienced and young, enthusiastic teachers who are led by a dynamic principal and supported by a hardworking school community.

Woolsthorpe was promised that under the rural replacement program it would be allocated funding for a new school in the May 2010 state budget, but no funding was provided, much to the disappointment of the entire Woolsthorpe and district community. This is a great school that urgently needs a complete redevelopment, as outlined in its master plan. This redevelopment is needed because the current size of the classrooms is simply unsuitable and unworkable for modern teaching methods. The roof leaks like a sieve, which has been a disaster during this wet winter, and it is rusted and full of holes. According to the school council president, Sam Robinson, the spouting is

‘absolutely bugged’. Indeed when I visited the school recently I saw that the spouting is full of rust, holes and leaks and has a significant amount of grass growing in it.

In a letter to me Woolsthorpe Primary School said:

The size of our classrooms precludes parent involvement and there is no space for student models or work to be on display. Rooms are not large enough to gather multiple classes together for lessons, sharing, arts council visits and assemblies or super days. New flexible learning spaces in new buildings will provide us with the opportunity to continue to keep at the forefront of educational reform something that we as a staff are wanting to do.

The school wants to retain its original bluestone building and replace the current classrooms, which are decades-old stock and well past their use-by dates as modern teaching and learning facilities. Woolsthorpe is a growing community to the north of Warrnambool. There are 92 students enrolled in 2010, and already 97 have been enrolled for 2011, including 17 preps. The local parents and friends have worked to raise funds to put in additional facilities at the school and to do repairs and patch-ups, including painting. But all their hard work is not enough to maintain this building as a proper teaching and learning facility. It is time for new, modern facilities.

I urge the Minister for Education to provide Woolsthorpe Primary School with the money that it was promised would be in this year’s state budget. It desperately needs a complete redevelopment of its learning facilities to provide that great school in that growing community with the facilities that its teachers and particularly its students and community deserve.

Sussex neighbourhood house: funding

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Minister for Community Development. The action I seek is that the minister seriously study and assess the submission made by Sussex neighbourhood house to get funding for a new building at a new site near Rogers Reserve where it would be co-located with the Pascoe Pale pool and community rooms in Prospect Street, Pascoe Vale.

Sussex neighbourhood house currently occupies a council-owned building, formerly a double-fronted shop with a small yard. Over the years the building has been extensively renovated to try to meet the needs of the developing neighbourhood house. The house fills the entire block, with all space used to capacity. Although it operates six days per week from 9.00 a.m. to 9.30 p.m., the house is unable to meet the demand from the community for its programs and services.

State and local governments place more emphasis on neighbourhood houses as first-stop community service providers. The Moreland City Council recognises that neighbourhood houses in Moreland offer vital community services, and as such provides additional funding and accommodation in recognition of their important work. Because the neighbourhood house culture is non-bureaucratic, neighbourhood houses provide a gentle entry into the service sector — an essential bridge for isolated and often marginalised members of the community.

Given its existing space and layout constraints, Sussex neighbourhood house cannot continue to meet the growing needs and expectations of its local catchment. A new facility will enable the house to broaden its program of classes and services and will open up a number of additional funding opportunities. Approximately 1000 people and a number of agencies and community groups use the building every week. Today it had a well-attended annual meeting. It is vibrant in terms of its community, its committee of management and of course its volunteers and students.

For some time now it has been acknowledged by house users and the council that the house is having difficulty meeting regulatory requirements, the expectations of funding bodies and quality standards due to the space limitation. New child-care regulations and demands as a registered training provider further squeeze the capacity of the available space. At the moment, as Pascoe Vale is enjoying a rejuvenation with a large number of births, there is also a growing demand for child-care and training opportunities.

The proposal is quite visionary. The amalgamation of two maternal and child health centres to that new site will also allow for a more secure and professional work environment for nurses while providing increased access and support for families across the centre.

Morwell–Traralgon bike path: funding

Mr NORTHE (Morwell) — I raise a matter for the attention of the Minister for Roads and Ports. The action I seek is for the minister to support the construction of a Morwell–Traralgon bike path. Unfortunately, like many good ideas and concepts, the very notion of a Morwell–Traralgon bike path has sat in the ether for far too long. Indeed such a project was considered more than 15 years ago, with local Rotary clubs even prepared to contribute \$10 000 all those years ago for this purpose, given the strong community support.

The Latrobe Valley is a unique community, with the major townships of Traralgon, Morwell, Moe and Churchill separated by relatively short distances. The distance between Morwell and Traralgon is approximately 8 kilometres. Many residents of the Latrobe Valley live in one town but work in another. Many residents in one town also go to another town for various reasons, including recreation, shopping or to visit family or friends. What an opportunity this would be to link our towns by way of bike paths. It is difficult to believe that the concept of linking these townships via cycle paths has not been supported by this government. It also seems incredible that, given that this project enjoys very strong community support, no progress has been made on such a concept in the past 15 years. A community group which is extremely supportive is the Traralgon and Morwell Pedallers, otherwise known as TRAMPS. Its members have been long-time advocates amongst a vast array of other sporting and recreational enthusiasts.

To get the ball rolling, a feasibility study needs to be undertaken to identify the most appropriate route, amongst other important factors. The Latrobe City Council has applied to VicRoads for funding for this purpose, but I understand the council's latest application has been unsuccessful. This is despite very strong supporting letters from TRAMPS, Bicycle Victoria and the Latrobe City Business Tourism Association. To rub salt into the wound, the council does not have the funds in its 2010–11 budget to undertake this task. To say that our community is frustrated and gutted is a complete and utter understatement. The establishment of a bike path link between Morwell and Traralgon would deliver to the Gippsland community significant economic, health, tourism and environmental opportunities and benefits.

Recommendation 14(c) of the final report of the parliamentary Rural and Regional Committee's inquiry into rural and regional tourism states that the government should consider as a priority the development and support of the establishment of cycle ways linking the Latrobe Valley townships of Morwell, Traralgon and Churchill.

The state government's Victorian cycling strategy released in March 2009 highlights the importance of completing links in regional centres and the outer metropolitan area. Indeed the cycling strategy states that there is a need to upgrade and complete missing links in the off-road and on-road bicycle networks in many cities and towns of regional Victoria, including Geelong, Ballarat, Bendigo, Benalla and the Latrobe Valley. Now is a time for action, not words. I ask the

Minister for Roads and Ports to show his support for a Morwell–Traralgon bike path.

Torquay: men's shed

Mr CRUTCHFIELD (South Barwon) — I raise a matter for the Minister for Senior Victorians, and the action I seek from the minister is that she consider favourably an application from the Spring Creek community house in Torquay. The Minister for Senior Victorians and other members of the state government are to be commended for their recognition and support of men's sheds and the important contribution they make to communities across Victoria. The government has been very generous in its funding of this initiative as part of its wider commitment to long-term social action.

In practical terms, men's sheds provide men like me with the opportunity to develop new and useful skills by taking part in a wide range of activities such as woodwork and metalwork, car restoration, repairing computers, electronics, crafts, hobbies and gardening. They also give men the opportunity to partake in charitable works within the local community.

The proposed men's shed would play an important role throughout the Surf Coast region, providing a welcoming and familiar venue for men of all ages, backgrounds and abilities to come together, share experiences and develop new skills. In particular, the men's shed would be of great benefit to the senior aged men in the community, some of whom experience health issues, social isolation, retrenchment and other life-changing events. Whilst the learning of new skills is important, it is the social and participatory aspects of men's sheds that cannot be understated. In a time when isolation, loneliness and depression loom as major men's health issues, men's sheds provide a welcoming environment where men can meet and form friendships, build self-esteem and contribute to the community.

It was not long ago that I was with the men's shed clan down at the Torquay Sailing Club when its members were participating in the demolition of that facility. Research has shown that men's sheds strengthen communities through improving health and wellbeing and increasing access to new education and employment opportunities. The changing and growing demographics of Torquay and specifically the Surf Coast shire means that the time is right for a men's shed in our area. Indeed there has been a previous application for this facility.

The local Surf Coast community and particularly Spring Creek community house are ardent supporters of

this project and the members of the community house have already secured a suitable site for a new shed. The men's shed will enhance the quality of life of the many men in the Surf Coast shire area. I encourage the Minister for Senior Victorians to look favourably on the application by the Spring Creek community house. I note that this particular community has advocated strongly for this facility, and I acknowledge the support of the Surf Coast Shire Council, particularly Cr Dean Webster.

Pembroke Secondary College: funding

Mr HODGETT (Kilsyth) — I wish to raise a matter of importance with the Minister for Education. The action I seek is for the minister to immediately fund stage 2 of the Pembroke Secondary College redevelopment. I thought I would take the opportunity to remind the Brumby government, and in particular the Minister for Education, of the important need to fund stage 2 of the Pembroke Secondary College master plan. We all know the history of this project, as I have gone into bat for Pembroke Secondary College on a number of occasions, fighting hard on behalf of the college to ensure it receives funding for this much-needed building project.

In 2006 the college was allocated \$1 million for the planning stage of the project, and after much lobbying by the school, the local community and me, together we successfully achieved a further \$10.5 million in funds for the first stage of the construction of the new school buildings at the Reay Road, Mooroolbark, site. I took the opportunity to visit the Reay Road site last week to inspect the redevelopment works, and I can tell members that the new buildings are very impressive. Mr Aidan Ryan, the college principal, Mr Denis Cody, a campus principal, together with the college captains, Mark Sharwood and Nikki Sprague, took time to show me around the site and view the new buildings and the associated works under stage 1 of the project.

Mark and Nikki are two terrific students with a bright future. Sadly they will not be the beneficiaries of the redevelopment project as they complete the Victorian certificate of education this year and will move on to the next stage in their lives. I wish them all the very best for their futures. However, for the remaining students and future students who choose to study at this marvellous college, stage 2 needs to be announced to put the minds of those in the school community at ease. It will be awfully disappointing for everyone involved if the Brumby government leaves the job half done and fails to fund stage 2 of the project.

The Brumby Labor government has a history of raising expectations and then not delivering. This project has been discussed for years, and yet we still wait for stage 2 funding. As another example, the Brumby government has failed to fund the Maroondah regeneration project. The Maroondah Education Coalition was formed some three years ago, but here again these Maroondah school councils are still waiting for the multimillion-dollar funding boost to see this project commence. The design works for these new state-of-the-art education facilities have been completed, and I will continue to work hard and present the case for funding for this project.

Returning to Pembroke Secondary College, the stage 1 works are being undertaken through, in and around the existing site. The teachers, staff and students have been terrific, patient and tolerant with construction works going on around them as they study, learn, work and play. In addition, there are works being undertaken as temporary measures for the school to remain functional while waiting for the stage 2 funding to come. Some of these works cost hundreds of thousands of dollars, only to be pulled down and demolished in the future. Suffice it to say that if the stage 2 funding were forthcoming, a more efficient approach could be taken. I urge the Minister for Education to immediately fund stage 2 of the Pembroke Secondary College redevelopment.

Graffiti: removal grants

Ms MARSHALL (Forest Hill) — I raise a matter for the attention of the Minister for Police and Emergency Services. The action I seek is that the minister encourage all councils, those within in my electorate and more broadly across Victoria, to apply for funding under the 2010 Brumby Labor government's graffiti clean-up community grants program.

Victorians consistently rank graffiti as the third most commonly perceived neighbourhood problem after theft from homes and dangerous driving. I can attest to this as I have been contacted by constituents, whether by way of survey response, at a mobile office or when I am speaking to residents in the street, wanting to report the incidence of graffiti. I have seen around my electorate the occasional piece of graffiti on bus and tram stops, on fences and on the back of commercial buildings. Even my electorate office was targeted recently. As I have said before in this house, graffiti is a stain, and every effort must be taken and every avenue explored to help curb this problem.

I support the Brumby government's graffiti prevention and removal strategy. This strategy provides grants to

local communities for graffiti-removal projects and puts low-risk offenders to work cleaning up graffiti in neighbourhoods as reparation for their crimes. The \$4.5 million graffiti prevention and removal strategy included in this year's budget another \$300 000 worth of grants for council-managed graffiti clean up projects. This funding could greatly assist the Whitehorse and Monash city councils to expand their graffiti removal programs so that when graffiti does occur it is cleaned up as quickly as possible. It is important to do this, because research has shown that graffiti vandals get a sense of satisfaction from seeing their work on display and that removing graffiti quickly decreases the chances of that area being tagged by other graffiti vandals.

I understand that funding is available for projects such as the establishment of portable graffiti removal systems and buying materials required to establish and run community-based projects to clean up local infrastructure. Projects such as these would greatly benefit residents in the Whitehorse and Monash municipalities. This government has committed enormously to stemming the problem of graffiti, and this grants program is another step in the right direction with the aim of reducing the incidence of graffiti in Victorian communities. It will help to strengthen communities by supporting their members to take responsibility for graffiti clean-up, enhance perceptions of public safety through the removal of graffiti and improve the visual amenity of neighbourhoods. I would like to see the Whitehorse and Monash city councils in my electorate of Forest Hill take advantage of this program.

I ask the minister to provide information to my local councils on these grants, and I urge them to consider applying for funding through this program, as it not only removes graffiti but helps people to feel safer and more secure in our neighbourhoods.

Floods: levees

Mr WELLER (Rodney) — I raise a matter of urgency regarding the major concerns being expressed by land-holders in northern Victoria whose properties are being threatened by rising and persistent floodwaters. I call upon the Premier to provide a direct and clear statement about who is responsible for repair and maintenance of levee banks, particularly the levee banks on Crown land which are struggling to cope with the current crisis.

Land-holders living near swollen rivers in the Rodney electorate are becoming increasingly frustrated and angry at the lack of leadership and support on this issue.

We had an appalling case at Kotupna last Friday. One farmer, with the help of some neighbours, was trying valiantly to repair a levee bank which was threatening to collapse and wreak enormous damage across a wide area. His requests for help from emergency bodies fell on deaf ears, and his attempts to find out just who was responsible for doing the necessary repair work ended only in frustration. The whole scenario reached farcical levels when police arrived and ordered that the work cease and the land-holders leave the area.

I ask the Premier: where was the help, where was the support, and where was the evidence that there are plans in place to react to such situations, which were inevitable once the rivers started rising? We are talking about levee banks which have had virtually no maintenance work done on them over the past 10 years. The government has again abdicated its responsibility to rural Victorians, which shows its complete lack of understanding of the practical issues surrounding natural disasters. We saw it with the bushfires, as the Victorian Bushfires Royal Commission so amply showed, and now we are seeing the same lack of leadership, planning and protection with the floods. Levee banks are to floods what controlled burns are to bushfires — a major preventive strategy — yet they have been virtually ignored by this government.

I call on the government to give an admission of government responsibility for levee banks work and an undertaking that all of the available and necessary resources will be on hand to help embattled landowners. It is called planning and caring. Surely the government can rise to the challenge this time.

Volunteers: government support

Ms MUNT (Mordialloc) — The matter I wish to raise this evening is for the attention and action of the Minister for Community Development. I refer to the Brumby government's \$9.3 million volunteering strategy and the 'I can do that' volunteering campaign that directs Victorians to a new volunteering website that will soon be able to help match individuals to suitable volunteering opportunities, and I ask the minister to help volunteering organisations across Victoria make use of the website and other resources so they can make the most of the opportunities that these tools will present for a large number of community and not-for-profit organisations around the state.

I think it is a wonderful idea to enable people who want to volunteer to look up a website and match their wishes and skills with the opportunities and needs of other groups for volunteers. A lot of people come into my office looking for opportunities to volunteer and a

lot of groups that are looking for volunteers to help them out, so to be able to have a portal for those two groups to come together I think is a wonderful initiative.

We are all aware of the wonderful work that volunteers do in our electorates. They help out by coaching local football teams, cleaning up parks, feeding the poor and caring for the elderly. I was at an annual general meeting last week at the Mordialloc community centre where the whole community gives hours of their time to support the youth in our community. I would hate to think what the total bill would be if we had to pay for all of the volunteers that work in our community. They truly are absolute gems.

It is clear that while many people may want to donate their time, they often do not have a lot of time to spare. The Brumby Labor government has recognised that in our world the way that people can give their time is changing. This means volunteering opportunities need to be flexible to allow a greater number of people to get involved. The new volunteering website will be a great resource for individuals and organisations, but it would be beneficial if the government provided further support for organisations, perhaps with grants, to ensure that the website is fully utilised and volunteering opportunities are posted regularly.

I call on the minister to consider offering this extra support to all of those groups and individuals to ensure that they get the full benefit of this great new volunteering tool and so they can continue to make use of volunteering — not only for themselves but also for the benefit of those many community organisations that rely on that assistance.

Hospitals: waiting lists

Mrs VICTORIA (Bayswater) — I rise to ask the Minister for Health to investigate the case of a constituent of mine who was recently treated at the Royal Melbourne Hospital. While much has been said by the Labor government about the record number of patients treated in our hospital system, too many Victorians continue to languish on agonisingly long waiting lists.

Mr Leigh Powling of Wantirna broke his arm and shattered his elbow in a motorcycle accident on 29 August this year. The injury was serious enough to warrant immediate admission to the Royal Melbourne Hospital. After being assessed, he was scheduled for surgery on Tuesday, 31 August. Leigh was later told the surgery would not occur as planned and that he should

again fast the following day in preparation for surgery. Again, his surgery was cancelled.

On Thursday Leigh was finally wheeled into the prep area, ready for surgery. Unfortunately he was told that once again his surgery had been cancelled and that from midnight that night he should fast again in preparation for surgery the following day. Saturday and Sunday were the same. At one stage, after being told at 7.00 p.m. that his surgery had been cancelled, Leigh asked hospital staff if he could eat something as he had been fasting since midnight. The response was that the kitchen was closed and a sandwich was all that could be provided. On another occasion they could only muster up a bowl of jelly.

While he was being visited by his family during this agonising wait, Leigh's 3-year-old son asked, 'Are you going to be living at the hospital from now on, Daddy?' — hardly an unreasonable question given the circumstances. After one surgery time was cancelled, Leigh's wife was told it was because the hospital was busy. When she asked for the reason for a subsequent cancellation she was told there was not enough money to open the theatre. For this excuse to be offered in Victoria in 2010 is unacceptable, to say the least. Recent data released on the government's hospitals website indicates that the Royal Melbourne Hospital ranks 25th out of 29 hospitals in terms of patient satisfaction and fails in three performance indicator areas when it comes to the treatment of emergency patients.

After six cancellations, Leigh finally received his five-and-a-half-hour surgery on Monday, 6 September, eight days after hospital admission. During these eight agonising days Leigh occupied a hospital bed that could have been used to accommodate other patients on Victoria's never-ending waiting list. For eight days Leigh was left languishing in a painful state of limbo. The excuses he was fed only added mental trauma to his physical injury. While eight days does not seem like a long time to wait compared with the horror stories of other patients, this man's need for immediate surgery was obvious. The time it took to perform his operation indicates the seriousness of his condition.

I ask that the minister investigate this matter immediately, giving special attention to the claim that not enough money was available to open an operating theatre, and report his findings to me and to Mr Powling at the earliest possible time.

Geelong: hoon drivers

Mr TREZISE (Geelong) — I raise an issue in tonight's adjournment debate for the Minister for Police and Emergency Services. I have raised this issue before, around the beginning of last summer, and I unashamedly raise it again tonight. It is a very topical issue and relates to hoon driving within the electorate of Geelong and specifically in the heavily populated areas around Eastern Beach. The action I seek from the minister is that he ensure that the issue of hoon driving is effectively tackled by local police in the Geelong area as we once again quickly head towards daylight saving and into summer.

I mention daylight saving and summer not because hoon driving is a problem only during those periods but because it is the main time these idiots begin to mix with people, including families, heading down to Eastern Beach in my electorate. In raising this issue I have to say that in recent years local police have done a great job of tackling this menace, and of course they have been assisted by the numerous pieces of legislation the Brumby Labor government has passed over the last three or four years, including the legislation that passed a couple of weeks ago in relation to hoon laws relating to the use of water-based craft such as speedboats and jet skis.

Honourable members interjecting.

Mr TREZISE — These speed machines can endanger the lives of people enjoying venues such as Eastern Beach, which is a great beach in Geelong, and I am sure the Minister for Housing would attest to the fact that Eastern Beach is a great beach, as too no doubt would the Minister for Sport, Recreation and Youth Affairs.

Mr Wynne — You're going to have cycling down there, aren't you?

Mr TREZISE — Therefore we are pleased to be supporting the legislation we passed a couple of weeks ago. We will have the cycling there in a couple of weeks — hence the importance of the hoon legislation to my electorate of Geelong.

This is a very serious matter, and I implore the minister to take action to ensure that local police once again tackle the hoon driving issue. This is, as I said, an important issue for the people of Geelong and for visitors to our fair city over the summer period.

Responses

Ms D'AMBROSIO (Minister for Community Development) — I would like to deal firstly with the matter raised for me by the member for Mordialloc, who I thank for her very strong and passionate support for volunteering in her electorate. She certainly has a very keen interest in the government's volunteering strategy.

The member has raised with me the need to provide extra support for community organisations to help them efficiently and effectively utilise the new volunteering website which will be fully operational later this month. As she mentioned, the new website will provide a matching service, along with many other tools, for community organisations and individuals seeking opportunities for volunteering. The matching service in particular will be an opportunity for people to look into volunteering their time and to find volunteering opportunities that best suit them. For everyone to be able to gain maximum benefit from this service we need Victoria's community organisations to post their volunteering opportunities on this site to ensure that we have a diverse range of activities to suit the available time of a range of different people.

As the member for Mordialloc mentioned, the way people are able to give their time is certainly changing. This means we have to do things differently. Community organisations need to adjust, and our government is keenly aware of this changing profile of potential volunteers. That is why we have committed \$9.3 million to sustain volunteering in Victoria by providing practical and effective support to volunteer-based organisations and volunteers across the state. This includes the new volunteering website.

The member for Mordialloc will be pleased to know that we will also be awarding volunteering local partnership grants, and these \$25 000 grants will go to 20 organisations across the eight Department of Planning and Community Development regions. These local partnership grants are designed to support existing networks of community organisations to engage with the portal's volunteering matching service and network technologies, to benefit from the resources available on the site and to contribute to the development of new best practice content. In short, these grants will help build up the bank of local volunteering opportunities available on the portal. They will also provide uptake in use of the tools and resources available freely on the portal, and I am sure that community organisations and volunteers in the Mordialloc area will find this information very useful.

The grants will be able to fund things like training for networked organisations to get volunteer opportunities ready for posting on the website. They may also cover train-the-trainer costs, cover the costs of the development materials or small equipment or go towards helping with marketing and promotion of the website's vast resources. These are just some of the things that the grants could be used for.

These grants have yet to be allocated, but I understand that recommendations will be submitted to me by the department in coming weeks. I wish to thank the member for Mordialloc for raising this very important issue with me this evening.

The member for Pascoe Vale raised a matter for my attention, and I will be looking into that and certainly coming back to her with a fuller response.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I will ensure that the remaining matters are referred to the appropriate ministers for their action and response.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 11.30 p.m.

