

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT
FIRST SESSION**

Thursday, 8 October 2015

(Extract from book 14)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Employment	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Industry, and Minister for Energy and Resources	The Hon. L. D’Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Emergency Services, and Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. J. F. Garrett, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Environment, Climate Change and Water	The Hon. L. M. Neville, MP
Minister for Police and Minister for Corrections	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Kairouz, MP

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

Speaker:

The Hon. TELMO LANGUILLER

Deputy Speaker:

Mr D. A. NARDELLA

Acting Speakers:

Mr Angus, Mr Blackwood, Ms Blandthorn, Mr Carbines, Mr Crisp, Mr Dixon, Ms Edwards, Ms Halfpenny,
Ms Kilkenny, Mr McCurdy, Mr McGuire, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

Leader of the Parliamentary Labor Party and Premier:

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. A. MERLINO

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals:

The Hon. P. L. WALSH

Deputy Leader of The Nationals:

Ms S. RYAN

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 A. Young

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn ¹	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent ²	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio	Melton	ALP
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Brooks, Mr Colin William	Bundoora	ALP	Noonan, Mr Wade Matthew	Williamstown	ALP
Bull, Mr Joshua Michael	Sunbury	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Daniel David ³	Gippsland South	Nats
Burgess, Mr Neale Ronald	Hastings	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pakula, Mr Martin Philip	Keysborough	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Clark, Mr Robert William	Box Hill	LP	Paynter, Mr Brian Francis	Bass	LP
Couzens, Ms Christine Anne	Geelong	ALP	Pearson, Mr Daniel James	Essendon	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Perera, Mr Jude	Cranbourne	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pesutto, Mr John	Hawthorn	LP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dixon, Mr Martin Francis	Nepean	LP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ⁴	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Tilley, Mr William John	Benambra	LP
Kairouz, Ms Marlene	Koroit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Resigned 3 September 2015

² Resigned 3 September 2015

³ Elected 14 March 2015

⁴ Resigned 2 February 2015

PARTY ABBREVIATIONS

ALP — Labor Party; Greens — The Greens;
Ind — Independent; LP — Liberal Party; Nats — The Nationals.

Legislative Assembly committees

Privileges Committee — Ms Allan, Ms D’Ambrosio, Mr Morris, Ms Neville, Ms Ryan, Ms Sandell, Mr Scott and Mr Wells.

Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Mr Brooks, Mr Clark, Mr Hibbins, Mr Hodgett, Ms Kairouz, Mr Nardella, Ms Ryan and Ms Sheed.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.
(*Council*): Ms Bath, Mr Purcell and Ms Symes.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O’Brien, Mr Pakula, Ms Richardson and Mr Walsh. (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge.

Economic, Education, Jobs and Skills Committee — (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.
(*Council*): Mr Bourman, Mr Elasmar and Mr Melhem.

Electoral Matters Committee — (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.
(*Council*): Ms Patten, Mr Somyurek.

Environment, Natural Resources and Regional Development Committee — (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward. (*Council*): Mr Ramsay and Mr Young.

Family and Community Development Committee — (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish and Ms Sheed. (*Council*): Mr Finn.

House Committee — (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson. (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Mr Hibbins, Mr D. O’Brien, Mr Richardson, Ms Thomson and Mr Wells. (*Council*): Mr Ramsay and Ms Symes.

Law Reform, Road and Community Safety Committee — (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley. (*Council*): Mr Eideh and Ms Patten.

Public Accounts and Estimates Committee — (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O’Brien, Mr Pearson, Mr T. Smith and Ms Ward. (*Council*): Dr Carling-Jenkins, Ms Pennicuik and Ms Shing.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto. (*Council*): Mr Dalla-Riva.

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Thursday, 8 October 2015

The **SPEAKER** (Hon. Telmo Languiller) took the chair at 9.34 a.m. and read the prayer.

The **SPEAKER** — Order! We have a nice surprise this morning, if I may share it with the house. It starts with Bridget Noonan's and Jeremy Walsh's birthdays. They are young enough to celebrate, and we join in the celebration, I am sure, across the chamber. Hear, hear!

VICTORIAN COMPETITION AND EFFICIENCY COMMISSION**Report 2014–15**

Mr **PAKULA** (Attorney-General), on behalf of the Premier, by leave, presented report.

Tabled.

OFFICE OF THE PUBLIC ADVOCATE**Report 2014–15**

Mr **PAKULA** (Attorney-General), by leave, presented report.

Tabled.

Ordered to be published.

VICTORIA LAW FOUNDATION**Report 2014–15**

Mr **PAKULA** (Attorney-General), by leave, presented report.

Tabled.

CONSUMER UTILITIES ADVOCACY CENTRE**Report 2014–15**

Ms **GARRETT** (Minister for Consumer Affairs, Gaming and Liquor Regulation), by leave, presented report.

Tabled.

INSPECTOR-GENERAL FOR EMERGENCY MANAGEMENT**Victorian bushfires royal commission progress report**

Ms **GARRETT** (Minister for Emergency Services), by leave, presented report.

Tabled.

POLICE REGISTRATION AND SERVICES BOARD**Report 2014–15**

Mr **NOONAN** (Minister for Police), by leave, presented report.

Tabled.

ACCOUNTABILITY AND OVERSIGHT COMMITTEE**Victorian oversight agencies 2013–14**

Mr **ANGUS** (Forest Hill) presented report, together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS**Tabled by Clerk:**

Accident Compensation Conciliation Service — Report 2014–15

Adult Multicultural Education Services — Report 2014–2015 (two documents)

Adult Parole Board of Victoria — Report 2014–15

Agriculture Victoria Services Pty Ltd — Report 2014–15

Barwon Region Water Corporation — Report 2014–15

Central Gippsland Region Water Corporation — Report 2014–15

Central Highlands Region Water Corporation — Report 2014–15

Coliban Region Water Corporation — Report 2014–15

Confiscation Act 1997 — Asset Confiscation Operations Report 2014–15

Corangamite Catchment Management Authority — Report 2014–15

- Country Fire Authority — Report 2014–15
- Dairy Food Safety Victoria — Report 2014–15
- East Gippsland Catchment Management Authority — Report 2014–15
- East Gippsland Region Water Corporation — Report 2014–15
- Emergency Services Superannuation Board — Report 2014–15
- Emergency Services Telecommunications Authority — Report 2014–15
- Environment Protection Authority — Report 2014–15
- Essential Services Commission — Report 2014–15
- Fed Square Pty Ltd — Report 2014–15
- Financial Management Act 1994:*
- Reports from the Minister for Agriculture that she had received the reports 2014–15 of the:
- Murray Valley Wine Grape Industry Development Committee
 - Northern Victorian Fresh Tomato Industry Development Committee
 - Phytogene Pty Ltd
 - PrimeSafe
 - Veterinary Practitioners Registration Board of Victoria
 - Victorian Strawberry Industry Development Committee
- Report from the Minister for Environment, Climate Change and Water that she had received the reports 2014–15 of the:
- Alpine Resorts Co-ordinating Council
 - Gunaikurnai Traditional Owner Land Management Board
- Freedom of Information Commissioner — Report 2014–15
- Geoffrey Gardiner Dairy Foundation Ltd — Report 2014–15
- Gippsland and Southern Rural Water Corporation — Report 2014–15
- Goulburn-Murray Rural Water Corporation — Report 2014–15
- Goulburn Valley Region Water Corporation — Report 2014–15
- Grampians Wimmera Mallee Water Corporation — Report 2014–15
- Greyhound Racing Victoria — Report 2014–15
- Harness Racing Victoria — Report 2014–15
- Legal Practitioners' Liability Committee — Report 2014–15
- Legal Services Board and Legal Services Commissioner — Report 2014–15 — Ordered to be published
- Lower Murray Urban and Rural Water Corporation — Report 2014–15
- Melbourne and Olympic Parks Trust — Report 2014–15
- Members of Parliament (Register of Interests) Act 1978* — Summary of Returns — June 2015 and Summary of Variations Notified between 23 June and 7 October 2015 — Ordered to be published
- Metropolitan Fire and Emergency Services Board — Report 2014–15
- National Parks Act 1975* — Report 2014–15 on the working of the Act
- National Parks Advisory Council — Report 2014–15
- North East Region Water Corporation — Report 2014–15
- Parks Victoria — Report 2014–15
- Phillip Island Nature Parks — Report 2014–15
- Places Victoria — Report 2014–15
- Port Phillip and Westernport Catchment Management Authority — Report 2014–15
- Premier and Cabinet, Department of — Report 2014–15
- Public Record Office Victoria — Report 2014–15
- Racing Integrity Commissioner, Office of — Report 2014–15 — Ordered to be published
- Recreational Fishing Licence Trust Account — Report 2014–15 on the disbursement of Revenue
- Rolling Stock Holdings (Victoria) Pty Ltd — Report 2014–15
- Rolling Stock (Victoria-VL) Pty Ltd — Report 2014–15
- Rolling Stock (VL-1) Pty Ltd — Report 2014–15
- Rolling Stock (VL-2) Pty Ltd — Report 2014–15
- Rolling Stock (VL-3) Pty Ltd — Report 2014–15
- Royal Botanic Gardens Board Victoria — Report 2014–15
- Rural Finance Corporation of Victoria — Report 2014–15
- South Gippsland Region Water Corporation — Report 2014–15
- State Trustees Ltd — Report 2014–15
- Subordinate Legislation Act 1994:*
- Documents under s 16B in relation to the — *Nudity (Prescribed Areas) Act 1983* — Notice of Revocation of an Area
- Transport Accident Commission — Report 2014–15
- Trust for Nature (Victoria) — Report 2014–15
- Victims of Crime Assistance Tribunal — Report 2014–15
- Victoria Legal Aid — Report 2014–15

Victoria Police — Report 2014–15

Victorian Broiler Industry Negotiation Committee — Report 2014–15

Victorian Building Authority — Report 2014–15

Victorian Environmental Assessment Council — Report 2014–15

Victorian Environmental Water Holder — Report 2014–15

Victorian Equal Opportunity and Human Rights Commission — Report 2014–15 — Ordered to be published

Victorian Funds Management Corporation — Report 2014–15

Victorian Government Purchasing Board — Report 2014–15

Victorian Managed Insurance Authority — Report 2014–15

Victorian Multicultural Commission — Report 2014–15

Victorian Rail Track — Report 2014–15

VITS Languagelink — Report 2014–15

V/Line Corporation — Report 2014–15

Wannon Region Water Corporation — Report 2014–15

Western Region Water Corporation — Report 2014–15

Westernport Region Water Corporation — Report 2014–15

Young Farmers' Finance Council — Report 2014–15

Youth Parole Board — Report 2014–15

Zoological Parks and Gardens Board Victoria — Report 2014–15.

BUSINESS OF THE HOUSE

Adjournment

Ms ALLAN (Minister for Public Transport) — I move:

That the house, at its rising, adjourns until Tuesday, 20 October 2015.

Motion agreed to.

MEMBERS STATEMENTS

Public holidays

Mr BURGESS (Hastings) — Commentators across the world have for some time been warning about the fragile nature of the world's economies and those of our nation and state. With the commodities boom a distant memory and the car industry getting ready to join it, it is clear we are not immune. When most nations, including our own, are doing all they can to strengthen,

reinforce and diversify their products and markets and when the federal government has pulled out all stops to establish free trade agreements with numerous countries to help insulate our economy from economic shocks that can prove debilitating if there is reliance on too few products or trading partners — when all of this is going on around us, what is the Andrews government's contribution to our state's resilience and economic stability? Two new public holidays.

Labor does not get it. None of its members get business. They think it is something to be continually squeezed for more. What they do not get is that companies and economies are similar to the sharemarket in the way they thrive on confidence and struggle with uncertainty. Through its cold indifference to the wellbeing of our businesses, Labor has created a level of uncertainty that, if not addressed, could lead to a drop in business confidence, and that is the last thing our economy needs. What is yet to be seen is just how severe the long-term consequences of Labor's expensive public holiday gifts to its union mates will be.

Somerville police station

Mr BURGESS — I would like to thank the members of my community who attended a public meeting in Somerville on 19 September to protest against the Andrews government's refusal to provide any police for, or public access to, the new \$16.3 million Somerville police station.

Whitelion and Anglicare Victoria

Mr PALLAS (Treasurer) — I rise to inform the house about the wonderful work of Anglicare Victoria and Whitelion in Werribee. I was delighted to recently visit the City of Wyndham's Youth Resource Centre with Whitelion and see the impact of its work. Whitelion is dedicated to providing support and mentoring as well as providing the basics, such as food, hygiene and housing, to disadvantaged young people in Wyndham. It is a sad reality that over a quarter of homeless people are aged below 18, leaving them uniquely vulnerable to long-term poverty. Communities need organisations like Whitelion to work with government in realising the potential of our young people and giving them opportunities to develop. This work is invaluable, and I am proud to be an ambassador of Whitelion.

It was a pleasure to also visit The Garage, which is a youth drop-in centre supported by Anglicare Victoria and its wonderful volunteers. I was pleased to open its coffee training program, which will provide skills

training and work experience to disadvantaged youth in Wyndham. Equally importantly, The Garage also provides a welcoming and safe place for young people to socialise and discuss issues they may be facing.

Navigating the challenges of growing up can be difficult. It is important that our young people are provided with support and guidance to manage this period appropriately. These organisations are recognised and celebrated for the difference that they can and do make to my community.

Desalination plant

Ms KEALY (Lowan) — It was disappointing to read recent news reports referring to the Minister for Environment, Climate Change and Water talking of how water from Labor's desalination plant at Wonthaggi could relieve the parched lands of Victoria's food producers in the Wimmera and Mallee regions. It is astonishing that such a proposal would even be raised as a concept, as there is simply no pipeline that can deliver water from Wonthaggi to western Victoria. The minister has had to hastily backtrack and clarify that she does not want to truck desalinated water hundred kilometres across the state.

This Labor government is desperate to start the Bracks desalination plant, a project that ran late and was the basis of some outrageous sweetheart deals with its Labor union mates. This white elephant has since cost taxpayers \$1.8 million each and every day, with not one drop of water to show for it. The desalination plant cannot help the food producers of western Victoria, and it is deeply concerning that any water minister would be associated with such a ridiculous proposal.

Glenelg River

Ms KEALY — Yesterday in this place the Minister for Environment, Climate Change and Water drew attention to the drying Glenelg River. It must be remembered that earlier this year she was party to the transfer of 5000 megalitres of water into the system's dried-out secondary storage in Toolondo Reservoir. Farmers downstream on the Glenelg River would love to have this quantity of water available right now to boost a system under stress after a dry winter. Instead this water appears to be being lost to evaporation thanks to the water minister's transfer of it to Toolondo.

Leadership Great South Coast

Ms KEALY — It was a privilege to recently meet with Amanda Hennessy and this year's participants of the Leadership Great South Coast program. These local

community and business champions are leading the way in south-western Victoria, focused on bringing innovation in leadership and inspiring a thriving and resilient region. Leaders of this calibre will ensure that the south-west coast region has a bright future ahead. I wish participants every success.

Bellarine Community Health

Ms NEVILLE (Minister for Environment, Climate Change and Water) — In 2014 the then opposition committed to conducting an independent review of Bellarine Community Health. This followed years of growing community concern and complaints about the operation of the organisation and a number of decisions it made and about a government that had continually ignored its concerns.

The sale of the Portarlington-based aged-care facility Ann Nichol House was one such decision that angered the local community, including much-respected Ann Nichol herself. The sale was facilitated and assisted by the then government. The KPMG report, which I recently released, is damning of Bellarine Community Health. It shows that the community was lied to. For example, in relation to the sale of Ann Nichol House the report found that Bellarine Community Health's decision to sell was made 'prior to consulting or engaging the ... community'. This justifies the concerns that locals and I had at the time that the sale was a done deal and that consultations were a sham, or as Bellarine Aged Care Association president Tim Walsh said in last week's *Bellarine Times*:

The report documents the lies and misinformation regarding the sale of Ann Nichol House and the closure of Coorabin Hostel.

I totally concur with that.

Although we cannot remove the board given the organisation's structure, we will put in place ongoing monitoring and also establish a health needs and service review, which will leave open the option of identifying another public health provider if changes are not made.

Winchelsea Primary School

Mr WAKELING (Ferntree Gully) — I raise concerns on behalf of the Winchelsea Primary School community. The school's gutters need urgent replacement at a cost of \$30 000, and this was something the coalition had committed at the last election to fixing. To date this government has been unwilling to provide any assistance for this school, and the minister has had the gall to tell members of the community that they will have to wait until December

before he is even willing to visit the school. It is simply not good enough. I call on the government to listen to the concerns of this regional school and many other regional schools and provide them with the funding they urgently need.

Knox Little Athletics Centre

Mr WAKELING — I take this opportunity to congratulate everyone involved with the Knox Little Athletics Centre. I attended the opening of the centre with the member for Rowville. It was a great day. I congratulate all the volunteers, clubs and kids on a great season.

Wantirna Community Bank

Mr WAKELING — Congratulations to the Wantirna Community Bank branch of Bendigo Bank, for its recent business breakfast. It was a great opportunity for local businesses to come together with the support of the bank to learn about current financial issues both nationally and internationally. It was a great initiative of the bank. I congratulate the board and everyone involved.

Ferntree Gully electorate sporting clubs

Mr WAKELING — I had the pleasure recently of attending the presentation nights of a number of local sporting clubs, including Knox Churches Soccer Club, Eastern Lions Football Club, Knox Football Club and Wantirna South Football Club. Congratulations to all those clubs on another great season. They are ably led by great local leaders, which again demonstrates the wonderful work that is taking place in community clubs in Knox.

Believe in Bendigo community event

Ms ALLAN (Minister for Public Transport) — I congratulate the organisers of a fantastic event that was held last Friday, Grand Final Friday, in Bendigo to celebrate what is wonderful about living and working in the wonderful city of Bendigo. The Believe in Bendigo event saw the civic gardens awash with yellow, which is the colour that represents the organisation. People came out wearing that colour to demonstrate that they celebrate tolerance, diversity, respect and just having a good time as well, and these were the messages that were reinforced during the day. An estimated 2000 people attended this event in the civic gardens. My congratulations go to the organisers, particularly Margot Spalding and Damian Wells, who with only a 10-day start put this major event together so that the community was able to come together as one and

celebrate what is great about the City of Greater Bendigo.

Bendigo Spirit

Ms ALLAN — On another matter, I would also like to say how delighted I am to have accepted the honour of being the no. 1 ticket holder for Bendigo Spirit, the Women's National Basketball League team that is based in Bendigo. It is a fantastic club, and I was delighted to accept this honour last Thursday. For the forthcoming season, I say, 'Go Spirit! You have been in the last three grand finals, and we are getting right behind you again'.

Trans-Pacific Partnership Agreement

Ms ASHER (Brighton) — I congratulate the federal government and in particular the trade minister, Andrew Robb, on negotiating the Trans-Pacific Partnership Agreement. This will give Australian businesses — and Victorian businesses, obviously, from our perspective — access to 40 per cent of the global economy. Twelve nations are involved, including the economic powerhouses of the USA and Japan. Also signing up as part of this agreement are countries such as Malaysia and Singapore. These two countries were targeted by the previous government's trade mission program. It will be enormously beneficial to farmers in particular, with significant opportunities in Asian markets.

As I listened to the debates yesterday I noticed that many Labor members of Parliament referred to the Asian century. This partnership arrangement negotiated by the federal government will feed directly into that. Victoria's no. 1 export is international education, and we all expect that this agreement will allow that sector to get access to a much larger market than is currently the case. Likewise, Victoria's no. 2 export is tourism, and again the realistic expectation is that that arrangement will have a larger impact on tourism.

These trade agreements have the potential to increase exports, which is incredibly important for many of our small businesses which do not have a sufficient market in the domestic setting.

Williamstown Football Club

Mr NOONAN (Minister for Police) — I rise today to congratulate the Williamstown Football Club on its wonderful victory in the Victorian Football League grand final this year. Although the first half was close, the Towners domination was emphatic in the second, as they led the way to a 54-point victory over the Box Hill

Hawks. It was a credit to the players' determination, handling of pressure and ability that the day ended with such a comprehensive win. To cap off a wonderful season the club's development team was also victorious over the Box Hill side by a golden point.

In the lead-up to the game it was great to see the streets of Williamstown awash with streamers, balloons and posters all coloured in the team's blue and gold. It is difficult to imagine the cultural landscape of Williamstown without the Williamstown Football Club, having been established in 1864, and it is difficult to imagine the club without the dedicated locals who sell tickets at the gate, volunteer at the canteen, or simply go down to watch the home games at Point Gellibrand on a weekend afternoon, rain or shine.

Consequently it was as much a victory for Williamstown as it was for the club. Again, a special congratulations to the team and its head coach Andy Collins on such a magnificent victory. Well done to captain Ben Jolley, who also won his fourth Gerry Callahan Medal in season 2015, and a special congratulations to the CEO of the club, Jason Reddick, its long-serving president, Trevor Monti, and the club's extended leadership group.

Gippsland football and netball clubs

Mr D. O'BRIEN (Gippsland South) — I rise to praise the exceptional season of the Leongatha Football Netball Club under first-year coach Beau Vernon. Many members will be aware of Beau's story. In 2012, while playing for the Parrots, he was severely injured in an on-field incident that left him a quadriplegic. With the support of the club, the entire Gippsland community and his now wife, Lucy, Beau has rebuilt his life to the point where he put his hand up for Leongatha's senior coaching job at the end of last year, taking the Parrots from seventh last year to finishing on top in 2015.

Unfortunately in the Gippsland League grand final, Traralgon, also led by a first-year coach and also having missed the finals last year, was too good on the day, winning by 30 points. Congratulations to the member for Morwell, who had two sons play for Traralgon in the seniors and a third son win a flag with the fourths.

Nonetheless Leongatha is the feel-good story of the year. The words 'tragedy' and 'inspirational' are used often, and incorrectly, in my view, when it comes to sport, but they absolutely apply to Beau Vernon and Lucy. Well done Beau, president Mal Mackie and all involved in the club. We hope you and the Parrots will be back to go one better next year.

Leongatha did have one win on the day, with the B grade netball team taking out a premiership; so well done to the girls there.

Another team in my electorate did take out a double. Congratulations to the Rosedale Football Netball Club on winning both the senior football and A grade netball flags in the North Gippsland Football Netball League. The footy premiership was the first since 2001, despite the best efforts since of one former coach, the member for Morwell. It was a great fillip for the town, and congratulations to president, Cameron Mayne, and all involved at Rosedale on their premierships.

Parkwood Green Primary School

Ms HUTCHINS (Minister for Local Government) — I recently participated in the principal for a day program at Parkwood Green Primary School, a fantastic primary school in my electorate which has 1241 students and is one of the biggest single-site primary schools in Victoria. I had big shoes to fill in shadowing Kerri Simpson as principal for the day. She has done a tremendous job in the last two and a half years as principal at the school.

The highlights of the day included visiting multiple classrooms and attending a professional development session for teachers. I also had the privilege of attending a morning with both teachers and teacher aides to celebrate R U OK? Day in supporting mental health. I also attended a grade 6 class that was working on a safe towns project, a fantastic initiative. I also had the opportunity to meet with the assistant principals and talk about the management of the school and dealing with children with special and high care needs.

I would like to acknowledge the great work done by the school in its establishment of a school garden and a new school kitchen, which is used in teaching grade 4 students to cook. Teachers at the school are thriving professionally, and the children are happy and engaged. I congratulate the teaching staff, the principal staff and one of the best principals in the state, Kerri Simpson, on the great work they are doing at this school.

Grand Final Friday

Mr DIXON (Nepean) — Although the Mornington Peninsula was crowded on grand final eve, shops closed and those that opened lost money. To follow are some of the 100-plus comments I received from local businesses. Local small business owners have families too, Premier.

If I open, I will have to work those days as I cannot afford public holiday rates. When do I get to take a day off with my family?

We introduced a 10 per cent surcharge on Easter Sunday to assist in covering wage costs and we will be closed on grand final eve. I will lose money if I open!

On the grand final we lose a whole day of trading, and it is our busiest day of the week. I have to pay staff for the day off, so overall I will probably lose \$8000 to \$10 000 for the day. I would like to know how I can claim this from the government.

Massive increase in cost for absolutely no benefit.

I will have to close my business on these days as I will not make any profits.

Due to the huge cost of employing staff, we will be unable to open.

Increased wages, which in turn will mean you would either close or cut back on staff. Small businesses suffer enough without these ridiculous extra public holidays ...

Cost of additional wages outweigh any possible sales increase.

Our business will close on the Friday holiday. Losing sales of \$4000 plus it will cost our business \$1500 in lost earnings with no benefit.

Dilemma: do I close and lose income or do I stay open and lose income due to employee penalty rates ...

I am a small bakery owner in Rosebud. I employ 5 full-time and 16 part-time staff. Whilst I will trade on these days, the impact of double time and rates means you are only opening as goodwill for your customers ...

Won't be able to afford staff from 5.00 a.m. to 6.00 p.m. on penalties — —

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

Louis Fleyfel

Ms KAIROUZ (Kororoit) — On 26 September I was honoured to attend the investiture of Louis Fleyfel, AO, as a Knight in the Papal Order of St Gregory the Great. It was a privilege to be able to congratulate Louis on receiving this most prestigious award, which was established by Pope Gregory XVI in 1831 under the patronage of St Gregory the Great, who was pontiff from 3 September 590 to his death in 604. The awarding of this honour to Louis reflects his outstanding service to the Catholic Church.

Louis arrived in Australia from his home country of Lebanon on 28 February 1949, aged 19. He had a formidable career in the Melbourne restaurant scene, having success with the Walnut Tree, opened in 1963, and Le Chateau restaurant in Queens Road, opened in

1968 and Victoria's most expensive restaurant at the time. Louis always found time for his community. He was Honorary Consul to Lebanon for 12 years and president of the Victorian branch of the World Lebanese Cultural Union. He was also the co-founder of the Australia Lebanon Chamber of Commerce & Industry.

His work was acknowledged when he received an Order of Australia Medal as part of the Australia Day honours in 1970. He also holds a National Order of the Cedar medal. Further, Louis received an Officer of the Order of Australia award in 2014 as an acknowledgement of his outstanding achievements in taking part in the rescue of many Australian Lebanese men and women who were evacuated safely from Lebanon during the 2006 war.

It is therefore appropriate that His Holiness Pope Francis has seen fit to bestow a papal knighthood on our friend Louis Fleyfel, AO. Such awards are not given lightly and represent special service to God and his church. This honour is a great tribute to Louis and is a crowning glory to a magnificent life — a life which no doubt has many more fine chapters to come.

Housing affordability

Mr WELLS (Rowville) — This statement condemns the Andrews Labor government for crushing the hopes and aspirations of prospective Victorian first home buyers through its ill-considered rumoured axing of the 50 per cent stamp duty reduction program for eligible first home buyers introduced by the previous coalition government.

The coalition went to the 2010 state election promising a phased stamp duty reduction program for first home buyers of new and existing principal places of residence valued at up to \$600 000, commencing with a 20 per cent reduction in July 2011 and culminating with a 50 per cent reduction in September 2014. This 50 per cent stamp duty reduction equates to a massive saving for first home buyers of \$15 535 on a \$600 000 home. The coalition developed the duty reduction program in consultation with a range of stakeholders with the primary aim of increasing housing affordability. I cannot fathom how the program cannot be seen to be benefiting housing affordability or how the Premier sees an extra tax burden on first home buyers as being a good idea.

Since 2010 tens of thousands of Victorian first home buyers have benefited significantly and been assisted into home ownership by the coalition's stamp duty exemption program, making their choices in entering

the property market more affordable than they otherwise would have been. The Andrews government's plan should be seen for what it really is — a grab for cash and a broken promise by Labor not to increase taxes. The Andrews Labor government must put a stop to this nonsense immediately.

Endeavour Hills Cricket Club

Ms WILLIAMS (Dandenong) — Last week I had the pleasure of attending the Endeavour Hills Cricket Club season launch at the Sydney Pargeter Reserve, which also doubled as a 20-year reunion for the 1994–95 premiers team. I was particularly honoured to be named as the club's no. 1 ticketholder for the upcoming season, and I look forward to cheering on a few wins from the sidelines over the summer. Endeavour Hills Cricket Club is a great family and community club with a proud history. It was wonderful to see both adults and children enjoying the season launch and to see past players return to the club to share fond memories of former glory.

I have previously spoken in this place about the importance of our local sporting clubs in strengthening individuals and communities. They are often also a place where our young people put into practice important values of teamwork, mateship, loyalty and discipline while also learning the benefits of a healthy lifestyle. I must admit I developed an appreciation for cricket later in life. I had never really understood the attraction of a test match until a few years ago when I was painting my house to the hum of an Australia versus India test match on the radio. I was hooked from then on, and these days much prefer a test match to a one-dayer — a sign of a true cricket fan!

I thank the executive of the club and its committee for having me along to the launch, especially vice president Tom Hollis, and I also congratulate president Darren Goodson on receiving life membership of the club. Good luck for the season ahead!

Melbourne Down Under

Mr THOMPSON (Sandringham) — I pay tribute to Sheree Marris and Jarrod Boord for their work in producing the *Melbourne Down Under* documentary which features the magnificent underwater marine life of Port Phillip Bay. It has some excellent footage of the Australasian gannet, which enters the water at 100 kilometres per hour; Australasian fur seals; a fish known as the stargazer, a modern miracle; the spectacular weedy sea dragon, Victoria's marine emblem; the camouflage fish; and a pod of dolphins. It

is an outstanding production and I commend it to all Victorians.

InDigital Nature Photographic Exhibition

Mr THOMPSON — I commend the Bayside City Council on its recent InDigital Nature Photographic Exhibition, which included an outstanding array of digital images of local flora and fauna.

Parliamentary internship program

Mr THOMPSON — I pay tribute to the parliamentary library and academics from a number of universities for their role in running the parliamentary internship program, which marked its 25th anniversary with the launch of the book *Students of Spring Street*. Dr Julie Wells from the University of Melbourne noted that the internship program is ahead of its time, and that it is an elegant example of the work that universities can do in partnership with government and others to help graduates develop real-world skills, knowledge and experience.

Grand Final Friday

Mr THOMPSON — I note in relation to the recent public holiday on grand final eve the words of a constituent:

The introduction by Daniel Andrews of a new grand final eve public holiday shows a clear lack of understanding of the impact on business ... Ill conceived, poorly impact assessed, horrendously costly.

Diamond Valley Community Support

Ms WARD (Eltham) — I rise to congratulate an outstanding community organisation which provides services in my electorate, Diamond Valley Community Support (DVCS), for all the fantastic work it does. DVCS provides support and assistance in the Banyule and Nillumbik local government areas to people in need of relief from poverty, sickness, distress, misfortune, disability or helplessness by distributing food vouchers, parcels and financial assistance, among other services. As a former member of the committee of management at DVCS, I know firsthand how important the work it does is.

Two weeks ago I attended Diamond Valley Community Support's annual general meeting and was very pleased to hear about the wonderful work DVCS continues to do. Over the last year, DVCS was able to provide more than \$100 000 to the community via its emergency relief program, a remarkable figure given that emergency relief funding was cut by more than 20 per cent across Victoria by the coalition federal

government, which created a lot of stress for DVCS, its volunteers and staff. Of course, because of DVCS's dedicated committee of management, professional staff and amazing volunteer corps, some of whom have been involved with DVCS for over 25 years, it remained able to provide a great service, although not offering as much support as it would like. Whether through its community support workers, legal service, personal counselling service, tax help service, the op shop or the market, the work of DVCS could not continue without a massive contribution from all of those people. In 2014–15 DVCS proved enormously resilient in dealing with federal government funding cuts and the uncertainty around the proposed merger with Volunteers of Banyule and Banyule Support and Information Centre, and I congratulate it for all the work it does.

13 Wise Women

Mr KATOS (South Barwon) — Last week I attended a book launch at the Royal Geelong Yacht Club. The book is called *13 Wise Women* and it is the first publication by this group. Over a year ago, a local businesswoman brought 13 women together — women who each operate a small business. Each woman has contributed a chapter to the book in which they share their personal and professional experience. These women are no different from any other — ordinary but in their own way extraordinary — each sharing information about their fears and successes, and talking about their journey and the challenges they faced along the way in establishing and running a small business. These women seek to inspire other women to give their business goals a go, to believe in the power of choice, and to look for and create opportunities — overall, to create positive change in the lives of women just like them.

The book was launched by model and TV personality Nicky Buckley, who herself opened up the doors to her experiences in a recent memoir. Author and business owner Maria Smith, who has visited the White House to speak about her passion for helping women find the direction to achieve a fulfilling career, was the guest speaker.

Projects like *13 Wise Women* provide shared learning and mentoring opportunities. Most importantly they support the establishment of women in small business in our communities, which helps to drive our economy. In short, it provides encouragement to local community members from local community members. I am happy to support grassroots projects like *13 Wise Women*, and I look forward to what is to come and to seeing more projects like these that create value in the Geelong

community economy. I certainly thank one of the co-authors of the book, Laura Potter, who very kindly extended me an invitation to the book launch.

Bentleigh West Primary School

Mr STAIKOS (Bentleigh) — It was a pleasure to join Bentleigh West Primary School principal Steven Capp and students Angus and Maddi as well as Glen Eira councillor Oscar Lobo to switch on the new pedestrian lights at the Centre Road school crossing recently. For Bentleigh West students living on the northern side of Centre Road, walking to school is now safer with the addition of lights and a 40-kilometre-per-hour speed limit during school pick-up and drop-off times. Families had been asking for this for four long years. I am proud that we in the Andrews Labor government have delivered for them.

McKinnon Secondary College

Mr STAIKOS — H2o Architects has recently been appointed to design the \$9 million upgrade of McKinnon Secondary College. With the number of enrolments rising it is an upgrade that is desperately needed. The school community has great plans to replace the existing year 12 centre with a multistorey building to cater for enrolment growth and to provide students with a modern learning environment. The students and staff at McKinnon excel in everything they do and are supported by the Andrews government, which is making Victoria the education state.

Open Slather

Mr STAIKOS — *Open Slather* was being filmed in Bentleigh last week, and it was great to be invited to visit the set. While I did not get to meet Gina Riley, Jane Turner or Magda Szubanski, it was a pleasure to meet actors Miles O'Neil and Laura Hughes. They were playing the roles of a giant magpie and someone with a severe phobia of magpies — don't miss it! Thank you to producer Paul Walton for inviting me to visit.

Jane Margaret Hill

Mr EDBROOKE (Frankston) — Jane Hill, a former member for Frankston, passed away on 7 September this year. She was an ALP member in the Victorian Legislative Assembly between 1982 and 1992, representing the electorates of Frankston and Frankston North. Frankston was widely considered to be a safe Liberal seat before 1982, so Jane Hill did not expect to win when she was preselected as the Labor candidate at the 1982 state election. Amidst a strong

statewide Labor victory, however, she received a swing of 7.3 per cent to defeat the incumbent Liberal member by 76 votes in what was considered a major upset. On a side note, I think Jane — knowing her briefly, as I did — would have chuckled that she was buried on the same day that former Prime Minister Tony Abbott's terrible leadership was buried.

There were five Labor terms in the 82 years between 1900 and 1982, and Jane Hill was part of a team that was elected for three consecutive terms from 1982 onwards, which has led to seven Labor terms, including ours, in the 32 years between 1982 and today. Jane Hill was part of a very important catalyst for a much stronger Labor showing in Victoria. I was lucky enough to meet Jane and her husband, Barrie, in the lead-up to the last state election, and I very quickly realised that I was walking in her footsteps as a blue-collar worker contesting a marginal seat. Barrie and Jane balanced each other — Jane was very fiery while Barrie was very measured. Jane gave me what I believe is some very sound advice: work hard, work very hard, work harder than anyone else and work your fingers to the bone, and family comes first. That is what I did. Vale, Jane Hill.

Birthday felicitations

Mr J. BULL (Sunbury) — Happy birthday to Jeremy and Bridget.

Sunbury community kitchen

Mr J. BULL — On 21 September I had the great privilege of attending the second birthday of the Rotary Club of Sunbury Family Community Kitchen. I was thrilled to be joined by Catherine Andrews and her and the Premier's wonderful children Noah, Grace and Joseph. The community kitchen is a Rotary Club of Sunbury program founded by Neil and Marianne Williams, members of the Rotary club and owners of local business N & M Catering. N & M Catering is a great local business, and I fondly recall, especially as a child, attending a number of parties catered by N & M.

From small beginnings with only a handful of volunteers and a small number of patrons, today the kitchen has grown to accommodate more than 100 people each week and has a positive atmosphere. The meals provided are free and are cooked by dedicated volunteers supported by the Rotary Club of Sunbury. The kitchen also provides valuable community and social time for those in the community at risk of isolation. The look of warmth and joy on the faces of volunteers and patrons is incredible and shows that nothing beats good, strong community spirit.

I was especially touched by a gentleman who decided to volunteer because as a child, in his words, he 'grew up hungry' without much food. No-one in our community should go hungry, and by warming bellies the Sunbury community kitchen is warming hearts. I thank the community kitchen and the Rotary Club of Sunbury for having us along, and I very much look forward to visiting again soon.

VICTIMS OF CRIME COMMISSIONER BILL 2015

Second reading

Debate resumed from 7 October; motion of Mr PAKULA (Attorney-General).

Mr ANGUS (Forest Hill) — I am pleased to resume my contribution to the debate on the Victims of Crime Commissioner Bill 2015. Following on from last evening, I will touch on a couple of the main provisions in my remaining few minutes. Clause 6 establishes the victims of crime commissioner. Clause 9 sets out the terms and conditions of the commissioner's appointment, including a five-year maximum term duration and term limit of two terms. Clause 13 sets out the functions and powers of the commissioner, which include own-motion inquiries on systemic victim of crime matters, as well as reports and advice to the Attorney-General on those matters. Clause 31 establishes the Victims of Crime Consultative Committee. Clause 32 sets out the functions of the committee, including to provide a forum for and to promote the interests of victims of crime and to advise the Attorney-General. Clause 38 sets out the membership of the committee, including the chairperson, the commissioner, judicial members, a legal practitioner nominated by the Director of Public Prosecutions, a member of the Adult Parole Board of Victoria, a police officer and additional members representing victims of crime under sections 39 to 41.

As I was said yesterday, the committee was another initiative of the coalition when in government. Therefore we are glad to see that that work is being continued and supported by the current government. The initiatives noted within this bill form part of a broad suite of reforms that were achieved by the coalition, including the creation of a dedicated position on the board of the Sentencing Advisory Council for a member with front-line victim support experience, substantially extending the hours of operation of the crime helpline, producing funding for an additional 6000 victims a year to receive the support they need and major sentencing and parole reforms that better protect victims from further offending. The coalition

has a proud record in relation to law and order matters, and certainly in relation to this matter. The coalition is very pleased that the government is continuing on with the good work that was initiated by the coalition government in Victoria.

Mr DIMOPOULOS (Oakleigh) — It gives me great pleasure to speak on the Victims of Crime Commissioner Bill 2015. This bill does a number of things, but essentially it puts the victim at the centre of our thinking. It puts into legislation existing arrangements, albeit fairly new arrangements, and, granted, arrangements instituted by the previous government. But also, as we heard from the member the Niddrie, these arrangements were commenced under the former Labor government by the then Attorney-General, Rob Hulls. The key measures in the bill codify the roles and purposes of the victims of crime commissioner and the committee, which I will get to in a moment.

In terms of the victims of crime commissioner, it is appropriate to look at the functions of the bill, which give us a sense of what the purpose is. The bill essentially provides that the commissioner will advocate for the recognition, inclusion, participation and respect of victims of crime by government departments, bodies responsible for conducting public prosecutions and Victoria Police. The commissioner will carry out inquiries on systemic victim of crime matters, and I will come back to that as well. The commissioner will report to the Attorney-General on any systemic victim of crime matter and will provide advice to the Attorney-General and government departments and agencies regarding improvements to the justice system to meet the needs of victims of crime. The bill provides the commissioner with all the powers that are necessary or convenient to perform his or her functions.

It is interesting to reflect on what a victim of crime is. We all have different interpretations, but the bill specifically talks about three categories of victims. A primary victim includes a person who is injured or dies as a direct result of an act of violence against them. A secondary victim includes someone who is present at the scene of an act of violence and who is injured as a direct result of witnessing the act of violence, and also includes a parent or guardian who is injured as a direct result of subsequently becoming aware of the act of violence where their child is a primary victim. A related victim of an act of violence is a person who, at the time of the occurrence of the act of violence was a close family member of, or was a dependent of, or who had an intimate personal relationship with the primary victim of that act who died as a direct result of that act.

This is a pretty comprehensive legal definition of victim, and I think it is a very appropriate one.

The bill also provides the commissioner with significant powers. One element of that is to be able to seek cooperation and information from the Chief Commissioner of Police, the Secretary of the Department of Justice and Regulation and the Director of Public Prosecutions. There are also safeguards in the bill about when that information provision is not a good idea because it may prejudice a trial or put at risk people involved in an investigation. I am proud that this bill gives that degree of independence to the commissioner, and it is consistent — —

Mr Katos — Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr DIMOPOULOS — That was a very useful couple of minutes; I thank Mr Katos. I am very proud to support a bill which provides the commissioner with real independence. It is symbolic of this government that it is not scared to appoint people to positions that may then be critical of the government. The commissioner is able to do that through their reporting to the Attorney-General and the Parliament. That is the way we established Infrastructure Victoria, which is an independent and transparent body which is able to critique government, and this appointment is no different. Protecting victims is the most important issue, not protecting the administration of the justice system from criticism. It is a very important role for that reason.

While the justice system and all its components take as much care as they can of victims, the reality is that they are set up for a different purpose. The police are set up to enforce the law and the courts are set up to adjudicate on breaches of the law, and in that sense victims are just part of the mix; they are not necessarily given a special status. The victims of crime commissioner will put victims back at the centre of our judicial system.

The commissioner will report on systemic issues. The commissioner has been established for a little while and, as I understand it, has received calls from individual victims seeking support and assistance who are then referred on. From those individual calls the commissioner starts to pick up on emerging trends and patterns in terms of what victims have to go through in our justice system. That therefore informs their advice to government about systemic issues.

Systemic issues the commissioner may pick up include police or prosecuting authorities failing to pursue

charges or dropping some charges before trial without consultation with the victim or without the victim understanding why, victims not feeling informed about the progress of a charge through the courts, courts refusing to receive a victim impact statement and prosecuting authorities being rude, disrespectful or inconsiderate. All those things point to systemic failure in terms of a victim's experience in the justice system.

A whole range of measures can be undertaken for the provision of good advice to government. Often government members have stated that the commissioner could be a source of good ideas and could raise systemic issues in advising the Attorney-General. Some of those ideas are contained in a preliminary consultation paper prepared by the Victorian Law Reform Commission entitled *The Role of Victims of Crime in the Criminal Trial Process*. Some really interesting consideration is given to such matters as the role of victims in the decision to continue or discontinue a prosecution, participation in witness reforms, enhancing consultation with victims, alternative processes and procedures, reducing the number of times victims have to give evidence, compensatory orders against offenders, state-funded compensation schemes and a whole range of other services and initiatives that impact upon victims. The victims of crime commissioner could very reasonably offer all of these things to provide the government with an informed and systemic view.

It gives me great pleasure to support the bill. It is just one component of a whole suite of initiatives that this government is using to support victims. Recently I was pleased to contribute to the debate on the Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Bill 2015. Obviously other members have spoken about the inaugural and profound Royal Commission into Family Violence, family violence being an issue which affects so many people in Victoria. All of these measures are integral to protecting victims and are provided for in the bill. I look forward to future reports knowing that the victims of crime commissioner's role will add to the body of knowledge we already have around victims so that we can make their lives easier. I support the bill.

Mr LIM (Clarinda) — I am very pleased to rise to speak on the Victims of Crime Commissioner Bill 2015. The overall objective of the bill is to prescribe in legislation the position of the victims of crime commissioner and the role and function of the Victims of Crime Consultative Committee. The position of victims of crime commissioner was created by the previous government in October 2014. The role was established without any formal functions or purpose.

The bill seeks to provide structure to the work of the commissioner within the legislative framework, including the functions, powers and obligations of the role, as well as the terms and conditions applying to it.

The primary focus of the commissioner's work will be to address systemic victim issues and to report to the Attorney-General. The bill also requires the commissioner to advise government departments on the improvements required of our justice system in order to accommodate the needs of victims. The commissioner will act as an independent voice, enabling him to comment on any issues of concern that are worthy of inquiry and advocate for victims of crime in their dealings with the criminal justice system and government agencies to ensure their recognition, inclusion and participation in the justice system.

Under the Public Administration Act 1994, the commissioner will be a special body to ensure the independence of the role from the government. The ability to critically evaluate government services, such as the victims helpline or victims assistance program, will be preserved.

The commissioner will also be given a broad power to refer particular cases to the Ombudsman, the Chief Commissioner of Police or the Director of Public Prosecutions. These agencies are in the best position to respond to problems arising in individual cases. The commissioner will provide advice and information to individual victims where possible. It would be inappropriate for the commissioner to intervene in the decision-making process; however, the commissioner is in a position to assist victims in getting information and understanding the reasons behind the decisions. The bill also provides for the commissioner to make inquiries due to a specific request or on the commissioner's own motion. In such cases the commissioner may submit a report of inquiry to the Attorney-General, and the Attorney-General will then, with the consent of the commissioner, publish or table the report in Parliament.

The bill establishes the role of the commissioner with clearly stated functions and powers. The bill will also prescribe the role and function of the Victims of Crime Consultative Committee in legislation. The terms and conditions of membership of the committee and for the chair of the committee are set out in the bill. The committee has been in existence since February 2013 to provide high-level consultative forums for victims of crime to discuss issues with representatives from across government; victims of crime, justice agencies and victims of crime services can meet together and discuss ways to improve policy, practices and service delivery. The committee also provides government with a

mechanism to consult victims about proposed legislation, policy and services. One of the most useful aspects is that justice agency representatives are able to hear about victims' experiences, and this also gives victims a better understanding of the way the criminal justice system operates.

The committee has been established and been running for some time, yet it has no formal process for removal or appointment of victims or other representatives, all of whom undertake their role voluntarily. It is crucial to cement the place of the committee in legislation in order to ensure that the committee continues to exist in a robust form, with clear composition, and to provide victims with a continuous opportunity to be heard by the government and within the criminal justice system. The role of committee members will be more clearly defined, and high-level representation will be secured. The establishment of the commissioner's role and the role of the committee in legislation will complement other initiatives of the government.

I would venture to add at this juncture that there is a need to be sensitive to our wider multicultural community's express concern about this bill, and that goes to the extent that I do not think we have consulted that part of our community as extensively as it should have been because, from my personal experience and representations I have received in response to many of these incidents — for example, the bashing of an academic doctor in Footscray by two young persons — the community's outcry is that the police have done their job, but the system does not seem to be doing justice in those cases.

There is a need for us to educate our wider community, particularly the multicultural community, because people in that community are just so attuned to the system from which they come. For example, where I come from in Indochina, we use the French colonial system — you are guilty until proven otherwise — whereas here it is different. That history is drilled into their psyche and affects the way they perceive and regard the system here. If you are looking at this from the viewpoint of our biggest minority community, the Chinese, who have the biggest population compared to other minority groups, they come from a very severe, disciplined community where people committing crimes would receive an eye-for-an-eye punishment. They cannot accept why a youngster would only get a slap on the wrist and be let off with almost no punishment.

The psychology of this, and the effect of this on the community, is such that because those communities are less familiar with and are adjusting to the culture of

their new land, there is a need to involve them, educate them and inform them either through the Chinese media or other language media, and perhaps consult widely. I would be very much looking forward to the possibility, when the Attorney-General has a chance, of incorporating people from those backgrounds onto the consultative committee so that their views and concerns are heard and at the same time they can be educated accordingly about our justice system. Otherwise I have nothing but praise for the Attorney-General for yet again taking leadership in this field. The Andrews Labor government recognises the suffering of victims of crime and is committed to doing whatever it can to improve their unfortunate experience. I commend the bill to the house.

Ms RICHARDSON (Minister for Women) — I am very pleased to rise and speak in support of the Victims of Crime Commissioner Bill 2015 because the bill prescribes in legislation the position of the victims of crime commissioner and the role and functions of the Victims of Crime Consultative Committee. This is very important legislation in the family violence space because Labor, of course, has in government consistently highlighted the fact that the family violence system is well and truly broken.

These key structural failings are being identified through our royal commission process and were also highlighted in the recent coronial inquest into the tragic murder of Luke Batty. Various demand pressures are being placed on the family violence system particularly at the moment, and this is placing further strain on the failings within the system and exposing significant gaps within the family violence response.

This reform journey has also revealed and spotlighted the very limited pathways we have for victims to highlight the systemic issues that require our vigilance and require change. It has also highlighted that if we shut out victims of any crime as a cohort, we do so at our peril, because to assume our training and life experience is going to be enough to ensure that we have all bases covered is a very foolish position to hold. We need to really listen to victims to overcome some of the structural barriers put in place through continual reform.

Obviously this is also an important opportunity for victims themselves to be heard. It is an important part of the healing process to feel that your particular circumstance has actually been listened and responded to, but this is not a one-way street. This is not just about victims having that opportunity; it is also about us embracing that opportunity to really listen to and learn from victims.

In truth, Acting Speaker, as you have said so very many times in this place, Labor is the champion of the underdog. We recognise that institutions by their very nature are conservative, and what organisation or institution rushes to criticism? They tend to repel criticism, and at times self-reflection for big organisations is a very challenging task. It is all too often tempting to hold fast to the view, which at times is very misguided, that we are doing more good than harm; but Labor finds the gaps that the underdogs and victims fall through and seeks to fill them. We seek to address those barriers to meeting their needs, and we create opportunities for underdogs and victims to be heard that then allow us to act upon their concerns. As I have said, at best it is foolish to shut out these voices and at worst not listening to the victims of crime represents the height of arrogance.

Victims play another critically important role in the process of continual reform, which is the way in which their voices can capture the attention of the media and public. Because there is compassion for victims of crime, they are respected when they tell their stories and as a consequence the media focuses on and listens attentively to what they have to say. We have seen this at the family violence royal commission, because victims who have appeared before the royal commission have gained the greatest amount of media attention and the greatest amount of community commentary about what we need to do to respond to family violence. As I say, this is not a one-way street but an opportunity for us to embed continual reform by embracing the lessons presented by victims.

The best example of this is our Australian of the Year, Rosie Batty, who has managed to cut through so much of the surface noise and capture the attention not just of the Victorian community but of the whole country in relation to her concerns about family violence. As a tragic victim of a horrendous crime she is respected and listened to and has been able to galvanise governments across Australia to act upon the concerns about and harm that comes from family violence.

This Labor bill is a very important bill that creates new strengthened pathways for the voices of victims to be continually heard as we try to improve the structures within our community. It will also prescribe in legislation the position of the victims of crime commissioner and ensure the commissioner's independence from the Attorney-General and the government. This is important so there is no opportunity for those voices to be undermined. If victims are given the opportunity to speak directly to the commissioner, they will come through crystal clear and then be acted upon. The bill also prescribes the role

and functions of the Victims of Crime Consultative Committee, which is another important aspect of the bill.

In summary, this is entirely consistent with what we are saying as a government in the family violence space in response to our concerns about victims of family violence. With respect to family violence in particular, for too long those victims have been shut out, not heard and ignored; and we have ignored their voices at our peril and the peril of our community. This bill will strengthen pathways for victims, and to that end I commend the bill to the house.

Debate adjourned on motion of Ms SPENCE (Yuroke).

Debate adjourned until later this day.

WRONGS AMENDMENT BILL 2015

Second reading

Debate resumed from 16 September; motion of Mr PAKULA (Attorney-General).

Mr PESUTTO (Hawthorn) — I am pleased to rise today to speak in the debate on the Wrongs Amendment Bill 2015. It is an important bill, and like the bill we have just been debating — the Victims of Crime Commissioner Bill 2015 — this bill has a history and responds particularly to events over the last 15 years. Members will recall that in the late 1990s and early 2000s we faced an insurance crisis in which insurance premiums were rising exorbitantly and becoming increasingly unaffordable in our community, and where the availability of insurance policies was contracting in ways that were greatly concerning. Members will recall a national review, the Ipp review, which looked at what the solutions to that should be, because the effects on economic and social activity were quite dramatic. It was very difficult and increasingly expensive for businesses to obtain public liability insurance and, depending on the sorts of services they delivered, professional indemnity insurance, because of premium increases and also basic availability.

The Ipp review was commissioned to look at what solutions might be adopted to face and meet that crisis. That review came back with a number of recommendations that were intended to circumscribe the rights of claimants in certain circumstances, and I will come to those in a moment. The recommendations were adopted during the period of the Bracks government in 2002–03 and led to some fairly significant restrictions on the ability to claim damages

in certain circumstances and the imposition of certain thresholds by which claimants had to satisfy serious injury thresholds in order to proceed to recover damages from negligent parties.

It is universally agreed that those reforms were effective. We saw reductions, in average terms, in premiums and we saw the availability and quantity of policies in the marketplace increase over a number of years. The original intentions of the Ipp review were realised, but with that we also discovered that the reforms, although achieving their principal purpose, had consequences for claimants. It is widely agreed that the reforms in some cases imposed limitations on the ability of some claimants to obtain damages which most of us would not consider fair. People with legitimate claims were finding that they were not able to proceed because of the injury thresholds that they needed to satisfy. With any threshold there is an inherently arbitrary element to it — someone is always going to be just below the threshold — but I think it is widely accepted that the thresholds that were imposed in 2002 and 2003 did achieve their purpose, but they came with that consequence.

In 2013 the previous government provided terms of reference to the Victorian Competition and Efficiency Commission (VCEC) to look into this matter and to ask whether the reforms from 2002–03 were working fairly or were having unjust outcomes for claimants who should be able to proceed to recover damages at the negligence and through the fault of other parties. This is a difficult exercise because at the end of the day we have to strike an elusive balance. The balance is elusive because, on the one hand, you want premiums and the availability of insurance to make access to cover attainable.

If people want to hold community barbecues, if they want to hold street walks or if they want to undertake a fete at a school, you do not want public liability cover to be so expensive that they cannot undertake those important social activities and engage with one another and with their community. So on the one hand we want to make insurance accessible, which means we do not want premiums to be exorbitantly priced, but on the other hand we do not want to deprive people with legitimate claims, caused through the fault of other people, to be denied justice. All of us would understand and appreciate that if we suffer injury because of the fault of another person, we should be able to recover damages. But that is not an easy balance to strike, and it is not an easy balance to maintain.

The reforms — and they are encapsulated in the bill before the house, which the coalition does not

oppose — are important for that purpose. It was in 2013, for that very reason, that VCEC was asked to look at the limits that we had placed as a community on the ability to obtain damages for personal injury or death and for both economic and non-economic loss, to look at the impairment thresholds for a range of injuries, such as psychiatric and spinal injuries, and to look at whether the limitations on the ability to recover damages for the loss of the capacity to care for a dependent should be actionable in damages.

VCEC undertook that inquiry, noting all the things that I addressed a few moments ago, and it came back saying there is a way consistent with the terms of reference that we could relax some of those thresholds and open the door to the recovery of damages for claimants who presently are prevented from recovering damages, without unduly or adversely impacting on premiums or the availability of insurance. It identified some of the following, which I will address now, as areas where we could make changes without undue impacts on premiums.

In the case of economic loss, where a claimant seeks to recover loss of earnings and loss of earning capacity, it noted that damages for the loss of earnings are presently capped at three times total average weekly earnings. The problem with that at the moment, and which forms the basis of the original VCEC reference, is that it actually operates unjustly for people on high incomes. Imagine if a claimant who is earning \$500 000 a year, and works very hard and very honestly for that money, suffers an injury through the fault of another person and is suddenly on \$250 000 by way of partial earnings. The system that operates at the moment means that because that person will be earning — if my maths are correct — more than three times average weekly earnings, that high-income earner, despite suffering a dramatic decrease in earning capacity and earnings, cannot recover anything.

That is not entirely just, as VCEC identified. It is to be compared with the two other compensation schemes we have in Victoria — WorkCover and the Transport Accident Commission — which are successful no-fault schemes which allow a limited capacity to sue for compensation in the case of fault, but which also allow the recovery of some damages. VCEC identified that that was a bit of an issue, and I will come to the recommendations to address that in a moment.

In the case of non-economic loss — damages for pain and suffering, loss of amenity or loss of enjoyment of life — there are some fairly significant thresholds that a person must meet in order to recover damages, and VCEC identified these. In the case of psychiatric injury

the claimant must establish an impairment of more than 10 per cent, and in the case of spinal injury they must establish an impairment of more than 5 per cent. A 5 per cent impairment from a spinal injury is still pretty significant, but at the moment a person suffering that level of impairment would miss out. VCEC also made observations about the limitations on the loss of capacity to care for dependants.

Without going into too much detail, VCEC argued that if we relaxed the thresholds just a little, we could open the door to a number of deserving claimants without unduly impacting on premiums. It came up with a package of reforms, and it estimated that those reforms, if adopted, would have a premium impact of somewhere, on average, between 2 per cent and 5 per cent — 2 per cent at the lower end and 5 per cent at the higher end. Towards the end of last year the previous coalition government made its response to the VCEC review public and indicated that except for 1 of its 12 recommendations, it would support them or support them in principle, giving further consideration to a couple of them.

The specific recommendations of the VCEC review include that in the case of spinal injuries the Wrongs Act 1958 be amended to allow a claimant to proceed if their injury would be assessed at 5 per cent impairment or more, rather than requiring more than 5 per cent, which is a significant change. In the case of psychiatric impairment it made a similar recommendation that rather than more than 10 per cent impairment being required, a claimant could recover damages for non-economic loss if the whole person impairment is assessed at 10 per cent or more.

In the case of economic loss it recommended that rather than the cap on loss of earnings kicking in at three times average weekly earnings, the cap would apply to the gap so that somebody on a high income who has a deserving case could still recover loss of earnings, but up to the limit of three times average weekly earnings. It also made recommendations that in certain circumstances the loss of the capacity to care would be actionable and recoverable by way of damages.

Its costings, by way of estimates, were that at the higher end the likely average impact of its recommendation package on policy premiums would be 4.8 per cent and at the lower end it would be 1.5 per cent. In the case of its recommendations on spinal and psychiatric injuries it thought the likely impact on insurance premiums would be 1 per cent at the higher end and 0.1 per cent at the lower end, and I will come to that in a moment.

The previous government went to the last election saying it would implement this package. In relation to the spinal injury threshold reduction proposed by VCEC, the previous government looked at that very favourably but said it wanted to look at it further just to see what the impact on premiums would be. However, it had a favourable attitude to and open mind on those things. It is pleasing to see that the government has picked that up.

I am pleased to say that we do not oppose the bill before the house. We note that it is faithful to the VCEC recommendations and that the government has adopted the recommendation that in the case of spinal injuries the impairment threshold be reduced from more than 5 per cent to 5 per cent. We do not cavil with that change from the exposure draft which the previous government released. However, it will be important, as with all the other changes, to keep an eye on how the impacts flow across the scheme that is contained in the Wrongs Act 1958.

Our first priority is to make sure that those who suffer injury are able to recover damages, subject to the thresholds proposed in this bill, but equally we want to make sure that, as with the Ipp reforms, we do not move too far in the other direction and reach a point where it becomes unaffordable. I doubt that will happen. These reforms are not likely to have any undue adverse impact on premiums. They will cause an increase. We accepted that when we were in government, I am sure the government accepts that now and I think VCEC, which is a fairly dry economic body that is not known for any leftist economic views, recognises that the government could make a sensible, reasonable change and that the community and both sides of the house would be willing to accept a modest increase in premiums to implement these reforms. However, as I said — and I am sure the government will ponder this as well — we want to keep a close eye on the impacts on the cost and availability of insurance, but, subject to that, the coalition has no opposition to the bill.

Mr CARROLL (Niddrie) — It is my pleasure to rise to make a contribution on the Wrongs Amendment Bill 2015. I welcome the contribution by the member for Hawthorn and the opposition's support of this legislation, which has a long history. I have been reading the Joel Deane book, *Catch and Kill — The Politics of Power*. It has a good section on tort law reform during the term of the Bracks government, when there were problems with insurance companies such as HIH Insurance — and people will remember former HIH director Rodney Adler as a high-profile person at

that time — and the government was confronted with a whole range of reforms that needed to occur.

I will get back to that, because I agree with the member for Hawthorn that this is an area where the government needs to be vigilant and to keep a constant watch on how tort law reform occurs and its impact on the broader market. Today we are improving it. This legislation is about families, about equity and about doing the right thing for those who are going through pain and suffering as a result of personal injuries.

In preparing for my contribution today I went back to where this bill started, which was essentially the report entitled *Adjusting the Balance — Inquiry into Aspects of the Wrongs Act 1958*, commissioned by the former government and signed off by the member for Malvern. The final report was submitted in February 2014. It is important to highlight the terms of reference that were given to the Victorian Competition and Efficiency Commission (VCEC) for its inquiry into aspects of the Wrongs Act 1958. Importantly, under ‘Background’ the terms of reference say:

The purpose of this review is to identify and make recommendations to address any anomalies, inequities or inconsistencies in the act that can be implemented without compromising the original objectives of the tort law reforms. The review is not intended to revisit the underlying objectives of the tort law reforms.

VCEC did an enormous amount of consultation with stakeholders. It consulted widely before it brought down its recommendations. Under the section headed ‘Key messages’ the terms of reference state:

Based on detailed analysis and extensive consultation with participants, the commission estimated that this package is likely to improve compensation for some claimants, and increase public liability and professional indemnity insurance premiums by up to 5 per cent.

The commission’s recommended package of changes to the limitations on personal injury damages would:

- widen access to damages for non-economic loss (pain and suffering) ...
- provide for additional compensation for pain and suffering to severely injured persons by slightly increasing the cap on damages for non-economic loss
- ensure that more injured people and their dependants are able to receive compensation for their economic loss ...
- allow injured people to claim for a limited entitlement for loss of capacity to care for others.

I said I wanted to talk about the reforms that happened during the Bracks government. I have to say that when you read Joel Deane’s book and come to the tort law reform chapter you can imagine what a hot box the

cabinet room was. On one side there was Rob Hulls, very much a pro-rights Attorney-General, versus John Lenders, the finance minister, and there was also the Treasurer, John Brumby, and the Premier, Steve Bracks. No doubt what made this such a big debate was that in many respects New South Wales and the Treasurer there, Michael Egan, kicked off the process. On 21 May 2003, when Premier Bracks was delivering his second-reading speech and explaining the rationale for the Wrongs and Limitation of Actions Acts (Insurance Reform) Bill he said:

A working system of insurance is vital to a secure society and a strong economy. Government must be watchful that the system of insurance — and the associated law around compensation for wrongs — works well. It needs to work well — on balance — for everyone. It needs to work well not just for insurance companies, medical defence organisations, claimants and their representatives; it also needs to work well for everyone who is affected by their decisions and their behaviour.

An enormous amount of reform occurred during that period. While my predecessor argued the case very strongly, it is fair to say that the finance ministers and economic pointy-heads in many respects were leading the charge on tort law reform.

The Attorney-General has now implemented this package of reforms to make a number of amendments to the Wrongs Act 1958 to ensure that our personal injury legislation operates clearly and consistently for the benefit of claimants who are injured by the negligence of others while not unduly affecting the availability of insurance and the affordability of premiums. It is important to note that in the previous government the former Treasurer, the member for Malvern, did commission the VCEC report. This government is adopting its recommendations and going forward.

The bill will give effect to most of the recommendations in the commission’s report. It will make it easier for certain types of claimants to access compensation for their injuries. It is a responsible, evidence-based package of reforms. The current whole impairment threshold for access to damages for non-economic loss which compensates for pain and suffering and loss of enjoyment of life is greater than 5 per cent. Importantly, though, this legislation will lower the threshold for claimants with spinal injuries to 5 per cent or more, which recognises that spinal injury impairments are only assessed in increments of — —

Business interrupted under sessional orders.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER — Order! Last Tuesday following a point of order raised by the member for Burwood I committed to review constituency questions raised that day to determine whether they were appropriate. I have now revised those constituency questions, and I believe the member raised a very good point of order.

The purpose of constituency questions is to ask a question that seeks information. It is not an opportunity to seek action of ministers, which is the purpose of the adjournment debate. My view is that at least one of the questions asked last Tuesday was technically requesting an action rather than seeking information. I remind members that they should be careful in phrasing their constituency questions to ensure that they are asking for information rather than requesting an action.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Bushfire preparedness

Mr WALSH (Murray Plains) — My question is to the Minister for Environment, Climate Change and Water. I refer to reports from yesterday's Lancefield community meeting that there was none of her departmental firefighters on the fireground on the grand final public holiday. I ask: can the minister guarantee that as a result of this new public holiday there were no fewer staff rostered on to control the Lancefield area planned burn than would have normally been the case?

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I give an absolute guarantee that the Grand Final Friday had no impact on staffing decisions. The former minister of that department absolutely knows that. He absolutely knows that the staff who work in our department work seven days a week, and they work there during bushfires and planned burning and it is based on conditions. He absolutely knows that. It is a disgrace that he is asking this particular question. It is absolutely disgraceful. As the chief fire officer said — —

Mr Clark — On a point of order, Speaker, the purpose of questions is to seek information. The honourable member has asked a question to which he is entitled to seek an answer. The minister is both debating the question and is in breach of standing order 118. I ask you to bring her back to answering the question rather than making aspersions against other members.

Ms Allan — On the point of order, Speaker, the minister could not have been clearer or more direct with the very first words that came out of her mouth in answering the question that was put by the Leader of The Nationals. She is well within her rights to remind the member opposite that he knows exactly how this system operates and should not be using question time in this way on such an important and serious issue for the Lancefield community.

Mr Walsh — On the point of order, Speaker, the community of Lancefield is owed the respect of an answer to this question. That is the reason the question was asked. I seek that you bring the minister back to answering that question.

The SPEAKER — Order! The minister was answering the question. The minister, of course, in passing would be entitled to make remarks to set the context and the scene, but I now ask the minister to come back to the question.

Ms NEVILLE — Can I again make it very clear that right at the start of my answer I gave an absolute guarantee to that community that our staff work seven days a week.

An honourable member interjected.

Ms NEVILLE — Don't you put aspersions on the staff. You cannot — —

The SPEAKER — Order! The minister must address her remarks through the Chair.

Ms NEVILLE — I apologise, Speaker.

Honourable members interjecting.

The SPEAKER — Order! Both the Deputy Leader of the Opposition and the Premier will come to order.

Ms NEVILLE — Yesterday the chief fire officer addressed the community meeting in Lancefield and addressed this issue, just as he did a moment ago standing next to me, where he said:

Going into a public holiday and a long weekend has no impact on the way we resource our burns anywhere in the state.

Those are the facts. Our staff, who do a great job, are very distressed, as is the local community, about what has happened here. They work seven days a week, and that is dependent on the conditions. It is not about holidays or weekends; it is 365 days of the year.

Supplementary question

Mr WALSH (Murray Plains) — My supplementary question to the minister is: can the minister confirm that her office was told in advance that there would be fewer departmental firefighters on the ground as a result of the grand final public holiday, yes or no?

Ms NEVILLE (Minister for Environment, Climate Change and Water) — The question is just wrong. I cannot confirm that, because it did not happen. Such advice was not given. Can I just repeat what the chief fire officer has said:

Going into a public holiday and a long weekend has no impact on the way we resource our burns anywhere in the state.

That is what I can confirm. It has absolutely no impact. We have staff working through public holidays all the time.

Ministers statements: bushfires

Mr ANDREWS (Premier) — I rise to further update the house on fire activity across Victoria over these last couple of days. Despite the cooler conditions, which are of course welcome, two fires continue to challenge our firefighting crews, both career and volunteer. Our thoughts are with those communities that have been affected by these fires as well as the brave members of our emergency services team who are doing a fantastic job under very challenging circumstances.

The Lancefield fire has cost at least two houses, a number of sheds and a significant amount of fencing and livestock. That community is entitled to answers. That community is entitled to be angry, and it is — and I am angry as well. We need to make sure that we get answers for that community and make sure that if any compensation is needed, it is paid. That is exactly what this government will do.

To that end the minister has announced that there will be a full independent inquiry into the controlled burn that occurred in the Lancefield district last week. Mr Murray Carter, the director of the West Australian Office of Bushfire Risk Management, will lead that investigation. There will be community input into that proper investigation. Mr Carter brings some 28 years of operational bushfire and emergency management experience to this important task. He has had a very strong focus over his professional life on prescribed burning. The report will be there for every member of the Lancefield community and all Victorians to see within three weeks time.

I give this commitment to the people of Lancefield: we will give you the answers you are entitled to and the compensation you are entitled to. We will learn from this and make sure that it never occurs again.

Stronger Country Bridges program

Mr R. SMITH (Warrandyte) — My question is to the Premier. Can the Premier inform the house why 10 of the 48 bridges that the government has chosen to upgrade from the Stronger Country Bridges program are located in or within 4 kilometres of his own suburban electorate of Mulgrave?

Honourable members interjecting.

The SPEAKER — Order! The Minister for Tourism and Major Events will withdraw.

Mr Eren — I withdraw.

Mr ANDREWS (Premier) — I thank the member for his question. There are a couple of things that run through the electorate of Mulgrave, things like the Monash Freeway, for instance, a major freight route.

Honourable members interjecting.

The SPEAKER — Order! It is Thursday — absolutely Thursday. The Premier will continue, in silence.

Mr ANDREWS — The honourable member may not be aware, because I reckon he would probably need a cut lunch and a road map to find Mulgrave. We know how he and his mob abandoned the good people of the south-east of Melbourne and indeed all Victorians. Getting produce to market, produce that is grown in the regions — —

Honourable members interjecting.

The SPEAKER — Order! The Premier will continue, in silence.

An honourable member interjected.

Mr ANDREWS — The good people of Mulgrave know how they are viewed by those opposite — they know it, just like the good people in every part of metropolitan Melbourne and indeed all Victorians — with contempt.

Honourable members interjecting.

The SPEAKER — Order! I remind all members of the requirement under the standing orders which they as members of this good house have adopted — namely,

that when the Chair is on his feet, members will remain silent. I also remind members that the media, the Chair and the public want to be able to hear questions and answers. Therefore I ask all members to remain silent and to allow the Premier to respond.

Mr ANDREWS — As I was saying, getting produce, the world's finest produce that is grown in the regions, to points of distribution and sale that are in the centre of the city requires transport links — a concept, much like the youth unemployment rate, that is lost on the member for Warrandyte, the expert from Warrandyte. We made commitments — —

Mr Walsh — On a point of order, Speaker, on relevance, the question was very specifically about the Stronger Country Bridges program and how many bridges were actually in the seat of Mulgrave, which is not in country Victoria. I ask you to bring the Premier back to answering the question.

The SPEAKER — Order! The Premier will come back to answering the question.

Mr ANDREWS — This government makes no apology for improving freight links, because getting the world's best produce to the port, the world's best produce to market, is all about creating jobs and opportunities — something those opposite who delivered the worst unemployment rate in the nation, a jobs crisis indeed, would know nothing about at all. We made commitments and each of them will be honoured in full, and the people of the south-eastern suburbs — indeed, all Victorians — will know the contempt in which they are held by those opposite.

Honourable members interjecting.

Supplementary question

Mr R. SMITH (Warrandyte) — What is actually said in the announcement of the Stronger Country Bridges program is that this \$35.8 million in funding will be fast-tracked to strengthen 48 bridges in regional Victoria. I ask the Premier: how on earth can the government consider the Monash Freeway bridge over Jacksons Road in the seat of Mulgrave a regional Victorian bridge?

Mr ANDREWS (Premier) — I refer the member for Warrandyte to the media release issued when the announcement was made. It clearly speaks about the need to make sure that we have got the best freight links to get the best produce to market. He needs to read on.

Mr R. Smith — On a point of order, Speaker, I will refer to the press release:

... \$35.8 million in funding —

will be fast-tracked —

to strengthen 48 bridges in regional Victoria ...

I am very happy to table that by leave.

The SPEAKER — Order! There is no point of order. The Premier to continue.

Mr ANDREWS — We have made commitments and announcements around strengthening ways in which we will get the best produce in the world to market, and that is about creating jobs. We have made commitments of about \$1 billion in extra funding for regional roads and that will be delivered, and we have made a commitment of about \$1 billion for metropolitan roads.

Honourable members interjecting.

The SPEAKER — Order! I again remind all members that it has been reported to the Speaker's office that members of the media are unable to hear questions and/or responses. I suggest to all members that it is in everybody's interest to allow the Premier to respond and for the media and the public to be able to hear questions and answers. The Premier, to continue in silence.

Mr ANDREWS — Again, investing in better infrastructure to get our produce to port and to market, investing in consistent — —

Mr R. Smith — On a point of order, Speaker, the Premier is debating the question. The question was about the fact that he said in his press release the money was for bridges in regional Victoria. The question was how on earth can he say that a bridge in his own electorate of Mulgrave is a regional Victorian bridge. How is that possible?

The SPEAKER — Order! I ask the Premier to come back to answering the question.

Mr ANDREWS — Again, we make no apology for upgrading critical infrastructure to get produce to port. It is what we said we would do, and we are doing it — a concept the member for Warrandyte would know nothing about. Keeping your promises and working hard for the people of Victoria are foreign to the member for Warrandyte.

Ministers statements: level crossings

Ms ALLAN (Minister for Public Transport) — I am very pleased to provide new information to the house on the very important program that the Andrews Labor government is undertaking to remove the 50 most dangerous and congested level crossings right across Melbourne. Just this morning the Premier and I and the member for St Albans were joined by the federal local member and federal Leader of the Opposition Bill Shorten to inspect the start of major works for the removal of the level crossing at Main Road. There was a crane on the skyline of St Albans to mark the start of works.

We were also joined at the event by Dianne Dejanovic, who, as many people will be aware, tragically lost her son, Christian, at the crossing in 2012. She has been a tireless campaigner, as has the member for St Albans and others, including your good self, Speaker, for the removal of this level crossing. It is very important to do this for safety reasons; it is also because the boom gates are down for 65 minutes during the 2-hour morning peak, causing congestion and causing frustration in the local community, as well as being a significant safety issue. The work today is further evidence of how we are getting on very quickly with removing these level crossings.

I am astonished, though, that this is not an approach shared universally across the Parliament. We know that those opposite do not want to see any more level crossings removed. Indeed, the Leader of the Opposition — —

Mr Clark — On a point of order, Speaker, the minister is now proceeding to debate the issue. This was a coalition government project. She should come back to providing information to the house about it.

Ms ALLAN — On the point of order, Speaker, there is an important context to talk about — the future of this program. If I am allowed to continue, I will provide that for the house. It is entirely relevant to the ministers statement I am providing.

The SPEAKER — Order! The Leader of the House can provide context in passing. Therefore I ask the Leader of the House to come back to making a ministers statement.

Ms ALLAN — We have committed to removing 50 of the most dangerous level crossings around Melbourne, and we have indicated that this is a multiyear program. Unfortunately there are some risks that sit with this multiyear program, because there is a

refusal to commit to the future of this program. We have eight level crossings already awarded, but unfortunately the Leader of the Opposition just cannot commit to the project. When given the opportunity to commit. He has flatly refused to commit to the future of this project.

Mr Clark — On a point of order, Speaker, I again draw your attention to sessional order 7. The minister is now debating the issue. I ask you to bring her back to providing information to the house.

The SPEAKER — Order! The minister has 5 seconds remaining. I request that the minister come back to making a ministers statement.

Ms ALLAN — The Liberal Party needs to get out of the way and let these level crossing removals get underway.

The SPEAKER — Order! The time has now expired on the ministers statement.

Mr Clark — On a point of order, Speaker, I draw your attention to the fact that the minister was defying your order. I ask you to caution her that she should respect the authority of the Chair.

The SPEAKER — Order! I requested the minister to come back to her ministers statement on more than one occasion. I request that in future the minister and other ministers do not defy the rulings of the Chair.

Stronger Country Bridges program

Mr R. SMITH (Warrandyte) — My question is to the Minister for Roads and Road Safety. I refer to the fact that not one single bridge is funded under the government's Stronger Country Bridges program in the Moyne, Warrambool, Corangamite, Colac Otway or Surf Coast council areas, and I ask: why has the minister turned his back on the roads of western Victoria?

Mr DONNELLAN (Minister for Roads and Road Safety) — I thank the shadow minister for his question. Obviously his heightened interest is related to the by-elections coming up in the Liberal Party seats out that way. They had four years to do something. Both the minister and the Premier — —

Honourable members interjecting.

The SPEAKER — Order! The minister will continue in silence. The minister will direct his remarks through the Chair.

Mr DONNELLAN — I do note that the members in those particular and peculiar seats were the former Premier and the former Minister for Public Transport, and they also covered roads. They were quite capable of ensuring that they upped the level of maintenance and reduced the level of — —

Mr Guy — On a point of order, Speaker, the Stronger Country Bridges program is a program of the current government, so the minister's answer is not relevant to in the response he is now giving. I ask you now to bring him back to the question, which was very straightforward, about turning his back in his program on literally all of western Victoria.

The SPEAKER — Order! I uphold the point of order. The minister will come back to answering the question.

Mr DONNELLAN — I do note that this is a program which was supported by the commonwealth government, including by The Nationals leader, the Deputy Prime Minister, with \$75.7 million to strengthen country bridges and also to look at — —

Honourable members interjecting.

The SPEAKER — Order! The minister is allowed to continue in silence.

Mr DONNELLAN — Let us be very clear: the roads do not stop as we go from regional Victoria into suburban Victoria and then into the port. At the end of the day they have got to get their produce to the port, so what are we — —

Honourable members interjecting.

The SPEAKER — Order! The minister will continue, in silence.

Mr DONNELLAN — I find it terribly amusing that the shadow minister seems to fail to understand the basic premise that if you have got a — —

Mr Walsh — On a point of order, Speaker, the minister is debating the question. The question was very simple about the Stronger Country Bridges program. I ask you to bring him back to answering that question.

The SPEAKER — Order! I uphold the point of order. The minister will come back to answering the question.

Mr DONNELLAN — The reason the commonwealth government was supportive of this program was that it very much focused on freight

efficiency. The roads do not stop once you get out of regional Victoria. You have still got to get into the port.

Mr R. Smith — On a point of order, Speaker, on relevance, the press release said 'in country Victoria' not 'for country Victoria', and the question goes to why the minister is happy to use the fund to pay for bridges in the Premier's electorate but not in western Victoria.

Honourable members interjecting.

The SPEAKER — Order! The opposition will come to order. The Treasurer! The minister must comply with sessional orders. He should endeavour to be responsive to the question that was asked.

Mr DONNELLAN — I do note that the member for Morwell was very pleased when we made the announcement to fund the Tyers Road bridge. I believe that is in country Victoria.

Mr R. Smith — On a point of order, Speaker, after you explained to the minister that he should come back to the question, which in no way spoke about the east of Victoria, the minister got up and started talking about Morwell. The guy has to actually conform to your ruling as opposed to ignoring you.

Honourable members interjecting.

The SPEAKER — Order! The minister must be a popular minister. There will be no reflections on the Attorney-General's appearance.

Mr Pakula — On the point of order, Speaker, the member for Warrandyte seems to have a tactic of raising points of order after about 5 seconds every time the minister gets to his feet. The question asked by the member for Warrandyte went to the issue of why certain roads had not been funded in certain shires, and it is perfectly appropriate for the minister to answer the question by describing what other roads have been funded instead.

The SPEAKER — Order! The Chair wishes to give the minister an opportunity to respond. The minister will be allowed to continue and be heard in silence.

Mr DONNELLAN — As I was saying, the program is focused on freight, and it is across the whole of Victoria, whether it be Barham-Koondrook Road in Koondrook; Tyers Road, Tyers; Mortlake-Ararat Road, Maroona; Glenelg Highway, Carapook; McIvor Highway, Strathdale; or Pyrenees Highway, Castlemaine. It is a little bit upsetting obviously — —

Mr R. Smith — On a point of order, Speaker, perhaps I can help the minister with his list. Monash Freeway bridge over Jacksons Road, Mulgrave; Monash Freeway bridge over Police Road — —

The SPEAKER — Order! The member for Warrandyte will resume his seat.

Mr DONNELLAN — This is really just a cheap stunt from the Liberal Party to pretend it really has some degree of interest in the seats of the former Premier and former Minister for Public Transport. Those opposite had four years to undertake the work they are talking about, and they failed comprehensively.

Mr Guy — On a point of order, Speaker, on relevance, given that the minister says that this matter is a cheap stunt, I seek, by leave, to table his own list in Parliament so that everyone can see how many bridges he has funded in metropolitan Melbourne.

The SPEAKER — Order! Is leave granted? Leave is not granted. The minister has completed his answer.

Supplementary question

Mr R. SMITH (Warrandyte) — Under the former government's country roads and bridges program, the Moyne, Warrnambool, Corangamite, Colac Otway and Surf Coast councils would have received \$1 million each per year. That is \$5 million a year between them for vital roads and bridges works I ask: will the minister now admit that his Stronger Country Bridges program is a farce and that he should start directing money to bridges that are actually in country Victoria?

Mr DONNELLAN (Minister for Roads and Road Safety) — I thank the shadow minister for his question. More than anything else it really just highlights to me that the shadow minister is indicating if those opposite had had a second term they might have actually got on with the job of doing some things in regional and rural areas, because at the end of the day if those opposite thought their country roads and bridges program — —

Mr R. Smith — On a point of order, Speaker, very simply the minister is debating the question. I ask you to bring him back to answering it.

The SPEAKER — Order! I uphold the point of order. The minister will come back to answering the question.

Mr DONNELLAN — Obviously what the shadow minister was referring to was the country roads and bridges program. If it was such a sacred program, why would the former government let the program lapse? If

it was sacred and it was the greatest program ever provided for on earth — —

Mr R. Smith — On a point of order, Speaker, I very respectfully ask you to invoke the mercy rule.

The SPEAKER — Order! The Chair requests that the minister come back to answering the question.

Mr DONNELLAN — As I have indicated, the previous government did not continue to fund its country roads and bridges program. We have very clearly made a very strong commitment to spend \$1 billion on roads in regional and rural Victoria, and we stand by that commitment. It is a very strong commitment to that community.

Ministers statements: regional and rural road funding

Mr DONNELLAN (Minister for Roads and Road Safety) — I want to provide the house with new and interesting information in relation to the VicRoads annual report, which highlights both the commitment that this government has made to spend in rural and regional Victoria and very much contrasts that with the former government's commitment to regional and rural Victoria in terms of road spending.

In 2014–15 the total road spend in regional and rural areas, as assessed by VicRoads and the department, was \$473 million in its last budget. If you compare that to the first budget of the Andrews Labor government, you see that the total commitment is \$527 million, which has been allocated to regional and rural roads. That very much highlights the fact that we have made an absolute and proper commitment to regional and rural Victoria.

I also want to highlight that over the coming 12 months we will spend approximately \$135 million in terms of maintenance and the like across Victoria, \$80 million of which will be to replace regional and rural road surfaces. If we look over the coming 12 months, we see that the members for Euroa and Shepparton will be delighted that \$11.6 million will be spent on 130 sites across northern Victoria. The members for Benambra and Ovens Valley will be ecstatic that \$11.4 million will be provided for 300 sites across north-eastern Victoria. The members for Lowan and Ripon will be overjoyed that \$12.6 million will be provided for 120 sites across western Victoria. That is very much a commitment to ensure that regional and rural Victoria is not let down by The Nationals again.

Public transport regional network development plan

Ms SHEED (Shepparton) — My question is to the Minister for Public Transport. Given that the consultative process throughout regional communities has now been completed for the regional network development plan, will the minister now advise as to when those communities can expect the outcome of the consultation to be released and when the government's response to the plan will be announced?

Ms ALLAN (Minister for Public Transport) — I thank the Independent member for Shepparton for her question and for her ongoing advocacy and commitment to improve public transport services for the Shepparton community and, by extension, for regional Victoria. That is certainly a passion that is shared by me and by others on this side of the house, who strongly support improved public transport services for regional communities.

I welcome the opportunity to provide the house with an update on the work that is being done on the first-ever public transport network plan for regional Victoria. We have had a fantastic response. Over 1400 people have attended community and stakeholder workshops that were held right across the state, and we also have received 1700 surveys in response to the work that is being done.

In Shepparton we had around 170 passionate members of the local community, along with the member for Shepparton. I also had the opportunity to join one of the consultation sessions in Shepparton. As we know, Shepparton was ignored for four long years under the previous government, the members of which were not committed to improving public transport services for that area.

There were some themes, not just from Shepparton and the north-east but from across the state, about what we were told country people were looking for out of the first-ever regional network development plan, including improvements in train frequency and timetabling, better bus connections between small towns and larger regional centres, and access to Melbourne, which is also critically important.

There were some great responses on the online discussion forum that was also opened up. We took very seriously the opportunity to consult with communities, and there was a good response. Some examples of what people were saying online, particularly in the local member's area, were things like:

Shepparton needs faster, more frequent and direct services.

Indeed the chair of the Committee for Greater Shepparton, David McKenzie, who I believe is also a supporter of the All Aboard Shepparton campaign, said that this was a great opportunity for everyday Shepparton train users to have their voices heard.

It is interesting that some people are a bit late to the party when it comes to consulting with the community. The shadow Minister for Public Transport and a local Legislative Council member, Wendy Lovell, decided to have their own consultation in Shepparton. They could not do anything in government, but they decided that they would have their own consultation off the back of the work that the government was doing.

Mr Walsh — On a point of order, Speaker, I ask you to bring the minister back to making a ministers statement about government business.

Mr Richardson interjected.

The SPEAKER — Order! The member for Mordialloc! The Chair will generously extend the opportunity to the Leader of The Nationals to repeat his point of order with relevance to a substantive question.

Mr Richardson interjected.

The SPEAKER — Order! The member for Mordialloc is warned for a second time.

Mr Walsh — On the issue of relevance, Speaker, I ask you to bring the minister back to answering the question that the member for Shepparton asked.

The SPEAKER — Order! The minister may make remarks in passing. The Chair believes those remarks have been sufficiently made. I ask that the minister now come back to answering the good question asked by the member for Shepparton.

Ms ALLAN — I appreciate your advice, Speaker, and I also appreciate the Leader of The Nationals' new-found interest in Shepparton after his party's record of failure. The vital feedback that we have had from the community has been fed strongly into the development of the plan. I am delighted to advise the member that we are putting the work together and the plan is going to be finalised and released in the coming months, because we want to get on with improving public transport services across regional Victoria.

Supplementary question

Ms SHEED (Shepparton) — The Shepparton consultation was overwhelmingly supported by the

highest number of attendees during the consultation process. Can the minister now make an early announcement in relation to how the Shepparton–Seymour–Melbourne rail service will be improved?

Ms ALLAN (Minister for Public Transport) — The Independent member for Shepparton is correct when she says that the Shepparton consultation was well attended. Indeed it had the highest attendance of any of the consultation forums around the state. I think that reflects a long-held desire in the local community to see some real action on improving transport services for the Shepparton community after waiting for such a long time and being neglected for such a long time.

I say to the Independent member for Shepparton that this is a desire that I share, and I will continue to work with her and with the local community on this issue to see improvements in public transport for the Shepparton community.

Ministers statements: school annual implementation plans

Mr MERLINO (Minister for Education) — I rise to inform the house that as schools return this week principals have begun working on their annual implementation plans for 2016. They do so in the knowledge and with confidence that there is \$566 million in additional funding for their budgets in 2016 over and above normal enrolment and indexation growth.

The planning that principals are undertaking is accompanied by information sessions and briefings for principals and communities, which started this week in the south-east and will continue for the rest of the term across Victoria. Under the Andrews Labor government we have delivered the single biggest increase in education funding in the history of the state — almost \$4 billion. The previous government cut \$1 billion out of education. The 2016 school budgets deliver a 70 per cent increase in needs-based funding. Under the mob opposite our most vulnerable families were abandoned with the scrapping of the education maintenance allowance.

Mr Clark — On a point of order, Speaker, the minister is now debating the issue. I ask you to bring him back to compliance with sessional order 7.

The SPEAKER — Order! The minister will come back to making a ministers statement.

Mr MERLINO — Under the Andrews Labor government we have invested a record \$730 million in

building schools, upgrading schools and acquiring land for schools across the state. We will not leave schools to rot. We inherited a situation in which there will be not one new school in Victoria opening in 2016. It is criminal at a time of population and enrolment growth. What the previous government was doing in the last three months was spending about \$2 million on its so-called building a healthier Victoria campaign, lying on Liberal ads while schools were left to rot.

Member conduct

Mr GUY (Leader of the Opposition) — My question is to the Premier. I note that on 24 October 2012 the Premier told this house:

Make no mistake — the member for Frankston's conduct was carefully calculated. It was premeditated. It was planned, and he is accountable for it. His intention was to knowingly use taxpayers funds to prop up a private business. His intention was to rot the very system he was entrusted to uphold. When he was caught red-handed he claimed without hesitation that he had done nothing wrong; he claimed he was innocent.

I ask the Premier: given that the Premier has previously told this house that MPs should be sacked for this kind of behaviour, is this still his policy now?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. He asked me about the former member for Frankston, Mr Geoff Shaw, and I will speak about Mr Shaw in my answer. Mr Shaw was preselected a Liberal, he was elected a Liberal and he was saved by the Liberal Party on the floor of this house.

Mr Guy — On a point of order, Speaker, the question was very clear: is this still the Premier's policy now? Does he still stand by the policy to sack rorters, or does he back them?

Mr ANDREWS — On the point of order, Speaker — and thank you for the call — the preamble to the question was rather a lengthy one which I think was purporting to quote myself back to me, so my answer could hardly be anything other than relevant if I was drawn to the lengthy preamble. The Leader of the Opposition writes his own questions, obviously, and I am being completely relevant and direct to the question that was asked about Mr Shaw.

The SPEAKER — Order! The Premier will continue. I do not uphold the point of order at this point.

Mr ANDREWS — Mr Shaw, who I was asked about, was preselected a Liberal and elected Liberal. He was saved as a member of this place by the Liberal Party. This is what this is on about. These people —

Honourable members interjecting.

The SPEAKER — Order! The Premier, to continue in silence.

Mr ANDREWS — He was propped up day after day by those opposite. The Leader of the Opposition — and we all know about it — used to go and visit Mr Shaw upstairs, on the third floor — his little bestie over here. Now we are being lectured to about standards and Mr Shaw. You have to be joking! Obviously he has more front than Myer, my little friend here.

Mr Guy — On a point of order, Speaker, by way of relevance from the Premier's best little friend over here, can I just remind the Premier that Labor voted to save Geoff Shaw at the end of 2014.

The SPEAKER — Order! There is no point of order. The Premier will continue.

Mr ANDREWS — The people of Frankston put an end to Mr Shaw's public life. He came into this place as a Liberal, he was protected in this place by the Liberal Party and we will not be lectured — —

The SPEAKER — Order!

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte is warned. The Chair is on his feet. The member for Burwood on a point of order. The member will be heard in silence.

Mr Carroll interjected.

The SPEAKER — Order! The member for Niddrie is warned.

Mr Watt — On a point of order, Speaker, the Premier has a 3-minute window to answer a question. He has clearly been debating the question for a minute and a half. I understand that he is allowed to set a context, but he is no longer setting a context. He has been debating the question, particularly debating the preamble of the question, for the last minute and a half. I ask you to get him to come back to actually answering the question.

The SPEAKER — Order! It is the view of the Chair that the Premier has sufficiently referred to the preamble of the question. The Chair now requests that the Premier answer the question.

Mr ANDREWS — I was asked about my views on Mr Shaw and whether I remain consistent. It is the

government's position that at all times and in all things every member of this place should act with propriety.

Supplementary question

Mr GUY (Leader of the Opposition) — Can the Premier now explain why, when in opposition, rotting was considered a sackable offence but now in government this kind of behaviour has the Premier running a protection racket for himself, his ministers, his MPs and in particular the Minister for Sports and Rorts?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question — and, if anyone missed it, that was a blockbuster finish. That was the send-them-home-happy finish from the angry Leader of the Opposition, who is now getting up to take a point of order.

Mr Guy — On a point of order, Speaker, in terms of relevance, the only blockbuster finish should be the truth to the taxpayer. I ask you to bring the Premier back to answering the question and, for once on this matter, to tell Victorians the truth.

Mr ANDREWS — As I was saying, I am grateful to the Leader of the Opposition for his question. Yet again he makes allegations and tries to dress them up as facts. The Leader of the Opposition draws us back to a comparison with Mr Shaw and quoted me on Mr Shaw, but he could have quoted the Ombudsman in one of the most damning reports that has ever been tabled in this Parliament about a bloke who was elected a Liberal and protected as a Liberal for his entire time in this place.

Mr Guy — On a point of order, Speaker, by way of relevance. It is a simple question for the Premier: does he still stand by his policy that rotting is a sackable offence, yes or no?

Mr ANDREWS — There is nothing like a convert. Fancy getting an integrity lecture from Mr Ventnor himself. Every member of this place should act at all times with integrity and probity.

Ministers statements: port of Melbourne lease

Mr PALLAS (Treasurer) — I rise to inform the house of a new government initiative that embeds further safeguards in the port of Melbourne lease transaction documents to ensure that the port runs efficiently and remains Australia's premiere container port. The proposed transaction structure includes the most rigorous regulatory regime ever applied to a privately operated port. We are not complacent and are

continuing to look at ways to secure the economic future of our state.

Following productive discussions with the Australian Competition and Consumer Commission (ACCC), I am pleased to inform the house that the framework will now include additional protections against the abuse of market power by the private operator, additional disclosure requirements relating to the port growth regime and market rent review clauses in all rental contracts. The ACCC chairman, Rod Sims, has acknowledged the improvements and stated:

We acknowledge the changes that the government has made and that they certainly move the dial quite a lot from our point of view.

The ACCC recognises that the proposed leasehold arrangements will be the most comprehensive regime applied to any private port in the nation, and the ACCC is not the only organisation to welcome these changes and safeguards. The infrastructure minister for Tasmania, Rene Hidding, described these changes as another big win for Tasmania. It is dark days when you have to look south across Bass Strait to see some visionary leadership from the Liberal Party. The member for Malvern's hypocritical backflip has brought that on. You have to wonder why the Leader of the Opposition is tolerating it.

Mr Clark — On a point of order, Speaker, the minister is debating the issue and breaching standing order 118. I ask you to bring him back to compliance with sessional order 7.

The SPEAKER — Order! The minister will come back to making a statement.

Mr PALLAS — The Liberal Party in Tasmania has acknowledged how profound and substantial these changes are. They provide for the most regulated and substantial regime in the nation.

The SPEAKER — Order! The time for questions without notice has now expired.

Mr R. Smith — On a point of order, Speaker, I refer you to sessional order 12, which says a reply to a question on notice must be submitted within 30 days. I advise the house that the Minister for Roads and Road Safety has a number of questions on notice from me that were due on 1 October for which I am yet to receive answers. I ask you to follow up those questions and ensure that those replies are delivered in accordance with the sessional orders.

The SPEAKER — Order! The Chair will follow that through for the member for Warrandyte.

CONSTITUENCY QUESTIONS

Malvern electorate

Mr M. O'BRIEN (Malvern) — (Question 2845) My question is to the Minister for Public Transport. I refer the minister to the works underway to remove the level crossing on Burke Road, Glen Iris, at Gardiner station, a project in my electorate that was fully funded by the coalition government in last year's budget. By the time of the election last year, the project had gone through deep and regular consultation with the local community, including Stonnington City Council. As a consequence, the project put to tender by the former government had full community backing.

However, after the change of government, the Andrews Labor government decided with no community consultation whatsoever to significantly alter the project design. In particular the location of the access point to the Carroll Crescent carpark has now been moved from close to Burke Road to directly opposite Clarke Street. Local residents are appalled that this major design change has been forced upon them with no consultation and no warning. They fear it will create a major traffic hazard. I ask the minister why she has changed the design of this project with no community consultation? She needs to listen to the local community on this important rail project.

Macedon electorate

Ms THOMAS (Macedon) — (Question 2846) My question is to the Minister for Roads and Road Safety. Prior to the election the minister made a commitment to the community of Romsey that VicRoads would undertake a study of the Barry Street intersection. Romsey is a growing community which is home to many young families. The minister knows the community well. He has already visited the town, and I am expecting him to come to visit again soon. My question for him is that he provide me with information on the progress of this pre-election commitment.

Euroa electorate

Ms RYAN (Euroa) — (Question 2847) My constituency question is to the Minister for Environment, Climate Change and Water. The Lancefield fire, which now spans 4000 hectares, is threatening communities in my electorate, including Nulla Vale. Yesterday I attended a public meeting in Lancefield where worried and angry residents asked why the government lit a planned burn on Wednesday when weekend weather conditions were forecast to be hot and windy. They also want to know how the fire

could possibly have been allowed to break containment lines. The community is concerned that the Department of Environment, Land, Water and Planning did not roster on enough staff to control the burn and that Country Fire Authority volunteers were forced to step in when the fire got out of control. How many departmental firefighters were rostered on to cover the Lancefield fire on the grand final public holiday, on the Saturday, when the fire broke containment lines, and on last Sunday?

Dandenong electorate

Ms WILLIAMS (Dandenong) — (Question 2848) My constituency question is to the Minister for Employment, and it relates to Victorian government employment programs. Employment programs are a key component of ensuring Victorians can become and remain important contributors to our economy. These programs make a significant difference to the lives of many Victorians. They are particularly important to workers in Dandenong as we prepare for a period of transition with the impending withdrawal of the automotive industry. Effective employment programs make a real difference to the lives of the unemployed and disadvantaged and ensure that Victorians can gain from the opportunities and benefits generated by our growing economy. In order to ensure that these programs remain effective, it is important that all stakeholders are consulted to provide better support and more job opportunities for vulnerable and disadvantaged Victorians. Can the minister provide me with information about the Andrews government's plan to improve employment programs and the consultation process to ensure our programs deliver for all Victorians?

Rowville electorate

Mr WELLS (Rowville) — (Question 2849) The constituency question I wish to raise is for the attention of the Minister for Roads and Road Safety and is asked on behalf of concerned local residents and business owners, including a childcare centre, in the suburb of Scoresby, which is within my electorate. Locals have raised concerns with me regarding the safety of the intersection of Koornang and Ferntree Gully roads, Scoresby. The intersection is located in a busy section of Ferntree Gully Road, just east of the EastLink exit, which is a major access road to a major industrial estate. Local residents and business owners are calling for urgent action following recent incidents involving a number of people, including one accident on 20 August in which a vehicle spun out of control and collided with a property's front fence. Earlier this year an elderly person received multiple serious injuries when a car

turning right out of Koornang Road collided head on with a car in which she was a passenger. The question I ask is for the minister to insist that VicRoads do a safety audit and review of the intersection of Koornang and Ferntree Gully roads, Scoresby.

Ivanhoe electorate

Mr CARBINES (Ivanhoe) — (Question 2850) My constituency question is to the Minister for Aboriginal Affairs. There is a strong desire among my constituents to promote Victorian Aboriginal culture, and I am fortunate to have several very active and well-respected Aboriginal groups and organisations within my Ivanhoe electorate. I acknowledge the great work of Reconciliation Banyule.

My question is in relation to the eighth anniversary of the adoption of the Declaration of the Rights of Indigenous Peoples by the United Nations General Assembly, which was celebrated on 13 September. Can the minister explain in detail how the Andrews Labor government is abiding by the principles in that declaration? In fact during my time as a Banyule councillor, Banyule City Council in 2009 resolved its statement of commitment to Indigenous Australians, which includes: protecting and celebrating Aboriginal heritage; promoting, protecting and preserving their identity and culture; and respecting and promoting the customs and traditions of all Indigenous Australians, especially the local custodians, the Wurundjeri-willam.

South Barwon electorate

Mr KATOS (South Barwon) — (Question 2851) My constituency question is to the Minister for Public Transport and is on behalf of Daryl Bayliss of Torquay. Mr Bayliss is being treated for prostate cancer at the Austin Hospital in Heidelberg, which requires him to attend for regular appointments at 10.00 a.m. Prior to the introduction of the new rail timetables in June this year, Mr Bayliss was able to catch the 7.46 a.m. train from Marshall station, arriving shortly after 9.00 a.m., prior to an 8 to 10-minute connection to Southern Cross Station to arrive at Heidelberg station at 9.46 a.m., in time to meet his appointment.

Under the new timetable the 7.46 a.m. departure from Marshall has been dropped. Mr Bayliss now has to catch the earlier train and wait at South Geelong and then to go to Southern Cross. When Mr Bayliss gets to Heidelberg station, he is charged the full fare. Further, the Austin Hospital is unable to alter his appointment to fit in with the altered timetables. I ask the minister to undertake an urgent review of the changes she has made to V/Line timetables to provide a common-sense

solution to the problems experienced by Mr Bayliss and many other rail commuters.

Bentleigh electorate

Mr STAIKOS (Bentleigh) — (Question 2852) My question is to the Minister for Housing, Disability and Ageing. I ask the minister to consider the findings and recommendations of the report by my parliamentary intern, Andrew Belyea-Tate, entitled *Combating Social Isolation among Older People in Victoria*. I am raising this matter during the Victorian Seniors Festival and also close to the International Day of Older Persons. I note that the minister has asked the commissioner for senior Victorians to consider the issue of geographic and social loneliness and isolation of older people, including the role of volunteering in addressing this. This is what my intern's report is all about — the role of volunteering, community organisations and neighbourhood houses, but also better mobility services in addressing what is a serious problem in our community.

Burwood electorate

Mr WATT (Burwood) — (Question 2853) My constituency question is to the Minister for Housing, Disability and Ageing and it is regarding the recently announced 240-unit development on public land at the Markham housing estate in Ashburton. Before the 2014 state election the close-knit communities of Ashburton, Ashwood and Chadstone held two forums in relation to issues of importance to them. Both of those forums were dominated by the issue of the Markham public housing estate and its future. Prior to the election all parties made clear commitments that the community would be consulted prior to a decision on the future of the housing estate. Given that over 100 angry people turned up to a meeting I attended the day before a public holiday and during the school holidays, I ask: what consultation had the minister or any member of the Andrews Labor government undertaken before the announcement of the decision to build 240 units, with the vast majority to be sold as private housing?

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) — (Question 2854) My constituency question is to the Minister for Education. Fawkner is one of the most disadvantaged areas of Victoria, and local schools had anticipated that this social and economic circumstance would be reflected in significantly increased needs-based funding. However, Fawkner Primary School, Moomba Park Primary School and John Fawkner secondary college only received \$5000.

The result appears to have been caused by an anomaly in the funding model. Many local parents hold university degrees from overseas, which disqualifies their school from receiving higher funding, resulting in a double jeopardy. The parents' tertiary qualifications are often disregarded in Australia when they are seeking jobs, yet the qualifications have counted against one of Victoria's poorest communities receiving the appropriate amount of needs-based funding. Can the minister provide information on a remedy to rectify the issues raised by the principal of Fawkner Primary School, Roger Pell, regarding funding for the schools in Fawkner?

Mr Watt — On a point of order, Acting Speaker, I listened intently to the member for Bentleigh's constituency question. In light of the ruling that the Speaker gave only within the last hour that constituency questions should not seek actions but information, I ask that you rule the member for Bentleigh's constituency question out of order.

The ACTING SPEAKER (Mr Crisp) — Order! I will ask for the *Hansard* record to be reviewed and for the Speaker to make a ruling.

WRONGS AMENDMENT BILL 2015

Second reading

Debate resumed.

Mr CARROLL (Niddrie) — It is my pleasure to continue my contribution to the debate on the Wrongs Amendment Bill 2015. As many members would know, the Wrongs Act 1958 is Victoria's principal statute governing claims for damages for economic and non-economic loss arising from personal injury or death as the result of fault. Tort law reform has had a long history over the past 15 years, all the way back to the early 2000s when after the HIH Insurance collapse and a litany of insurance claims, state by state, right across the nation, tort law reform was enacted. Today's bill is very much about trying to fine-tune the legislation and make sure it is appropriate. It follows the Victorian Competition and Efficiency Commission report commissioned by the previous government and signed off on in 2014, and here we are today.

Before question time I was talking about how the new threshold for claimants in relation to spinal injuries will be 5 per cent or more, recognising that spinal injury impairments are only assessed in increments of 5 per cent. It is a common-sense approach, as everyone in this chamber would agree. Victorians who suffer spinal injuries will have better access to compensation for

non-economic loss, reflecting the fact that spinal injuries have a major impact on a claimant's overall quality of life.

As I said at the beginning of my remarks, this legislation is also about families and carers. Carers and parents who are injured will be given a limited entitlement to damages for loss of capacity to care for their dependants. As I said earlier, this will recognise the value of carers in the home and the significant financial stress that can be placed on families as a result of the injury or death of a parent or caregiver. Importantly the bill will also increase the maximum amount of damages awarded for pain or suffering from \$497 000 to \$577 000, bringing it into line with the Victorian workers compensation scheme.

This bill is a responsible, evidence-based reform to an important area of Victorian law. As the member for Hawthorn said in his contribution, we need to be vigilant. Managing tort law reform is a constant process. The VCEC inquiry was extensive in terms of its consultation. I understand that during the consultation period and the finalisation of the report, many stakeholders offered further ideas on reforms to the Wrongs Act 1958. The Andrews Labor government is grateful for all the stakeholder engagement and the feedback that was given, particularly the sharing of ideas and, from people who had suffered personal injuries, the sharing of their stories.

Importantly once this bill has commenced the government will continue to monitor the impact on insurance premiums. As a Labor government we are committed to ensuring that insurance remains available and affordable, and we will evaluate any proposals for reform against those key objectives. The legislation is important. It continues the work done right through the Bracks government to the Napthine government and now the Andrews government. It is important that we remain vigilant with tort law reform, that the Wrongs Act is always monitored and that right across Australia all states work together.

Mr D. O'BRIEN (Gippsland South) — I am also pleased to speak on the Wrongs Amendment Bill 2015. The bill is all about balance. It is important that we get the right balance between having affordable insurance premiums, particularly public liability insurance premiums, and achieving fairness for the injured. I was pleased to hear the member for Niddrie say that the government is strongly committed to monitoring the impact of the changes that will come about as a result of this bill because, as he and the member for Hawthorn alluded to, this issue became quite serious in the early 2000s. At the time I was actually working for the

former member for Gippsland South and former Leader of The Nationals.

In 2002 and 2003 it emerged that we had something of a crisis in public liability insurance. The premiums for public liability insurance had become astronomical and began to severely impact on the community, particularly in country areas. A number of community groups, particularly groups running events, were finding it almost impossible to either get or to afford public liability insurance. A number of significant events in country Victoria began to be cancelled because the organisers simply could not cover the costs of the insurance.

We in The Nationals who were working for Peter Ryan at the time took up this issue quite strongly with the government, and more generally with the insurance industry, to try to work our way through the crisis. I recall at the time beginning to organise a summit of some of the groups involved and the insurance industry. The government at the time was batting us away, saying it was not necessary. Ultimately the government called its own summit and brought together the insurance industry and the community sector in particular and, to its credit, eventually acted.

It was quite interesting that at the time Peter Ryan, as a former solicitor with extensive experience in this area, found himself advocating for tort law reform. But he did that at some cost to himself in terms of the response he got from other members of the legal fraternity, who were less than enthused about tort law reform. But Peter Ryan, as the Leader of The Nationals on behalf of country Victoria, got Labor to take action — and, to its credit, there was significant reform which reduced the crisis in public liability insurance.

The area of tort law is probably one that is not well understood by the general community, and I do not claim to be any expert in it. But the debate then shaped my views a little bit. I think the public can be easily frustrated with the legal fraternity, particularly with the no win, no pay legal system and the slips and trips. The views of many in the community are clouded by seeing stories on tabloid television about people rorting the system with back injuries and the like. While it is important that there is a crackdown on those who are not genuine, a person's views change when they are the one who is injured. It is important that if someone or some organisation causes an injury to a person that results in economic loss or pain and suffering, that the injured person is able to access recourse through the courts.

The bill will swing the balance back a little from the reforms that occurred in 2003. As the member for Hawthorn outlined, this process was started by the former coalition government giving a referral to the Victorian Competition and Efficiency Commission, and now this government is bringing in the amendments. In the overall scheme of things they are relatively minor amendments, but they do impact on those who are injured. Previous speakers on the bill have outlined exactly what it does so I will not go into that.

However, my understanding is that although there will be significant changes, they should have relatively minor impacts on insurance premiums. That is something that we need to hear. The Victorian Competition and Efficiency Commission has done the calculations on what the premium increases may be, and I hope the projections are right. As I said, I am pleased that the member for Niddrie has acknowledged and assured us that the government will be monitoring the impact of the changes, because if we again see an escalation in public liability insurance premiums it will impact on the entire community, and it will impact particularly on country Victoria.

The bill is about that slight rebalancing of the reforms of 2003 back in favour of those who have been injured. I hope it will not have any significant impact on insurance premiums and that on this issue it will get the balance right.

Mr PEARSON (Essendon) — I am delighted to join the debate on the Wrongs Amendment Bill 2015. As other members have pointed out, this legislation is a continuation of the theme of what occurred in the fallout of the HIH Insurance collapse back in the early 2000s. And as other members have pointed out, from a public policy point of view it was quite an interesting time. From out of nowhere came what was then the largest corporate collapse in Australian history. That created ripples throughout the entire Australian economy. I remember at the time watching with interest when various community organisations indicated that they were having trouble procuring public liability insurance or that premiums had gone through the roof. It was a very confronting time for policymakers.

In his detailed and eloquent contribution, the member for Niddrie talked about some of the challenges that a government faces when various stakeholders with differing views bring to bear their insights and opinions and the cabinet has to develop a solution which takes those views and opinions into account but which identifies what is good public policy of the highest order. I think the government at the time got the balance right because it was able to intervene in the

market, address systemic market failure and develop a package of reforms which got the balance right in ensuring that there was a wide range and variety of premiums available in the market while at the same time protecting the rights of victims and complainants.

It is confronting to look at the Australian Medical Association's register of injuries. I remember working in this place in 1997 when the former Kennett government looked at abolishing common-law rights for seriously injured workers. A piece of legislation was rammed through the Assembly and subsequently the Council. It occurred on 12 December 1997 at about 7 o'clock in the morning after an all-night sitting of the Legislative Council. I remember that because it was the day before the Mitcham by-election, which resulted in a 16.9 per cent swing away from the Kennett government and resulted in the election of Tony Robinson as the member for Mitcham.

In the late 1990s it was quite confronting to look at the percentages of incapacity that equated to various injuries. Whether the percentage was 5 per cent, 10 per cent or 20 per cent, the injuries were quite profound. I think if you lost a leg it was something like 8 per cent, and if you lost an arm it was 6 per cent. It was quite confronting to think about what that meant for the quality of life of the injured person.

Drafting bills like these is very difficult because you have to get right the balance of competing public policy pressures. You have to make sure that a wide variety of premiums is available in the market so community organisations can ensure that they are duly protected through insurance in the event that there is a catastrophic failure or something else untoward happens and they are not exposed from a legal perspective. However, you also have to make sure that you provide a really strong safety net so that if there is a catastrophic failure and a traumatic event occurs and a person is seriously injured — such as at a community event or some other function — the injured person can be properly compensated and have support around them and get the medical assistance they require, as you would expect.

As other contributors to the debate have indicated, the bill stems from the work conducted by the Victorian Competition and Efficiency Commission. That body was a project of the former Treasurer of Victoria, John Brumby. He wanted to find an alternative stream of advice about improving the quality and efficiency of economic policy in this state and so convened the Victorian Competition and Efficiency Commission. Many of the findings and recommendations made by

the commission have been brought to bear in relation to this bill.

As I indicated, some of the changes might not seem significant on the surface, but they are quite significant, particularly if you are a seriously injured person and you are seeking redress through the Wrongs Act 1958. Some of the changes, for example, relate to changing the phrase 'greater than 5 per cent' to '5 per cent or more'. It does not seem much, but it is important in terms of addressing some of the injuries that people suffer. Similarly with psychiatric injuries, the threshold test is changed from 'greater than 10 per cent' to '10 per cent or more'. These are important refinements to the legislation, which you would expect after a period of time.

Major changes in relation to the Wrongs Act occurred around that 2001 and 2002 period. It is fair and appropriate that after the passage of time we refine the legislation and make sure that it reflects common practice and what we are seeing as legislators. It is also important that the maximum amount for non-economic loss be raised from \$497 800 to \$577 050. It is fair and reasonable that when you have these fixed amounts set in legislation, they are reviewed and updated periodically. Although we are living in a low-inflation environment and although the cost of living has been fairly modest over the last 14 years, if you are looking at 1.5 per cent to 2.5 per cent compounded over 10 or 15 years, you do see a significant increase in terms of the net present value of money. That is a long way of saying that \$497 800 buys you less in 2015 than it would have in 2002, so it is fair and reasonable that there is that uplift. This bill tries to strike the balance between modest gains to reflect the increased cost of living and an unacceptable increase in the rate of premiums charged.

It is important that the bill reinstates the head of damages that recognises the value of work performed by parents and carers. This was removed in about 2005 or 2006. Recognising the burden carried by parents of and carers for people who suffer a catastrophic injury is an important step forward. The bill also addresses the issue of spinal injuries. Under the Australian Medical Association guidelines spinal injuries are measured in increments of 5 per cent. Until now there has been no provision for assessing a spinal injury as causing whole person impairment that is not a multiple of five. This bill reflects those changes, which is important.

As the member for Hawthorn pointed out, this bill addresses the fact that you can often have high-income earners who suffer a significant injury or impairment as a consequence of an accident but who under the

previous legislation would have been denied any compensation. This was borne out in the case of *Tuohey v. Freemasons Hospital* in 2012, where Mr Tuohey's earnings were significantly reduced, I think by a bit over 40 per cent, as a consequence of an injury sustained to his eye. However, his income after the event was greater than three times average weekly earnings, and the County Court ruled that Mr Tuohey would not be entitled to any damages as a result of a loss of earning capacity. The bill is seeking to address some of the anomalies to produce a fairer and more equitable piece of legislation. The bill is an important step forward in terms of refining and improving the quality of the legislation, and I commend it to the house.

Mr WATT (Burwood) — I rise to speak in the debate on the Wrongs Amendment Bill 2015. The Wrongs Amendment Bill makes a number of amendments to the Wrongs Act 1958. When I was preparing to speak on this bill, I gave great thought to it. I particularly gave great thought to the title of this bill. I thought to myself, 'You know what I think is wrong? Rorting \$1.4 million from electorate office budgets. That is wrong'. Something else I think is wrong is standing up in this place and trying to have a member of Parliament in this place ejected while at the same time rorting \$1.4 million from electorate office budgets. That is wrong.

Mr Howard — On a point of order, Acting Speaker, clearly the member for Burwood is not speaking on the wrongs legislation. He is playing games with you and with this house. I ask you to bring him back to speaking on the bill before the house.

Mr Wakeling — On the point of order, Acting Speaker, this is a wide-ranging debate, and I appreciate that the government is very tetchy on this issue and does not like scrutiny on this issue. I support the comments that have been made by the honourable member, and I do not believe he has breached the provisions of the house.

Mr Pearson — On the point of order, Acting Speaker, what the member for Burwood is saying has got absolutely nothing to do with the piece of legislation before this house; it does not even come close. It is not in any way relevant, and the member should confine his contribution to the bill that is before us.

Mr WATT — On the point of order, Acting Speaker, I realise that members on that side are very upset about the fact that other members have been rorting the parliamentary entitlements system. I accept

the fact that they are upset about it, but that does not mean that we have to provide a protection racket in this place. It is wrong to provide a protection racket in this place for members on the other side.

The ACTING SPEAKER (Mr Crisp) — Order! I uphold the point of order. I ask the member for Burwood to return to speaking on the bill.

Mr WATT — I understand some of the issues and I accept your ruling, so I will not continue down the path of talking about those roting members of the Labor Party who stole \$1.4 million from electorate office budgets. I will not continue talking about how disgraceful it is that members stand up in this place and actually — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Crisp) — Order! I think I can anticipate the point of order. The member for Burwood will return to speaking on the Wrongs Amendment Bill 2015. It is a fairly narrow bill, and the debate has focused on that bill.

Mr WATT — The Wrongs Amendment Bill 2015 essentially finishes off all of the good work the coalition did when it was in government. It follows on from the recommendations of the Victorian Competition and Efficiency Commission (VCEC) report released after the commission's inquiry into aspects of the Wrongs Act 1958. I would like to concentrate on the VCEC report, which was commissioned by the previous coalition government. I have heard members on the other side interjecting to say that it was their good work, but I do not know that they commissioned the VCEC report. It was the previous coalition government that did that.

I note that members on the other side do not like some reports because they do not want to have discussions about reports that may come up about stealing \$1.4 million. But this particular bill follows on from the good work of the coalition when we were in government, and that is the reason we are not opposing this bill. What we are opposing is the \$1.4 million stolen by members of the Labor Party and put into the Labor Party — —

The ACTING SPEAKER (Mr Crisp) — Order! I think we have heard enough of that. The member for Burwood will continue to speak on the bill.

Mr WATT — We are not opposing the bill.

Mr HOWARD (Buninyong) — The contribution from the member for Burwood purporting to be on the

bill clearly showed that he had not even read the bill. He did not speak on the bill for any of his time before the house, and he simply wasted the house's time. I am pleased to actually speak on the Wrongs Amendment Bill 2015 and to add some comments to the debate, because it is an important bill.

We know that the issue of wrongs is vitally important to people who have been injured in circumstances that are not at their work, which we know are covered by WorkCover, and are not road issues, which are covered by the Transport Accident Commission, but are a result of the actions of others. Clearly they need to be able to take action to redress those concerns, whether it is physical harm to them that is creating pain, which means they should be eligible for compensation, whether it is loss of income or whether it is affecting them in the way they care for their children, for example. We need to ensure that the law provides a good balance.

That is why the Victorian Competition and Efficiency Commission (VCEC) was commissioned to undertake a review of the Wrongs Act 1958. The subsequent report was called *Adjusting the Balance — Inquiry into Aspects of the Wrongs Act 1958*. As we have heard from previous speakers on this bill, VCEC found there was a need to adjust in the act a number of the thresholds relating to injury caused. For example, the threshold for significant injury for people who suffer spinal injuries was reduced to greater than 5 per cent impairment. The threshold relating to claimants with psychiatric injuries is proposed to be reduced to equal to or greater than 10 per cent.

Some of these changes have been made to ensure that the legislation is fairer to those who are impacted. Some of the changes relate to the way the medical profession assesses injuries and seeks to align those assessments with the way the medical profession operates. Some of the other changes relate to entitlements that can be provided, and in some cases the caps of amounts that can be provided have been increased to recognise the balance with WorkCover and the Transport Accident Commission. However people are injured or impaired as a result of the actions of others, there needs to be consistency across the system.

I am pleased that this government has accepted the recommendations made by VCEC. I am pleased to see that significant consultation was undertaken through the process of reviewing the Wrongs Act. I think it is appropriate that an act like this, which goes back to 1958, is reviewed periodically to see that it is appropriate and that the balance is set right. Whatever decision is taken about caps and thresholds has an

effect on anyone applying for compensation, but there is also a cost to the insurance industry. If the balance is wrong, people across the state might be paying more in insurance. It is a matter of making sure the insurance effect is right and that the benefits to legitimate claimants are right. Having undertaken this review, we believe the bill gets that balance correct.

Rationales have been provided for the changes that have been made in the bill, and I think that is very sensible. There is not much need for me to go through them, as previous speakers have gone through those rationales by looking at previous cases. For example, the case of *Tuohey v. Freemasons Hospital* [2012] VSCA 80 was mentioned, where weekly earnings were taken into account and needed to be looked at over time. The results of court actions like that need to be weighed up. A number of issues have been taken into account by VCEC in making its recommendations. As a sound government, we have reviewed those. There are a couple of recommendations that were not accepted. There were good practical reasons for not accepting them and not complicating the Wrongs Act by addressing those issues raised by VCEC when there are other ways of addressing them.

I am pleased to support this bill. I believe it is appropriate that the review has taken place, and I believe the government is responding appropriately to the review by making the application process for compensation under the Wrongs Act fairer for complainants and by keeping the balance right.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Wrongs Amendment Bill 2015 on behalf of The Nationals and to make it quite clear from the start that we are not opposing this bill. The purpose of the bill is to change the method by which the maximum amount of damages for economic loss is calculated, to fix minimum amounts for damages for non-economic loss, to change the method by which the amount is indexed in the future, to provide for damages for the loss of capacity to care for dependents in limited circumstances, to change the threshold impairment used for determining whether a person has suffered significant psychiatric or spinal injury and to confer on the courts the power to stay a proceeding to which part of the act applies in respect of a claim for damages for non-economic loss in cases where the claimant has not served a certificate of assessment to the respondent.

This bill updates compensation law, which is a sensitive area. As has been mentioned by previous speakers, our compensation levels need to be just while keeping insurance premiums affordable. This is continuing the

work done by previous governments to address this balance. In order to find that balance the Victorian Competition and Efficiency Commission was commissioned to conduct an inquiry into the operation of personal injury legislation. The commission came back to the Parliament with a report and recommendations, which has resulted in these amendments.

Clause 5 amends section 28F(2), setting the maximum amount of damages that may be awarded for each week of lost earnings at three times average weekly earnings; clause 6 amends section 28G, increasing the maximum amount of damages awarded for non-economic loss to \$577 050 in order to bring it into line with the Victorian workers compensation scheme; clause 8 inserts new section 28ID, enabling courts to award damages for loss of capacity to provide gratuitous care for dependants; and clause 11 amends section 28LB, changing the threshold level from greater than 10 per cent for psychiatric impairment and greater than 5 per cent for spinal injury to equal to or greater than 10 and 5 per cent respectively. These have always been difficult thresholds to both assess and set.

Insurance Council Australia has some concern that there could be an increase in the average claim size, which would have a corresponding impact on the affordability of premiums. Some consultation was conducted on this bill, particularly with the Law Institute of Victoria and the Bar Council, to ensure that the amendments were legally okay.

The 2014 Victorian Competition and Efficiency Commission report entitled *Adjusting the Balance — Inquiry into Aspects of the Wrongs Act 1958* made some recommendations, and I commend it on its work. The report was commissioned by the previous government to review personal injury legislation and to address the number of limitations without unduly influencing premiums, as well as to ensure that our laws operate in the most efficient and equitable way possible. The bill sets a new cap on the amount of damages that may be awarded for economic loss at three times weekly earnings, which allows claimants whose post-injury earning capacity exceeds the cap to access damages. Under the current legislation they would be unable to do so.

The bill also increases the maximum amount of damages to \$577 050 and changes the way in which the indexation of that amount is calculated, bringing it more into line with how we now set legislation. This increase, alongside changes to indexation, brings the legislation into line with Victoria's workers compensation scheme. The bill enables a court to award

damages for loss of capacity to provide care for dependants where dependants require consistent care due to their inability to care for themselves. This is intended to accommodate a High Court decision of 2005 to abolish a similar common-law right to damages by providing statutory provisions that give the same effect.

The bill changes the threshold level for eligibility to access damages for non-economic loss from greater than 10 per cent for psychiatric impairment and greater than 5 per cent for spinal injury to equal to or greater than 10 and 5 per cent respectively. The change in thresholds allows the legislation to better integrate with medical practices and to evaluate permanent impairment in 5 per cent increments. Under the current legislation only claimants with injuries equivalent to 10 per cent or more are eligible to access damages for non-economic loss, but under the proposed reforms claimants with injuries equivalent to between 5 and 10 per cent will be eligible.

The coalition is happy to see the government adopt without change another bill that was in the pipeline when we were in office. It is an acknowledgement that the business of government does go on no matter which side happens to be in office. This is work that is necessary to deliver justice to our community. With those words I am happy to commend the bill to the house.

Ms HALFPENNY (Thomastown) — I also rise, as others have done, to speak in favour of the Wrongs Amendment Bill 2015. Although some of what I will speak about has been covered in previous contributions, I will talk a bit about the purpose of the bill and the history behind it before going to its content.

The Victorian government, like other Australian governments, imposes limitations on personal injury damages — that is, the compensation that is awarded to people who have been injured or killed as a result of the negligence of others. These limitations were introduced in Victoria more than 10 years ago through the Wrongs Act 1958 in response to what was happening in the community. At that time there was uncertainty over the potentially enormous cost of claims. There was concern that if claims were uncapped, they would continue to rise, making payments bigger and therefore unsustainable. There was concern that public liability insurance and professional indemnity insurance would become unaffordable, and insurers were becoming increasingly concerned about exposing themselves to greater liability, which had the potential to make insurance more difficult to find.

I remember the debate at the time that this type of insurance was not about big businesses but about doctors, for example, and what they could afford to pay in terms of treating patients, the payments they received and how much insurance they would have to pay. There are many social clubs and seniors groups in the Thomastown area, all of which are required to provide and pay for public liability insurance. There was concern that without some certainty about the types of payouts to be provided or imposed by the courts, there would be astronomical increases in the charges for insurance for those types of liabilities and that that would lead to many organisations that provide community benefits and services in areas like Thomastown — for example, all the seniors groups — not being able to continue to operate because they could not afford the big increases in insurance fees.

I know that there are many groups in the Thomastown electorate that do much great work to ensure that there is social inclusion and that people are not sitting at home isolated without contact with others. There is also much great work done to ensure that there is a real acceptance and embracing of multiculturalism and recognition of different cultures. This is all done by clubs and volunteer-run organisations that host lunches, put on festivals, organise events and celebrate various different cultural occasions and religious festivals. These all require public indemnity insurance. These events could not be held if the insurance involved huge payments because, as I said, these are voluntary organisations that are run, as the saying goes, on the smell of an oily rag. They do lots of great work with, say, \$500 a year, even though they put on three festivals and many other social gatherings and fun events.

In 2013 the government of the time determined to initiate an inquiry into how the Wrongs Act was working in terms of personal injury damages and limitations on that. While saying that there is a need to make sure that the impost of insurance is not such that it can no longer be paid and that the normal operations of a society cannot function if the costs of insurance and such things as health care are going to increase so much that they become a concern, we also have to be very clear that there has to be fair and just compensation for those who are injured — we hear about horrific injuries happening — and for deaths.

If people are required to live with an ongoing debilitating injury and are in constant pain, we must ensure that they receive compensation and have some sort of financial security to, firstly, ensure that they and their families have a future where they do not have to worry about financial issues and, secondly, because if they have been injured or killed they are absolutely

entitled to compensation if it is due to the negligence of others. There needs to be an acknowledgement of that and payments have to be made to help them recover or compensate them for what they had to go through. That is the balance that needs to be achieved.

The inquiry looked at how the system was currently working. The report that came out of that inquiry was aptly titled *Adjusting the Balance — Inquiry into Aspects of the Wrongs Act 1958*. The inquiry was initiated by the government but was actually carried out by the Victorian Competition and Efficiency Commission. It looked specifically at personal injury legislation, the benefits that those suffering injuries had a right to and could claim for, whether there were any anomalies, inconsistencies and inequities arising from limitations on personal injury damages and, as previous speakers have referred to, torts legislation. On a federal basis there were changes to tort law, and the inquiry looked at whether that had some sort of impact on the Wrongs Act.

The inquiry was completed. It was determined that there were areas of inequity and inconsistency and that those people who had been injured or the families of someone who had been killed as a result of the negligence of others had a right to have the amounts payable to them — for example, in non-economic loss increases to the lump sums that were payable. This was one recommendation, and it is what the legislation before us today is about. It is about adopting these recommendations as well as making sure that you assess a person's overall injury — for example, the legislation states that there should be a lower threshold for significant injury for claimants with spinal injuries that is equal to or greater than 5 per cent. It similarly states that for psychiatric injuries the threshold for significant injury should be equal to or greater than 10 per cent.

The changes in the bill come from real experience, where people who had clearly been terribly impaired as a result of an injury or an accident found it very difficult to get over the original threshold. The bill is about making things more equitable than they were before.

Lump sums for non-economic loss are now pretty well equal to what is currently paid under the workers compensation system, which is another personal injury system that has a no-fault component. That system is for workplace injuries. A third system is administered by the Transport Accident Commission. That is another compensation scheme that can be claimed in the event of injuries suffered as a consequence of being injured on the road or in a motor vehicle. These are the three

different types of personal injury claims. The bill before us talks about improving some of the definitions and payments so that they are equal to schemes such as workers compensation.

I hope these changes will be ongoing. We will continue to try to provide better benefits for those who have been injured or killed through negligence as well as keep the costs down.

Sitting suspended 1.01 p.m. until 2.02 p.m.

Debate adjourned on motion of Ms HUTCHINS (Minister for Local Government).

Debate adjourned until later this day.

NATIONAL PARKS AMENDMENT (NO 99 YEAR LEASES) BILL 2015

Second reading

Debate resumed from 16 September; motion of Ms NEVILLE (Minister for Environment, Climate Change and Water).

Ms McLEISH (Eildon) — I rise to kick off the debate for the opposition on the National Parks Amendment (No 99 Year Leases) Bill 2015. At the outset I thank the staff from the department for the briefing they provided.

The bill introduced by the government essentially has two components: the reduction in the maximum term of lease that may be granted under the general leasing power from 99 years to 21 years, and the reduction in the maximum term of the leases that may be granted in respect of specific areas of land — Point Nepean National Park, Mount Buffalo National Park and Arthurs Seat State Park — from 99 years to 50 years. It should also be noted that there is a fair bit of history here, and that the length of the leases has chopped and changed quite a bit over the past few decades.

I take the house back to the Brumby government, which in September 2010 commissioned the Victorian Competition and Efficiency Commission (VCEC) inquiry into the tourism industry in Victoria. The commission's findings were released in June 2011. VCEC recommended that regulatory reforms should be made, and that there be a shift in focus to how tourism can enhance the environment and how regional goals were required in order to avoid stagnation in the tourism industry. The commission made a range of recommendations and identified some of the barriers, including barriers to private investment in tourism facilities that are compatible with environmental

heritage and other values of public land. The lack of private investment in public land was identified as a barrier.

It is so important that the tourism industry does not stagnate. It is easy to get visitors to come to Melbourne from intrastate and overseas, but to get them out into the regions is not so easy. Very often people in rural areas rely upon people from other towns and people from the city coming to support their towns. I have no doubt that everybody in here who is a country member would know that small country towns rely heavily on the tourism industry. In my own area, I know that people in the Shire of Murrindindi and the Shire of Yarra Ranges rely very heavily on tourism. The Mornington Peninsula and Macedon Ranges are also very strong tourism areas, and many of their small towns rely on tourism.

Yea, my home town, is very dependent on the tourism trade, as is Mansfield, which is part of the High Country. There are also iconic towns that are known to draw tourists — for example, Daylesford and Dunkeld, and Metung in Gippsland. Many people visit the Gippsland Lakes.

We also know that investment in supporting and growing tourism is vital so that regions can flourish. Daily visitation is one thing — it is great if people can stay, have a coffee or a cake and maybe lunch — but it does not provide the same level of economic boost as an overnight stay. For country areas, obviously the aim is to have multiple overnight stays.

There were issues in the tourism industry at the time the former coalition government received the report of VCEC's inquiry, so members of the coalition government sought to do something about it. We addressed the findings by taking a number of steps to facilitate a regulatory environment that is more supportive of tourism developments in areas of high natural amenity.

At that time a lot of work was done by the federal tourism minister and other ministers from around the country, and the member for Brighton, in her role as Minister for Tourism and Major Events, commented that Victoria was seen as the being the lagger for not encouraging investment in this area. The coalition government then moved to introduce a whole bunch of reforms, the first of which was around tourism investment opportunities of significance in national parks. The former Minister for Environment, Climate Change and Water, the member for Warrandyte, issued guidelines in March 2013. The guidelines set out eight principles to provide a regulatory framework designed

to streamline processes in order to access investment opportunities in national parks. We recognised that we needed to do something to get things moving as a first step. In May 2013 the coalition government introduced the National Parks Amendment (Leasing Powers and Other Matters) Bill 2013, which extended the term for a lease in national parks from 21 years to up to 99 years. That is the issue that we are returning to in the debate today.

The third part of the reform agenda was about considering tourism investment opportunities of significance in national parks and the overall application process. First the guidelines were issued and the legislation was introduced, and then we had to consider implementation. I will return to the guidelines shortly.

Very importantly, the coalition government's approach was consistent with the previous Labor government's *Nature-Based Tourism Strategy 2008–12*. One of the recommendations was that the policy for sustainable recreation in tourism should be reformed to better enable the siting of tourism facilities in or adjacent to national parks and to incorporate clear guidelines regarding appropriateness, size and style. Labor's *Nature-Based Tourism Strategy 2008–2012* actually talked about enabling the siting of tourism facilities in or adjacent to national parks, and with this bill the 'in' part has been the contentious component.

As I mentioned, the coalition government introduced the National Parks Amendment (Leasing Powers and Other Matters) Bill 2013. That put into place legislation to allow licences to be granted for up to 99 years for purposes that were consistent with the objectives of the act. This was not about banging up a five-storey or eight-storey Hilton in the middle of a national park; our bill was about supporting tourism in the regions. It was about supporting nature-based tourism, and we know from the research that nature-based tourism has been on the rise. A lot of people want to experience it, so you have to facilitate the opportunities for these people to experience it.

I know a lot of people enjoy nature, but not everyone enjoys camping in a tent, getting wet and not having another option. Looking at the bigger picture, it is about trying to get people into national parks. It is about making those parks more accessible to everybody so that if someone wants to stay in a national park, they do not just have to stay in a tent.

That legislation was about supporting tourism in the regions and trying to bring people to the regions. It was not about trashing our national parks. Unfortunately the

opposition at the time — the government of today — and interest groups went about misinterpreting things, sometimes quite deliberately, I would say. They referred to the fact that they thought we were trashing our national parks. There was never an intention to bang up inappropriate developments. All the debate and talk about that and the messaging at the time was about sensible and sensitive development. Of course no-one is ever going to allow for a five-storey or three-storey hotel or something like that in our national parks.

I remember at the time that the Victorian National Parks Association put out an incorrect media release, and then it did not retract it; it just took it off its website. I do not think we received an apology. The decisions we made putting that bill forward were about trying to facilitate nature-based tourism; they were not about an economic development.

Further, and over and above the recommendations that were put forward by the Victorian Competition and Efficiency Commission, the coalition then went on to exclude development in one-third of our national parks. This is forgotten as well, that wilderness zones, remote and natural areas, reference areas and designated water supply catchment areas were out of bounds. We were looking for sensible and sensitive development, taking particular note of history, beauty and cultural sensitivity.

The bill that we are debating today ignores Labor's own nature-based tourism strategy. As I have mentioned, that strategy recommended sustainable recreation and tourism policy being reformed to better enable the siting of tourism facilities in or adjacent to national parks and incorporate clear guidelines regarding appropriateness, size and style, which is what we did. The bill before the house today offers the minister many challenges, and they will be mostly from the tourism industry, which has been short-changed, because this bill pretty well ignores it.

I thought it was quite interesting at the friends of tourism event last night to see everybody from the government lining up to support tourism and to talk about tourism, and then we have this bill today, which is actually working against tourism. The minister's focus in his speech last night was entirely city based. We had to sit through him painstakingly going through every city-based event he could think of and the numbers of people attending those events. We have known for a long time that Melbourne is the tourism capital of Australia and possibly even the sporting tourism capital of the world. Whilst that is a very positive thing, it does fly in the face a little of the fact that the tourism industry is being ignored.

The components of the bill are underpinned by Labor's opposition to the bill we introduced in 2013. Labor went to the election with a commitment around not allowing large-scale private development in national parks. This was misleading and created the impression that the coalition was there to trash our national parks and to allow entirely inappropriate developments in the place. The bill today will see the removal of the government's ability to grant leases of up to 99 years. This is also based on the assumption that 99-year leases mean large-scale development, because leases with terms up to 99 years do not necessarily equate at all to large-scale development. That has been one of the underlying assumptions here.

I am going to go back to the first component of the bill — the reduction in the maximum term for a lease that may be granted under general leasing powers from 99 years to 21 years. Some 20 to 30 leases in national parks are impacted here. I did not get all the detail around these leases. I made a request that we be given some information about the nature of those leases and their terms, and it is disappointing that that information was not forthcoming. The information I did get was that it included small businesses. They may be kiosks or something like larger caravan parks, and the lease terms are different for all of them; they are not consistent.

Within this framework they will all be able to negotiate leases for up to 21 years, but it may not be appropriate that everyone has a 21-year lease. I imagine that they are all negotiated on a case-by-case basis. These leases would include small businesses such as kiosks and things like that. It does not include the site-specific exceptions of the Point Nepean and Mount Buffalo national parks and Arthurs Seat. The leases are individual and vary considerably, but this bill provides a 21-year limit.

The second component is the reduction of the maximum term of lease that may be granted in a specific area. The site-specific component of the legislation applies to the Point Nepean and Mount Buffalo national parks and Arthurs Seat State Park. This will mean a reduction in the length of leases they can enter into from up to 99 years to 50 years. This component is specifically about these three sites. The leases for these sites have chopped and changed a bit as well. They have been for 21 years, then 50 years, then the lease opportunity has gone up to a 99-year lease, and now they are back to the opportunity for a 50-year lease. We know there have been a number of difficulties over time with Arthurs Seat, but a 50-year lease has been negotiated for Arthurs Seat and it looks like an all-abilities access gondola development will go ahead there.

After being told the bill will not allow large-scale developments in national parks, I asked what exactly a large-scale development is, but I did not really get an answer. I was able to establish that this bill does not rule out all development in national parks and was advised that smaller developments could be approved. When I asked what a smaller development is, the answers I got were: eco-huts, boardwalks, perhaps zip-lines and other structures that may exist like the Otway Fly, which is outside a national park. These could fit the bill.

I asked: what next? What if there were a series of small or medium-sized cabins? Would that fit into the bill's notion of a small-scale development? I could not get an answer on that. Given that the bill does not exclude all development in national parks, these are some of the things that we were thinking of and that the former environment minister, the member for Warrandyte, put on the table. We were thinking about these types of things because the Cradle Mountain national park has huts and this legislation would allow this sort of thing to happen.

For this reason we are not opposing the bill before us today, but I want to talk about the challenges the bill presents for the minister. It has not been well received by the tourism industry, which had advocated for the changes brought in by the coalition. In her second-reading speech the minister said:

The government believes that the proper place for large-scale tourism developments is outside national parks where they do not impact on the park and where they can better support regional economies.

Again there is a little bit of debate about what a large-scale development is. The minister went on to say:

Nevertheless, locating large-scale tourism development outside parks closer to regional towns and business operators is more likely to support regional economies, as well as minimise the risk of adverse impacts on parks. In many cases, there are sites on other Crown or private land adjacent to national parks that would be more appropriate for such development.

Given the difficulties that sometimes exist in getting private investment into smaller regional areas, the challenge will be to get investment in regions to increase visitation to national parks. We will need private investment because we know the regional development budget took a massive cut of 23.8 per cent — almost a quarter of its budget. I refer the house to the output summary in table 2.2, budget paper 3, which clearly shows this massive cut in regional development funding.

We know that Tourism Victoria is not the body to fund and co-partner infrastructure developments. Tourism Victoria certainly does a great job of promoting regional tourism events, and I congratulate Tourism Victoria because it has supported some wonderful tourism events across the state and in my electorate. We know that the government has absolutely trashed the regional development budget, and we know it has a city-centric focus. As I mentioned earlier, last night's speech by the Minister for Tourism and Major Events focused entirely on the city, and if the word 'regional' was mentioned, I think it was by accident. I am not sure how exactly the government and the minister are going to invest in the regions to increase visitation to national parks. Councils are also getting a lot less funding under the city-centric Andrews government, so the government is going to need to co-support investments. I cannot see how it is going to do this, because the funding does not seem to be available.

I want to talk about our wonderful national parks. We have 2.5 million hectares of national parks in Victoria and some fabulous destinations, including Wilsons Promontory, the Great Otway National Park and the Grampians. These are well known to so many people in Victoria and are a drawcard. I have the Lake Eildon National Park in my electorate, which has wonderful camping, hiking and hunting, and, being on the lake, there are lots of water sports. There is the beautiful drive over the Black Spur to the Yarra Ranges National Park. I also have the Kinglake National Park, which is home to Masons Fall and Jehosaphat Gully.

Parks Victoria did a wonderful job restoring the features in those national parks after the fires, because they took an absolute thumping. The government invested in that restoration, and Parks Victoria and Ian Marr and his crew in particular did a great job working on the ground. I have said that in this house before. The men's shed also did some wonderful work and built a lot of furniture for the park at Jehosaphat Gully. Our parks are also home to a very wide range of native birds, plants and animals. As I drive through, I often see lyrebirds running across the road. It is lovely to see a lot of these beautiful birds in particular while driving.

My experience of national parks is quite extensive — in Victoria, in Australia and overseas. When I thought about it, I realised our family has taken many holidays in national parks. Some of the national parks in Australia we have visited include Mungo National Park, Mount Field National Park, Uluru-Kata Tjuta National Park, Coorong National Park, and Wilpena Pound, which is in the Flinders Ranges National Park. I was at Wilpena Pound in the middle of the year, and I will talk about that shortly. In America, I have been to

Yellowstone National Park, Yosemite National Park, Grand Canyon National Park, Redwood National and State Parks and Olympic National Park. Americans do national parks beautifully.

I want to talk about my experience at Yellowstone. I stayed on-site at Yellowstone for most of the time I was there. The accommodation is pre-existing, and there are about 1000 beds in the national park. They are not about to pull them down either. Also, because the national parks are so open and the public wants to come and experience them, there is a waiting list to stay in them. We were able to stay a couple of times due to late cancellations. One night we were not able to get a cancellation so we had to venture out of the park and stay at one of the towns nearby, which was boosted by its location so close to the park. The town was Gardiner in Montana, which is north of Yellowstone. There is also a town to the west, which is in Idaho. This was an adjunct to the accommodation in the national park, because they are not going to build any more accommodation there, but they certainly have an enormous capacity at all levels, from five-star hotels down to canvas tents or your own campsite. Yellowstone is a wonderful place.

My family also stayed at Wilpena Pound, which is in the beautiful Flinders Ranges. We were there in the middle of the year and did some wonderful hikes while we were there. It is an extraordinary place with an amazing landscape, which is 800 million years old. We stayed at the Wilpena Pound Resort, which is in the middle of the national park. That was one of the reasons I was keen to go there and experience what the resort was like. It was not out of place, and it was very popular.

The traditional custodians of the land there are the Adnyamathanha people. For the last few years they have been co-managers of the resort. I wish them well in that endeavour. The park was not trashed, and the reputation of the Flinders Ranges and Wilpena Pound are certainly not trashed. I encourage members on both sides of the chamber to go there and experience it.

The minister in her second-reading speech said that she did not see a whole lot of people lining up to look at developments in national parks. I refer the minister to the Grampians Peaks Trail and the master plan that was developed for it in 2014. The *Grampians Peak Trail — 2014 Master Plan — Walk Victoria's Icons* is an interesting document. It is 116 pages long. Imagine the amount of work that has gone into developing the plan. There is an enormous amount of thought behind it. It aims to offer a world-class, long-distance walking experience.

The trail is 144 kilometres long, which is huge. It offers an amazing experience, which is designed to showcase the majesty and natural beauty of the area, as well as its cultural history. The trail unites a disparate collection of tracks. I will read from the executive summary, which states:

Where will you stay when walking the Grampians Peaks Trail?

On-walk accommodation is central to the experience of an iconic multi-day walk such as the Grampians Peaks Trail. As such, there will be both low and high yield accommodation along the walk which provide a range of exceptional experiences and broaden the appeal to a more diverse market.

The default accommodation for the entire length of the Grampians Peaks Trail will be hiker camps (provided by Parks Victoria), with camping on designated tent platforms which will be used by both independent and guided walkers. On-walk hiker lodges will be provided by the private sector; these are roofed structures which may include showers, toilet and kitchen facilities and will provide a more comfortable walking experience. They will cater for a higher yield market and will be used by guided walkers.

It also refers to off-park accommodation, adjacent to the national park. The master plan outlines the best of all worlds. On page 50, Cradle Mountain huts are discussed as the type of development that could go ahead at the Grampians. The master plan also talks about the need for private investment:

Over the long-term, the commercial viability of the Grampians Peaks Trail will require ongoing private investment, in addition to potential funding from government sources.

We know that there needs to be a return on private investment. Not many people will put up a whole lot of money and not expect any return. The master plan outlines the process for private investment.

There is also a section on the investment criteria for land tenure. The master plan refers to the fact that the Victorian government introduced private leases of up to 99 years within national parks. The plan says this would create:

... a stronger incentive to develop innovative, high quality proposals and enough certainty and time to recoup a satisfactory return on investment.

I suggest to the house that the Grampians Peak Trail is a wonderful opportunity to open up a national park. It is clearly going to need some private investment to kick it off. That is what is discussed in the master plan. Those who are developing the trail are not afforded the luxury of even having a 50-year lease. They only have the option of a 21-year lease. I do not know if there are opportunities for the government to negotiate on a one-on-one basis with different developments, but it

could do a 50-year lease with the Grampians Peak Trail, as it has done with the Mount Buffalo Chalet and as it is doing for the Point Nepean National Park.

As I said, the opposition is not opposing the bill, but we want to note that the government appears to have flown in the face of the requirements of the tourism industry and certainly the nature-based tourism strategy we had up until 2012. It is going to be a challenge. I hope the government knows what it is doing in this area and can open up our national parks, increase visitation and more importantly support our regional areas, which have taken a huge hit from the city-centric Andrews government, which has chopped the regional development budget by about a quarter.

Mr CARBINES (Ivanhoe) — I am pleased to make a contribution to debate on the National Parks Amendment (No 99 Year Leases) Bill 2015. I start by assuring members of the opposition that visitation to national parks is not increased by increasing the fees and charges on Victorians to visit and stay in them, which was the policy implemented by the previous government and scrapped by the Labor government on its coming to office. The government's approach is about inviting and encouraging families across Victoria to visit our national parks estate and ensuring that they are able to afford to do so. Part of that is talking about healthy parks, healthy people.

Our approach is about making sure that Victorians can afford to spend time in our national parks, because we want Victorians to be advocates for our national parks estate. We want them to be advocates for the way in which we protect and advance the interests of our national parks estate through how they are managed. Part of that is making sure that as many Victorians as possible have access to our national parks. It is about making sure that each and every Victorian feels they have an empathy for and understanding of the value of the resource and advocate at the ballot box for their expectations in relation to those important estates that we in this legislature are the custodians of.

In setting out the broader context around the principles that guide the Labor government on the environment and have led us to introduce this legislation, let me point to the record of the previous government. We were very clear about what we were proposing in scrapping these 99-year leases in coming to government, a decision that was affirmed by Victorians at the ballot box. After four years of those opposite, the first one-term government since World War II, Victorians determined that a Labor government would not support cattle in the high country; would not support 99-year leases and mining and logging in

national parks; would not scrap renewable energy targets and would not ban the term 'climate change' from being used in Victoria's public service or erase it from public policy documents, when people were denigrated for their hard work in the climate change space because of the deniers opposite; and would not make the massive cuts to Parks Victoria the coalition government made, while only spending \$10 million from the Sustainability Fund on projects over four years. That is the record of the previous government.

Under Labor not only have we already seen — and these policies were affirmed at the election — cows out of national parks, but we will also see the scrapping of 99-year leases by this legislation. We talk about the east-west link, but the ridiculous side deals the former government made on Point Nepean came at the death knell of that government. Those opposite signed off on deals with developers at the last minute — in November — because they were afraid to take their plans for development and 99-year leases in national parks to the election. This is the context that has brought us to this place. We have not heard anything from those opposite in relation to the federal government's decision to try to restrict the tax deductibility of environmental groups and the way in which they advocate for the environment.

Going back to the substance of the bill, what we plan to do here is what we took to the election. We will be reducing the maximum term of a lease that may be granted for certain areas of land under the act from 99 years to 21 years. Why did those opposite choose to have 99-year leases for national parks? They talk about not wanting to have 5-storey or 10-storey Hilton-type developments in national parks, but they were prepared to offer developers a return on their investment over 99 years by offering them 99-year leases. These leases are all about offering developers an opportunity to get a return on their investment. They must be damn big investments — very substantial investments — if they need 99-year leases to recoup their investments in national parks. That is what this is all about. If a developer cannot recoup its investment in a 21-year lease in a national park and needs virtually a century lease to recoup its investment, it tells you something about the types of horrific investments that we would have seen had the decision of those opposite been affirmed at the ballot box by Victorians, which of course it was not.

The bill also reduces the maximum term of a lease that may be granted for specific areas of land in Point Nepean National Park, Mount Buffalo National Park and the Arthurs Seat State Park from 99 years to 50 years. This is about acknowledging that there are

significant assets in parks and that investments have been made in the past in Victoria's national parks estate that need to be treated differently. We need to add value to those in the future, and that is about acknowledging that it is a matter of horses for courses; it is about acknowledging the specific history of the way in which our national parks have been developed. There are provisions for that in this bill — a bill that is not opposed by those opposite.

There are other miscellaneous amendments in the bill, and I will touch on those as well. What we are most proud of on this side of the house is that we are not allowing large-scale development in national parks. That is what this bill is clear about, and that is what the voters were clear about at the election less than a year ago. Our election commitments regarding leasing and development in national parks were included in Labor's policy document *Our Environment, Our Future*.

I quote from the second-reading speech of the Minister for Environment, Climate Change and Water, which says in relation to the previous government's plans and amendments to the bill in 2013:

The 2013 amendments have not resulted in government being approached with any formal unsolicited proposal for long-term investment in national parks.

Despite the coalition's amendments, it got a big F for fail — not one proposal from developers for a 99-year lease was taken up under the amendments those opposite introduced when in government. There was a total failure by those opposite to put forward legislation in relation to any of the issues they have been talking about.

I will tell you what does affect people's capacity to invest in and enjoy their national parks — that is, charging them fees, cutting the public service responsible for maintaining the national parks and reserves, not ensuring that there are resources to police the way they are operated and not ensuring that their facilities are up to standard.

The minister said in her second-reading speech:

Furthermore, it is illogical that the maximum lease term in the National Parks Act is greater than that for a development in a Crown land reserve or reserved forest.

I refer to international examples. The second-reading speech made very clear why we are going down this path with the bill:

This is consistent with the worldwide trend for resorts and similar tourism developments to be located outside national parks. Although there are more than 209 000 protected areas, including national parks, around the world, an analysis

published in 2013 indicated that there were fewer than 250 examples of private tourism infrastructure located within such areas —

out of 209 000 protected areas. Of course most of those examples have arisen from developments that predated the establishment of the protected areas. That is what has happened. This Labor government is focused on investment in regional economies when it comes to tourism but also on making sure that it returns water flows and supplies to places like Lake Toolondo. It understands that investing in tourism is about investing in regional communities to make sure it is meeting their needs in many different ways, whether with environmental water flows or national parks. It is all about making sure that we find a balance between those needs and the desire to drive jobs, investment and innovation in regional economies and communities. You do not do that by cutting services. You do not do that by jacking up fees to visit national parks and not promoting them. You do that by encouraging Melburnians and suburban Victorians to go and spend their holiday dollars, their tourism dollars, in our national parks estate.

The decision by the government to remove the power to grant leases of up to 99 years in parks under the National Parks Act 1975 is consistent with the government's commitment to protect these special places from large-scale commercial development. The previous government was driven to offer 99-year leases so there could be horrific developments, which involved a 100-year turnaround for developers to enjoy a return on their investments. Who knows what sorts of horrific developments we may have seen had the 99-year leases been allowed to take place? The fact that nobody came forward to take up the 99-year lease option shows that the previous government's policy failed. It was not about responding to community concerns but about its desire to wipe its hands of obligations with the national parks estate and provide opportunities for its developer mates.

As we all know, an article in the *Age* of 7 November 2014 states:

A lease for a new luxury hot springs resort in the Point Nepean National Park has been quietly rushed through by the government in its final days before it entered caretaker mode.

The side deals that were entered into by the previous government were condemned by Victorians when the coalition was rejected at the ballot box.

Ms KEALY (Lewan) — It is a great honour to rise today to speak on the National Parks Amendment (No 99 Year Leases) Bill 2015. One of the reasons I am so proud to speak today is that national parks are so

important for rural and regional Victoria. Acting Speaker, you may be surprised to know that the national parks are not in inner city Melbourne. They are actually in the country. That is why we take great pride in our national parks. We look after them and cherish them. We know exactly how important it is to look after them to maximise the tourism opportunities, which will have a flow-on effect to our local economy. Tourism in our national parks is growing, particularly ecotourism, and I would like to see that supported into the future.

I will be clear at the outset and say that The Nationals and the coalition will not be opposing the bill. The bill will, firstly, reduce the maximum term for a lease that may be granted under the general leasing power from 99 years to 21 years; and secondly, reduce the maximum term for a lease that may be granted in respect of specific areas of land in Point Nepean and Mount Buffalo national parks and Arthurs Seat State Park from 99 years to 50 years.

I will focus mostly on the first point — the reduction in the maximum term for a national park lease from a period of 99 years to a period of 21 years. The Minister for Environment, Climate Change and Water in her second-reading speech said the intent of the bill is to remove the government's ability to grant 99-year leases and also to not allow large-scale development in our national parks. The Grampians National Park in my electorate of Lowan includes the Grampians Peaks Trail. Considering the discussions around the Grampians Peaks Trail and the commitment by both sides of government — bipartisan agreement — that this is an important ecotourism opportunity that we must develop in the near future, I find it astonishing that Labor would then go ahead and push against the whole reason for having the 99-year leases, which is to make sure that opportunities like those with the Grampians Peaks Trail can be maximised. I will go into further detail on that in a moment.

I want to talk about the fantastic national parks we have in western Victoria. Wyperfeld National Park, impacted by fire recently, is a fantastic area for more of that Mallee national park feel. We also have the Little Desert Nature Lodge. Whimpey is not there anymore; he is involved with the Nhill Airshow 2015, which will be happening this coming weekend, the only regional airshow in Australia. I thoroughly recommend that people go and have a look if they have an opportunity. At the fantastic Little Desert lodge you can see the Mallee fowl, which I note is what Lowan is named after. It is a nice local reference to my electorate.

We also have the Lower Glenelg National Park and the Grampians National Park. I have spent an enormous

amount of time in my life in the Grampians National Park. We used to go there every third term holidays throughout my schooling. I think I have walked nearly every single walking track through there. I particularly recall how beautiful the environment is there with the ecosystems and the native flora. You could hear the gang-gang cockatoos when you went over Chautauqua Peak.

This time of the year in particular is wildflower season. Last weekend was the Pomonal Native Flower Show, and the Halls Gap wildflower show is at this time of the year as well. Everything is looking absolutely beautiful through that region. I thoroughly recommend a visit to the Grampians National Park. It is a fantastic destination, and everybody should be visiting it as, I believe, their no. 1 holiday destination. There is of course beautiful natural wildlife and a number of protected species in that area. Just out of Halls Gap is the Halls Gap Zoo, which is a great family outing destination and another top reason to come out and visit western Victoria.

I would like to go through the details of the Grampians Peaks Trail. During the election campaign last year, on 13 November, I was very proud to stand alongside Peter Ryan, then Deputy Premier and Leader of The Nationals, to announce the commitment by the coalition to the Grampians Peaks Trail. The Grampians Peaks Trail is a fantastic development involving 144 kilometres of walking track from the northern area of Mount Zero to Mount Abrupt and through to Dunkeld in the south. It is beautiful. It has been developed. I have been to one of the new sites recently, and the views are spectacular. They have been specifically sought out to show a different view of the Grampians.

On 13 November last year, shortly after the coalition made the announcement, Labor scrambled together another announcement. At that stage it thought the Grampians was in Ripon rather than in Lowan, which only came to the attention of some members of the other side when they later opened the Grampians Peaks Trail, which was quite a surprise at the time. I had to inform some Labor members in government that, 'No, you aren't standing in Ripon; you are actually standing in the Lowan electorate'. Unfortunately we hear that theme over and over again. If Mulgrave is now in the country, then who knows what will happen next with country Victoria? Maybe we will finally see some investment in our region, if Mulgrave is now in the country. There was some scurrying around by government members in the afternoon. They called us together and we did have bipartisan support. The federal coalition government then came in and made an

announcement to ensure that the Grampians Peaks Trail would go ahead.

The Grampians Peaks Trail is fantastic. It will give walkers an opportunity to look at the Grampians from a completely different perspective. It will be a long walk of 144 kilometres but will have multiple stops along the route so you can take one section at a time or get your really big hiking shoes on and go through the whole lot. Fantastic support will be set up through there as well so that if you want to hike with just an apple and a bottle of water, you can get somebody to pick up your camping gear, get your barbecue meat ready and take it along to the next stop. It will cater for all preferences.

There was a focus on the Grampians Peaks Trail, and I refer to the prospectus for this trail which is on the Parks Victoria website. I encourage the Labor government to have a read through it, because it emphasises how important it is that we have opportunities for the high-end hikers to stay and walk the peaks trail. They are going to provide enormous input to our economy in that area. They are a different tourist market that we must be able to access. I quote from the master plan:

On-walk hiker lodges will be provided by the private sector; these are roofed structures which may include showers, toilet and kitchen facilities and will provide a more comfortable walking experience. They will cater for a higher yield market and will be used by guided walkers. Off-park accommodation will also be provided adjacent to the national park, yet close to the walk, allowing walkers the opportunity to stay in more comfortable accommodation.

This is an essential part of the master plan and is one of the selling points of the Grampians Peaks Trail. The people of the Grampians want to see this go ahead. On page 65 of the plan there is a whole section which refers to how important private investment is to achieving the full benefit of the Grampians Peaks Trail. There is even a reference to land tenure which states:

The Victorian government has recently introduced for up to 99-year private leases within national parks to provide greater investor confidence, a stronger incentive to develop innovative, high-quality proposals and enough certainty and time to recoup a satisfactory return on investment.

This is essential. This is a core part of the Grampians Peaks Trail, a project that those opposite are supporting. If they look through the master plan, they will realise that by reducing the 99-year leases they are in fact reducing the opportunity for private investment in our local area. They are reducing the opportunity to tap into that high-end market, which is a very important driver of the economy and tourism in the local area. Why would they completely eliminate that unless they have

absolutely no understanding of how to manage money? But perhaps that is accurate.

Mr D. O'Brien — You have hit the nail on the head.

Ms KEALY — I think I did hit the nail on the head then. If we get the Grampians Peaks Trail right, we can look at the economic benefits for the region, and we need to maximise them. If the Labor government is honest about helping out country Victoria and if it is honest about creating jobs in the local area, it needs to make sure that private investment is able to go ahead, particularly given that the prospectus on the Parks Victoria website emphasises how important it is that there be opportunity for private investments in country areas. We do not want to see big casinos; we want to see a string of huts for high-end accommodation. It is straightforward. There has also been talk about 5-star restaurants around the Lake Wartook area. This will not be able to go ahead while this proposal to remove 99-year leases is in place. I would like to say again that we do not oppose this bill.

Mr DIMOPOULOS (Oakleigh) — It gives me great pleasure to speak on the National Parks Amendment (No 99 Year Leases) Bill 2015. One would have thought the member for Lowan was speaking on an economic policy bill rather than an environmental national park bill, because the opposition measures everything in economic terms. While that is an important consideration — —

An honourable member interjected.

Mr DIMOPOULOS — No social value at all. This is the same way those opposite handled the public holiday. They told us to forget about the quality time that people spend with their families on a public holiday, because there is an economic cost involved with public holidays. We are not even certain about that — we saw only economic benefits — but those opposite are always measuring something according to economics or accounting. It is pretty regressive, but that is what we expect.

I am proud to support a bill that supports our environment. Victoria is the most cleared state in Australia, and national parks are unique places within the public land estate. They do not keep growing. They are a diminishing resource. They provide a huge range of benefits to the community and to a whole range of fauna in our environment that relies on them. There are many benefits, yet those from the other side are only interested in the context of how a developer makes a

profit. I have got no problem with a developer making a profit, but it has to be a very balanced consideration.

Our government is committed to protecting our natural environment and following in the tradition set by successive Labor governments. I remind colleagues that the Labor Party across Australia has a record of achievement on the environment — for example, saving our Alpine area from cattle grazing — which we had to do twice because the Liberal Party repealed the protections we put in place. I had the pleasure of speaking on that legislation a few months ago. Under the Bracks and Brumby governments marine parks were declared and national parks were extended. We can go back to the Hawke federal government and to the protection of the Daintree and the stopping of the Franklin dam in Tasmania. We have a long pedigree of achievements in the environmental field. There was also significant work done by the Whitlam government in the 1970s.

This bill removes the government's ability to grant 99-year leases in national parks. It reduces the maximum term of a lease that may be granted for specific areas of land in the Point Nepean National Park, the Mount Buffalo National Park and the Arthurs Seat State Park from 99 years to 50 years, which we still think is a very generous lease period for any reasonable developer to consider a significant investment. It also makes a number of other consequential amendments.

As I said earlier, this adds to the list of achievements and the list of protections of the environment under this government. I am reminded of the establishment of the Canadian Park at Ballarat and the need for the injection of urgent funds to Parks Victoria after its budget was slashed under the previous government. We renewed Victoria's water boards. All the other side could think about is why you would get rid of water boards, and apparently that became a bit of a story.

We decided to put at the helm of these water boards people who had a different vision from the one espoused by the previous government. We ended large-scale inappropriate development at Point Nepean National Park. We are investing in renewables, changing the definition of wind farms — the planning guidelines that the previous government put in essentially put 99 per cent of Victoria out of contention for wind farms — and establishing an inquiry into solar panels in Victoria. Under this government the environment is getting a fair hearing. If the only bone of contention the opposition has is tourism — —

Ms McLeish — On a point of order, Acting Speaker, this is not a bill about energy or wind farms. This is the National Parks Amendment (No 99 Year Leases) Bill 2015. I think the member on his feet has strayed quite considerably, and I ask you to bring him back to the bill.

Ms Ward — On the point of order, Acting Speaker, the member for Oakleigh is absolutely addressing the concerns of the Labor government. He is talking about national parks with specific reference to the environment and how the Labor Party is working incredibly hard to protect our environment, including national parks.

Mr Burgess — Further to the point of order, Acting Speaker, I think the latest contribution just made our point for us: this has absolutely zero to do with the bill. I ask that you bring the speaker back to the bill.

The ACTING SPEAKER (Mr McGuire) — Order! I ask the member to come back to the bill.

Mr DIMOPOULOS — I will come back to the bill, but I thought I was on the bill because I was in part responding to those opposite, including the member for Lowan, whose entire focus was on tourism and development. Nonetheless, in relation to tourism, again this government is kicking goals. This bill does not diminish the availability of development opportunities that are carried out respectfully in appropriate locations adjacent to national parks in Victoria.

This bill is important because it protects our environment. That is the no.1 responsibility. It is pleasing that we are removing the discretion the minister had under the former government to grant 99-year leases for prime spaces that should be available for free for the entire community to enjoy unspoiled by short-term development opportunities. Ninety-nine years is a long time, and 50 years, in my view, is a very generous lease arrangement for the other three sites.

Regional Victoria's economic benefit from tourism is close to \$11 billion. We have made some significant changes in the tourism sector. We have changed some governance arrangements, put Rod Eddington at the helm and made some investments that attest to the commitment the Andrews government has to tourism. To see this bill in some way as antithetical to tourism is, as the member for Eltham said, narrow. Our natural environment is one of our biggest assets. That is obvious to us on this side of the house. It is an asset not only to us but to our children, our grandchildren and future generations, and it is an asset to tourism. Why

would you go and spoil the very parts of the state that bring in international and domestic tourists?

The bill before us will act as a disincentive for large-scale developments in national parks, and I am extremely proud of that. The bill encourages development in nearby communities and towns, where it belongs and where it is appropriate. As the now Minister for Environment, Climate Change and Water said at the time of the changes by the former Napthine government:

The Napthine government has bowed to the pressure of their developer mates at the expense of the environment and small regional town businesses and it is essentially hanging a 'for sale' sign out the front of Victoria's national parks.

This move by the Napthine government will undermine tourism in our regional towns that are near national parks, impacting small business operators.

She went on to say:

The Napthine government has ensured, through this legislation, that developers have an easy application process and that the decision-making solely rests with the minister for the environment, Ryan Smith.

Having an easy application process for something that has taken millennia to develop — national parks — is an absolute anathema. I am very pleased that this bill knocks that notion on its head. I completely disagree that we have got the balance wrong, as some on the other side have said. There will be criticism, of course, but that criticism is going to be from those vested interests that I have no interest in looking out for in this bill. National parks are a public asset. They should be protected for the public, and such protection will have no impact on well-thought-out tourism opportunities put forward by scrupulous, good developers.

I appreciate the opportunity to speak on the delivery of yet another election commitment by this government if this bill passes — and I hope it does. I commend the minister for bringing it into the Parliament, and I wish it speedy passage.

Ms SANDELL (Melbourne) — It is a great pleasure to rise to speak in the debate on the National Parks Amendment (No 99 Year Leases) Bill 2015. I guess it is no surprise to anyone in this place that the Greens will be supporting the bill. I would like to commend the government, especially the Minister for Environment, Climate Change and Water, for acting to withdraw the open invitation given by the former Liberal-Nationals government to developers to set up shop in our precious national parks.

As we have heard, national parks are among the most important tools government has to protect places of natural beauty and environmental significance. They are millions of years in the forming. Once these places are gone, you can never get them back. They are crucial to protecting our rich and wonderful biodiversity. We have heard a lot in the debate in this place about the economic significance of national parks to regional areas, and that is important, but we need to also recognise that national parks are about protecting biodiversity for biodiversity's sake. National parks are magical pockets of our country. The community can explore there, rest, be restored and rejuvenate by being in a wild, beautiful and natural place. That is something that humans need, and I am so pleased that governments can protect those places to provide that for us.

This is why it is so important to protect these places from developers who may be hungry for profits from luxury tourist resorts or entertainment complexes. I hope that this bill, by reducing the maximum lease from 99 years to 21 years in most cases, will discourage proposals for large-scale developments. There are plenty of other places where these developments can occur, if needed, in the regional towns surrounding national parks. These regional towns need investment. I grew up in a regional town, and I understand they need investment, so why not allow developers to develop those resorts, entertainment complexes and other facilities in regional towns where they are needed? Developers have a chance to develop projects within towns or on the edges of national parks, so why do we also have to give them those opportunities within the small spaces we have left for biodiversity in the environment? They should not be given that space.

The Greens would have liked to have seen leases shorter than 21 years in some cases — and shorter than 50 years in the three parks where 50-year leases will be allowed — but I hope the minister will use her powers to ensure that any developments given the very generous 50 years are appropriate and based primarily on ecologically sustainable principles.

Like a lot of people in this place, I have a deep personal connection to national parks. As I have mentioned before, I grew up in Mildura. My dad, Peter Sandell, spent his whole career in land management until he passed away 18 months ago. He started his career working with the Conservation Commission of the Northern Territory in the 1970s and 1980s. He then worked in park planning in the Pilbara before we moved to Mildura in 1990, where he worked on the establishment of the Murray-Sunset National Park right from its inception. He worked in environmental

management, pest animal control and fire management right across Hattah-Kulkyne National Park, Wyperfeld National Park, Big Desert Wilderness Park and Murray-Sunset National Park — indeed all the Mallee national parks. Dad loved working in national parks, and growing up we loved spending time in them.

I have spent time in a huge number of national parks across Victoria. I have had some wonderful experiences from the Otways to Croajingalong, from walking at Wilsons Prom to a fateful journey along the Great Ocean Walk where a fox stole our hiking shoes. That was a memorable one. I would not recommend having to walk out of the Great Ocean Walk in thongs, but that is what we had to do.

I spent most of my childhood in the Alpine National Park. My parents thought it would be good idea to build a rammed earth house at the bottom of Mount Feathertop. It took them more than 12 years to build it themselves, but as kids we absolutely delighted in going there — to see the kookaburras, the lyrebirds and the king parrots, and to smell the mountain ash and the snow gums. It really is a magical place.

But it is in the Mallee parks that I spend most of my time and spent most of my childhood. Some people probably see the Mallee parks as a dry and hostile place, but to me they are magical. They are so rich and full of life. Some people can never bear to be away from the ocean, and some people feel a spiritual connection to the mountains — but I am a real desert person. I love nothing more than spending time in the semi-arid woodlands and scrublands under those big skies — that is what feels like home to me, and I would hate for us to lose any of that just because we wanted to make a quick buck from developers. It would be such a huge shame.

The Mallee parks, like a lot of national parks, are facing some challenges. When I was growing up I loved seeing my dad's photos. He showed me how degraded sheep country was managed back to something near its natural state. They have done some great work in the national parks in the Mallee — we now have parrots, lizards, snakes, Mallee fowl, echidnas and other plants and animals, and they are really thriving — but I always despaired at his tales of how foxes, rabbits and cats were really inhibiting the ability of our native species to regenerate.

It is a sad fact that the state of Victoria has lost so much of its natural environment. Victoria is, as the member for Oakleigh said, the most cleared state in the country, and that is a real shame. So many species have already become extinct — some of which we did not even

know existed in the first place, which breaks my heart. There are habitats under threat right now, like our cool temperate rainforests and our grasslands, which are still being cleared. We may see them disappear; they are on the verge of disappearing. In a prosperous state like Victoria, where we can afford to look after not only ourselves but also the environment, this is such a shame. It should not be happening in a prosperous state like ours.

For too long we have let our national parks suffer, whether it be through lack of management, lack of funds for management or, more recently, through lack of action on climate change. Our natural places are the ones that will suffer, as we all will, if we refuse to take action on climate change. I am really pleased that the Andrews government wants to do something to turn this around, although we do need significantly more funds for park management and more action on climate change if we do care and want to make a big difference to biodiversity.

What really saddens me is that in so many parts of the world — I recently visited some national parks in South Africa and the US — there is bipartisan agreement on the importance of protecting natural places and the importance of national parks. However, in Australia and particularly in Victoria we have seen coalition governments pursue an aggressively anti-environment ideological agenda, which has destroyed bipartisanship around something that should be important to every single Victorian and every single human. I am really sad about that, and because the coalition has degraded our environment through laws at both the state and federal levels we now need progressive governments to step up and do so much more than they perhaps otherwise would have done. They need to take sweeping measures because we are coming from such a low base, and because we are coming from that low base and because we have seen such a lack of action from coalition governments, I hope this government will take much stronger action than it already has.

As the old saying goes, we do not inherit this earth from our parents, we borrow it from our grandchildren. In thinking about my grandkids, when they reach my age I cannot imagine how degraded our environment will be. It breaks my heart to think that without action on climate change — —

An honourable member interjected.

Ms SANDELL — Under all governments — under coalition and Labor governments we are not seeing enough action on climate change to protect our climate, that is a fact. It really breaks my heart that my

grandkids are going to see a much more degraded environment than I will and that they will not be able to enjoy our national parks in the conditions I enjoyed them in when I was growing up. I think that is something that saddens a lot of people. We already have pressure from lack of management, from lack of funds and particularly from climate change, and for those reasons we cannot afford to sell our few remaining wild spaces to developers for short-term profit, which is why we are supporting the bill.

Protecting our national parks is not a cost at all, it is actually an investment — and it is a very small price to pay to ensure that our native species remain on this earth and that we as humans can enjoy clean air and clean water. It is something so simple. I hear others talking and joking in the chamber and talking over me, but this is a simple matter of life or death — we need clean air and clean water, and other species should be able to enjoy these things as well.

Here in Australia and in Victoria we have species that are found nowhere else on earth, so I cannot believe that people who are presiding over decisions about our national parks, particularly on the coalition's side, can have it on their conscience that entire species become extinct, just because they want to make a quick buck. It is really disgraceful.

Mr Burgess — Did that happen between 2010 and 2014?

Ms SANDELL — Absolutely. There was so much legislation brought in between 2010 and 2014.

Mr Burgess — What made all of those animals go extinct?

Ms SANDELL — I am hearing interjections from the floor asking what actions the government made to ensure that species became extinct. There have been many actions from successive coalition governments that have resulted in species becoming extinct. Many of them we cannot even name because we did not know they were there in the first place.

Mr Burgess — Name one. Name one that we killed.

Ms SANDELL — You cannot even name most of them, because you did not know most of them were there, and yet — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Carbines) — Order! The member for Melbourne has the call.

Interjections are disorderly. She will not respond to interjections.

Ms SANDELL — As the native American saying goes:

When the last tree has been cut down, the last fish caught, the last river poisoned, only then will we realise that one cannot eat money.

I can only imagine that Liberal and Nationals members must enjoy tucking into a dinner of dollar coins, because I cannot see any other logical reason why they continue to fight to destroy our natural resources and environment.

I move on to talk about one specific park that is mentioned in the bill, the Arthurs Seat State Park, which is one of three parks, along with Point Nepean National Park and Mount Buffalo National Park, which will be allowed to have a 50-year lease rather than a 21-year lease. The Greens are not particularly happy about that. I want to bring one particular issue to the government's attention in the context of this bill. The state government signed the 50-year lease agreement with Arthurs Seat Skylift in July this year, but the group Save Our Seat has consistently voiced the concerns of the community about the skylift proposal. My colleague Sue Pennicuik, a member for Southern Metropolitan Region in the other place, raised this matter earlier in the year.

I urge the minister to revisit some of the issues that have been raised by Save Our Seat, particularly in relation to heritage, amenity and access, as well as the environmental issues relating to the development proposal. However, there are also, especially in the context of this week, some real concerns in relation to bushfire risk in the development of Arthurs Seat. I hope the minister will revisit those issues.

Mount Buffalo, Point Nepean and Arthurs Seat are exempted from the 21-year lease maximum and have been allowed 50-year leases. These leases really need to be granted with the utmost care. They need to have really strict conditions put on them, because these areas are sensitive and have significant environmental values, which is why they are national parks. I urge the minister to do everything in her power to ensure that these areas are just as protected as any other area. We have a particular concern about the development at Arthurs Seat. It really should be a privilege not a right for developers to develop in our national parks, and so we should be doing everything to make sure that they are ecologically sustainable. I will be contacting the minister about the specific issues regarding Arthur Seat.

In conclusion I hope the government continues to be proactive and strong in its support for the environmental protection of our national parks. One issue I would like to see the government take up is the issue of logging in the Central Highlands and East Gippsland. That issue is something the Greens and community organisations have been fighting for for over 10 years, and it is one of the reasons I started to become active in my local community. I hope the government will announce that it supports the Great Forest National Park in order to protect one of the most wonderful areas in Victoria, which is about to be lost to us forever, as is one of our most important species, our fauna emblem, the Leadbeater's possum.

Ms Ryan — It is bushfires, not logging.

Ms SANDELL — The member for Euroa says, 'It is bushfires, not logging'. I think she needs to read the latest science from the Australian National University, which shows that logging increases the risk of bushfires in those areas and directly contributes to the engagement with and the possible extinction of the Leadbeater's possum. I suggest the member for Euroa should do some scientific research before she makes comments like that again.

Creating the Great Forest National Park is just a no-brainer. It will bring money and tourism to the area and will protect our environment.

Mr Nardella — Oh, yeah. Oh, yeah.

Ms SANDELL — The member for Melton interjects, 'Oh, yeah. Oh, yeah' as if it is not a big deal. It is actually a massive deal. We are losing money in this state because of logging. If the member for Melton is happy to have that on his government's head — that we are actually losing money from logging, losing species and losing the carbon and water value of those forests — then I would be quite disappointed if someone in the Labor government does not realise what a no-brainer the Great Forest National Park is. It does not stack up economically to log this area, and it does not stack up ethically. I hope the government realises that. I will be right up there supporting the government when it creates the Great Forest National Park, which is something we have called for for ages.

We look forward to working with the Andrews government on any other legislation it wants to bring forward to protect national parks, in particular the Great Forest National Park. I am very glad it has brought this piece of legislation to the house, and I will be very happy to vote for it.

Ms GRALEY (Narre Warren South) — I am very glad to hear that the Greens political party will be supporting us in what was an election commitment to bring the National Parks Amendment (No 99 Year Leases) Bill 2015 before the house. Having dinner with my children one night around Father's Day, as I suspect many people in this house did — —

An honourable member interjected.

Ms GRALEY — Oh, yes. It was down on the Mornington Peninsula. It was a lovely venue.

We got to talking about what wonderful memories we have of our holidays. My children are intrepid travellers; they are very inquisitive travellers and have travelled all around the world. Of all the places they have been, they talked about the many wonderful times they had at Wilsons Promontory. They reminisced about the animals, the landscape, running around Squeaky Beach and enjoying the clean beautiful surf of Wilsons Prom. I was reminded that on one occasion when we were down there for an extended period during a holiday break, we were dragged out of our caravan and tents and taken down to the community square at the Wilsons Promontory National Park to join the Hands Off the Prom campaign.

That was an important campaign, and if we want to talk about extinct animals in this house, one group of persons who felt the threat of extinction from that campaign was certainly the Kennett government. During that time, through the Hands Off the Prom campaign, the Kennett government was sent a very loud and strong message that people wanted their national parks for the people. They should be there for everybody to go to. That message was replicated during the Baillieu years regarding Point Nepean, a place I admit I frequently go to. For many years I have been involved in campaigning for coalition governments to keep their mitts off the Point Nepean facility and its grounds. I stood there with the late Joan Kirner and her friend Kate Baillieu, who were sending a very strong message to the former coalition government that people did not like what the coalition was planning to do at Point Nepean. The people did not like what that government was doing, just as over a decade before the people got the Kennett government to keep its hands off Wilsons Prom.

The reason most people do not want high-level, high-scale development in our parks is because most people could not afford to use it. It is my very strong personal view that most people like their national parks just the way they are. They want to see government spending money on looking after the tracks and making

sure that the camping grounds are clean, well drained and fit for purpose. They want to make sure there are plenty of parking spaces and a minimum of services are available so that people can get out there and do what they should be able to do in national parks — that is, enjoy the great outdoors. People go there to walk, surf, build sand castles and look at animals. They want to do all those things that are instinctively what human beings want to do when they share experiences with their families. So when the previous government brought a bill to the house talking about 99-year leases a lot of people were very upset, and some of them included the now opposition's natural small business constituents.

If I go down to Wilsons Promontory, I am very happy to stop off at the Fish Creek Gallery and have a Devonshire tea. I am very happy to go to the Koonwarra store and have a glass of wine on the deck. If I go down to Point Nepean and want to have a spa, I will have one at Endota Spa in Red Hill. If I want to have a drink, I will go to the Sorrento Hotel. I do not need to do those things at Point Nepean and Wilsons Promontory. I am quite willing to support the people who own those small businesses.

For the record I will read from comments of the then shadow minister, now Minister for Environment, Climate Change and Water, when she was debating the previous bill. She mentioned Judith Muir, who is a good friend of people over there, as she is of mine. Judith is an ecotour operator for Polperro Dolphin Swims in Blairgowrie, an excellent company which has won lots of tourism awards and brings lots of people to the peninsula because it is a great day out. Judith has recently been awarded an Order of Australia medal for her work. The then shadow minister said:

Private development in our national parks will take dollars away from established businesses in local townships and curtail access to what is otherwise public land, either because of infrastructure impositions or cost of usage. The sense of place — that is, what people are so drawn towards —

because it is a special place to go to; it is not what they get at Sorrento, it is not what they get at Foster; it is what they get at Wilsons Promontory and Point Nepean —

will disappear and public access will diminish. I strongly oppose private development in our national parks.

There are many other things.

I note the minister is sitting at the table. I congratulate her for quickly bringing on this bill and acquitting another of our election promises. In her speech on the previous bill the then shadow minister said:

We have always strongly supported building regional and nature-based tourism, but there was one important caveat at the time we sent the recommendation off to VCEC for it to have a look at growing nature-based and regional tourism further. It was that recommendations should not compromise the primary management objective of our national parks, which is the preservation and protection of our natural environment. Given there are regional towns close to many of Victoria's national parks ... and given the large amount of private land that surrounds our national parks, there is no need for this sort of development in those parks.

This is exactly what the bill before us is trying to do. It is trying to make sure that our national parks are protected but also that the people who have good businesses, many of them based on preserving the natural landscape and the biodiversity of the environment in their localities are protected. People do not just come down to Foster to go shopping. They stop off at Foster, they get their goodies and then they fill up their car and go down to the Prom. They are complementary uses. However, if Wilsons Promontory is somehow degraded or overdeveloped — God forbid — Foster will not be an attractive place to go to either. So it is very important that this bill is now before the house.

I must admit that when I was doing some research I could not have said it better than the following group of eminent Victorians. Those opposite should really listen to what this group of eminent Victorians and star Australians had to say about their bill:

Until now our national parks have been securely protected under state legislation —

Labor governments secured them —

having been created after thorough scientific assessment and extensive comparative studies.

Why then is it now proposed to introduce uses into our parks that are inimical to the very reason for establishing them? National parks have *not* been set aside for grazing by cattle, logging, prospecting, hunting or commercial development. These activities, to be permitted in national parks in several states, are incompatible with the fundamental reasons for creating them — protecting our natural and cultural heritage. Such uses compromise and diminish the reasons for visiting national parks — to enjoy the beauty of natural landscapes and to relax in natural settings removed from the complexities and stresses of modern living.

This bill is about preserving our national parks. This is a significant piece of legislation not just for all of us but also, as other speakers have said, for future generations. So when my children are sitting around on Father's Day and talking about their experience of being with Grandma and Grandpa at the national park, they will be able to tell of the good times and also continue to share the fabulous experiences that people have by just going down to the Prom, pitching a tent and enjoying the

company of people who love the environment, or going down to Point Nepean and walking around admiring the significant cultural structures there and also taking in those magnificent views for all Victorians.

Mr R. SMITH (Warrandyte) — It is a pleasure to rise to speak on the National Parks Amendment (No 99 Year Leases) Bill 2015. I will say at the outset that this is a piece of legislation not a press release. To have the ridiculous words in brackets ‘No 99 Year Leases’ just shows how ideologically driven this government is. It is a piece of legislation, for goodness sake! It is not a press release.

Having said that, it is always interesting to listen to those opposite, who are clearly not in possession of the facts. Let me talk about a couple of facts. When I hear members opposite talk about cuts to national parks and funding, a base review was called for by the former Labor Treasurer, John Lenders. It landed on my desk when I first put my feet under it as the previous Minister for Environment and Climate Change. The review said that if Parks Victoria continued to operate as it was under the Labor government, Parks Victoria and its agencies would be \$178 million in debt. That is the start. That is Labor’s legacy of national park management — putting the parks in debt.

The other fact that should be put on the table is that my department came to me and said, ‘Former environment minister Gavin Jennings left a few things in the too hard basket — Mount Buffalo, Point Nepean, Arthur’s Seat. We’re really going to have to do something about these because they are costing us a fortune to maintain. We are not doing anything with them, no-one is visiting them and the former minister just has done nothing with them’. That is so damning of those opposite. They get up and they talk about four years of coalition government and how nothing got done, blah blah blah. The fact of the matter is the too hard basket in the previous environment minister’s office was pretty full when I walked into the place.

The next fact that I will put on the table is the report by the Victorian Competition and Efficiency Commission, which again was asked for by former Treasurer John Lenders. That commission report made a number of recommendations. These are recommendations that the independent body wrote at the behest of former Labor Treasurer John Lenders. The inquiry found that under the former government the former Department of Sustainability and the Environment failed to appreciate the potential benefits and investment proposals and instead focused on identifying and managing risks to the environment. The report also highlighted that the short maximum lease durations for leases on public

land and public infrastructure were a barrier to investment. The recommendation made to the Victorian government was that the maximum duration of leases should be increased. That report was asked for by the previous Labor government. Once again it landed on the coalition government’s desk when we came to office, and we acted on it.

A previous speaker spoke about the Victorian Labor government being progressive. Let us look at that. When it comes to policies for private development in national parks and other jurisdictions, let us look at who allows it, because I am sure we are not the only state that is so far behind as to not have this policy. Does New South Wales allow private development in national parks? The answer is yes. Do Queensland, Western Australia, Tasmania, South Australia, and the Northern Territory allow private development in national parks? The answer is yes. Collectively most of the states in the country allow private development in national parks, but the progressive Labor government in Victoria is putting the kibosh on doing anything in that regard.

What about maximum lease lengths? Let us have a talk about that. Are we progressive in that regard? In New South Wales there is no maximum. In New Zealand — not Australia but similar in many ways — there is no maximum. In South Australia there is no maximum. Parks Australia, including the Northern Territory, has no maximum. In Queensland it is 60 years; Western Australia has the intention to introduce 99-year leases; and in Tasmania it is 99 years. Again we see that Victoria is far behind the rest of the country in so many ways, and this bill will mean that we will be further behind those other states and we will lose tourism dollars and commercial investment dollars to those other states as a matter of course. This is why when we have a government that is driven purely by ideology, we get poor outcomes for the economy, poor outcomes for the state and poor outcomes for business.

I put on the record some of the issues around Point Nepean. Those opposite have talked about the fact that ‘the community’ — and I put the word in quotes — was appalled by this decision by the former coalition government to develop Point Nepean. For a start, the constituents of that electorate were so incensed with the coalition’s view that they voted in a Liberal member.

I also have a letter to the minister that was written on behalf of the Nepean Ratepayers Association, the Nepean Historical Society and the Nepean Conservation Group. The group says that the current minister needs to be mindful of the extensive history of

community involvement. The letter states that the collective of those groups:

... is strongly of the view that its journey is on the right path and we hold high hopes that the company's directors —

meaning those who put forward the proposal for the development at Point Nepean —

can turn the idea into a reality in the foreseeable future, as the benefits to community of the southern Mornington Peninsula — and therefore Victoria — through jobs, education and tourism are substantial.

I am not really sure which community was incensed with the proposed development. I think it was members of the Labor Party and perhaps some people in inner city seats. Clearly a large number of people in the community wanted to see that development go forward.

I might add that when I announced the proposal for Point Nepean, I remember vividly a Parks Victoria employee coming up to me beaming and saying, 'At last someone is doing something down here, because it has been left for so long. No-one ever comes here. The quarantine station area is degraded. No-one comes here. At last this will give people a reason to come down'.

The proposed development included a Boon Wurrung Indigenous cultural tour and interpretative centre. The Boon Wurrung people were very happy about the proposed development; they thought it was absolutely fantastic and that it would give them an opportunity to showcase their history. I am pretty sure that the Boon Wurrung were not consulted when the proposal was knocked on its head, although I hasten to add that in knocking it on the head the Victorian taxpayer paid \$1 million to break that lease — \$1 million of compensation payable. That is typical of the Labor government and just unbelievable.

The proposal to build a museum at Point Nepean would have given people a place to learn about Point Nepean's role in quarantine, defence, immigration and shipwreck history, all in one location. The University of Melbourne was going to curate cultural exhibitions related to specific aspects of the quarantine building. There was going to be a defence history interpretative centre, which would have given people the opportunity to wander through the network of fortifications and discover that important chapter of Point Nepean's defence history. There were going to be opportunities to display sculptures by Australian artists and opportunities to create a coast and climate centre down there, for which the federal Minister for the Environment, Greg Hunt, has been campaigning for a long time. Not only was there going to be space for that, but the Victorian coalition government had put

money towards that project. I have a letter from the vice-chancellor of Melbourne University, Glyn Davis, congratulating the former government on its distinguished contribution in this area and noting the former government's important contribution to the exciting new centre.

Several groups were interested in the development, and there was certainly an opportunity for something to happen at Point Nepean that previously had not happened. On most occasions Point Nepean National Park is like a ghost town. It costs the Victorian taxpayer something of the order of \$500 000 to \$700 000 a year to maintain the buildings, which are in a terrible state. Even at that cost, the state cannot manage to keep them in a good condition. For members of the Labor government to do nothing with the area and ignore this exciting proposal is damning for them. I cannot believe that this opportunity has been thrown away in the manner that it has been.

However, I have to say that the minister did have some support for the plan, but she did not want any of the revenue-raising parts of the plan to be put into place. Believe it or not — and this just shows how little members of the government know about business — she wanted the proponents to pay for all the community spaces out of generosity. She wanted all of the interpretative centres and the historical areas to be paid for by the developer free of charge. Her plan was for them to just come in, do up all the buildings and pay for it all. How ludicrous to ask the private sector to invest in something with absolutely no return. That was her plan. Is it any wonder that they said no thanks. They took their million dollars and off they went. They took that million dollars from the taxpayer courtesy of the Labor government.

Ms Neville interjected.

Mr R. SMITH — I am not making it up. The fact of the matter is that this ideological proposal, this ideological bill will cut tourism for the state, will cut the jobs for the state and will cut the 400 ongoing jobs for that area, which would have given jobs to young unemployed people. Members of this government talk about wanting to increase jobs, but they stop jobs from being created at every turn possible. This is a short-sighted piece of legislation from a short-sighted minister who is part of a short-sighted government.

Ms WARD (Eltham) — I rise to speak on the National Parks Amendment (No 99 Year Leases) Bill 2015. I must say, firstly, that I am glad to see my regular cheer squad here this afternoon. It is great to see those people here, and I am glad that they can cheer me

on as I speak. If they plan to interject, I hope they return to their seats before doing so.

I am also very happy to see the minister here today, and I commend her for the tremendous work that she has done since the Andrews government was elected. She is bringing forward far-reaching policy based on a wide vision for this state, and I congratulate her on that.

Balance is absolutely right, and that is exactly what this legislation creates. Victoria, and especially Labor governments in Victoria, has always shown real leadership in this area, something the member for Warrandyte may not understand. I draw his attention to the history of his own party and former Premier Rupert Hamer, who was instrumental in creating the green wedges. I hope the member for Warrandyte does not want to see our national parks turned into a replica of the Gold Coast.

This bill is a reflection of all that the Labor Party has done to embrace and protect Victoria's beautiful and unique environment, including our national parks. There is no question that the environment in this state is absolutely unique, absolutely beautiful and well worth preserving and respecting. Along with expanding our national parks in the 1980s and 1990s, it was a Labor government that created the Cape Otway and Point Nepean national parks in 2005. We expanded the river red gum parks and expanded park areas in East Gippsland in 2010, and most recently we again, for the second time, removed cattle grazing from our national parks. National parks are incredibly important to us, and Labor recognises the absolute benefits of these green spaces. It is not put down to a simple dollar sign.

These parks are our inheritance. We are only the custodians of these lands, and we need to ensure their beauty for generations to come. By protecting them, we are protecting an incredible asset and an incredible investment. By protecting them, we are investing in the future of this state, which is something that members of the opposition clearly do not understand. Leases for 99 years are to the advantage of no-one other than big business, which would be the sole beneficiary of this process. Small business was not advantaged by this legislation. Members of the coalition like to portray themselves as the champions of small business, but obviously they have missed this fundamental point. In fact in the last two years not one business has taken up this 99-year lease.

Those opposite do not understand the soft economic advantages of open spaces, undeveloped spaces and green spaces. They do not understand that economics go beyond the profits big business makes. The profits

we can make out of our national parks go toward small business. They go to the townships around those national parks, and they also go to the health and wellbeing of the whole community, whose members are able to engage with and use national parks and benefit from their beauty. It is very disappointing that the Liberal-Nationals coalition sees these parks only as places to make money for developer friends.

I am glad the member for Warrandyte spoke about Point Nepean National Park. Only two weeks ago we were down on the Mornington Peninsula and friends of ours went for a wander through Point Nepean. They could not believe the beauty of it. They were gobsmacked at how beautiful and restful and gorgeous the space was. They absolutely enjoyed the serenity of this space, and they could not imagine that you would want to turn it into a luxury hot springs resort. I will read out a few quotes from an *Age* article of last year:

A lease for a new luxury hot springs resort in the Point Nepean National Park has been quietly rushed through by the government in its final days before it entered caretaker mode.

Why did the coalition rush it through? Because it was a dodgy deal. The article says:

The developer's vision to turn the site into a 'health and wellness retreat' comprising hot springs, a spa, a restaurant, a 108-room hotel, a conference centre, and a 'wellbeing' centre ...

The wellbeing centre was the focus of this deal. The article continues:

And the door has been left open to extending the lease beyond 50 years if the Point Leisure Group meets its \$40-million plus works time line within the first 20 years of the lease ...

This was a massive development in a beautiful part of this state that was going to be for the profit of a few and not be for the benefit of the whole state — and it is a disgrace that those opposite thought it would be.

I also to draw the house back in time a little to the Twelve Apostles, to Port Campbell and to the grandiose plans former Premier Jeff Kennett had to desecrate that site, which is another beautiful and pristine site. My family and I have camped down at Port Campbell many times and enjoyed the very quiet beauty of that place. There are townships along the Great Ocean Road that benefit from that kind of ecotourism where people go to walk, spend quiet time with their family and visit small businesses where they purchase things, buy clothes and have food with their coffee. To go to a massive development in that national park would be an absolute disgrace.

I cannot believe that despite that proposal having been rejected nearly 20 years ago the coalition still thinks that massive development in our national parks is the way to go and still thinks that it is good policy. It wanted to build a centre about 300 metres from the clifftop overlooking the Twelve Apostles on the Great Ocean Road. That was absolutely disgraceful, and I am glad it never came into existence.

I would also like to talk about Wilsons Promontory and former Premier Jeff Kennett's grandiose plans to also take over that national park. I have camped in that national park many times. I have had my tent trampled by wombats, I have enjoyed the surf and I have had great experiences down there. It is a beautiful part of Victoria. It is absolutely incredible, and it is incredibly significant. To think that a government could come in and sell off a 99-year lease of that land to allow a big developer to come in and put in some massive hotel and conference centre is just crazy. There are plenty of other places around our state where that kind of facility can be built. That sort of development should not take place in the midst of something that is just absolutely beautiful and gives so many benefits to the community that go beyond just a couple of bucks in a developer's back pocket. It is absolutely disappointing that the coalition government did not understand that when it put in place its agreement on Point Nepean National Park.

Just before I came into the chamber I met with a delegation from China. The members of the delegation, among many other things, spoke about their absolute joy in seeing how beautiful our state is — the beautiful open spaces and the very clear, blue skies we have here. We have the spaces here because we have cared so strongly for our environment and because we have had Labor governments that have come in and put in place legislation to protect our environment. This year we are putting in legislation to protect our green wedges to make sure that they cannot be touched. We are doing the same with our national parks. Restricting these leases to 21 years is exactly what is needed in this state.

Small businesses do not benefit from 99-year leases; they do not have the capability of getting the money together to create the infrastructure that would be needed to justify such a long lease. The fact that the coalition is so focused on its big developer mates and what they can do to national parks is immensely disappointing. It fails to see the big advantages that can be had from having these green, pristine spaces. It shows how short-sighted the coalition parties are as political parties and how their members cannot see — to coin a really bad pun — the wood for the trees. They absolutely cannot.

They are incapable of seeing the big picture, and we have seen that throughout this week, when coalition members have not focused on the big picture, have not focused on policy and have not focused on the direction of this state but have sent themselves into tizzes and circles of God knows what as they just carry on about nothing instead of talking about the things that are incredibly important to this state.

These green spaces — these national parks — are absolutely vital to the state, of which they make up a significant section. I commend this bill to the house.

Mr DIXON (Nepean) — It is a pleasure to speak on this bill this afternoon. Obviously I want to talk a little bit about Arthurs Seat and Point Nepean, but in a general sense I would like to say that we have to have a more moderate debate about this issue. Anyone who is opposed to any sort of private development in national parks — which is usually the Labor Party, the Greens and the Victorian National Parks Association (VNPA) — goes to the extreme example every single time.

They talk about 50-storey, multistorey developments in pristine national parks and on beaches. They go to the absolute extremes — none of which has ever been planned — and say this is what could happen. That is always the case, and it is a whole lot of scaremongering that gives the worst possible example which then frightens everyone else. They say the worst example is the only thing that is ever going to happen when any private money is put into a national park, which is just wrong.

We need to have a reasonable debate. Let us look at every individual national park, at its topography, its geography, its visitation and where is it actually placed. We need to ask whether there are sections of it — for example, at Point Nepean — that the white man has already trampled over for 150 years. That is very different from a pristine coastline like the example of Wilsons Promontory. Labor members seem to think they are the only ones who go camping and hiking in national parks, but members on this side do that too — and I do that often. The member for Rowville and I are great campers and hikers around national parks. We respect the parks, so people should not always use extreme examples.

We need to look at each individual case and see what is the best case scenario. How do we best enhance the visitor experience at one national park compared to another national park? How do we open up a national park a bit more so that people with disabilities or those who want to stay a few days in relative luxury will

come, because they may not go to a national park if the sort of accommodation they want is not provided. Just because they are going to pay \$200 a night compared to \$30 a night does not mean they are going to wreck the place. They are not environmental vandals, and in fact they are prepared to pay money that goes into and helps with the further upkeep of the national park they are visiting, which enables it to be sustainable.

These people who look at the extreme examples are more interested in locking people out of national parks than in opening up the parks. They think they are opening them up, but actually they are not. A whole range of people will not go into national parks when this sort of attitude prevails, so let us have a reasonable debate about this. It is horses for courses. Every national park is very different, and we need to look at them individually on a whole range of criteria.

I would like to say a few words about Arthurs Seat, which is in my electorate. I commend the government on its bipartisan approach to the development there of the new chairlift. The old chairlift had to be replaced, and one of Labor's final acts last time it was in government was to ask for expressions of interest for a redevelopment of the chairlift. Through the work of the member for Warrandyte as a former environment minister, through my work, and through the work of a whole range of other people, we have come up with a great proposal.

An all-weather gondola will be installed that will run slightly longer over the summit road and in fact will be less obtrusive than the old chairlift, because the top station will be up and over the top of the hill and will not be visible from the bay. This is a really good example because it means people with disabilities and people who happen to be touring in winter can still go down there. It means parents with children in prams can use the chairlift and admire the beauty of the state park.

Granting a 50-year lease with private money is opening up a park for more people to use, enjoy and appreciate. What is wrong with that? It is a reasonable and bipartisan approach to a park in which that is a reasonable thing to do. Of course you would not put that sort of gondola through a pristine beach down at Wilsons Promontory, which is what the Labor Party, the Greens and the VNPA say is going to happen. No, it is horses for courses.

The Arthurs Seat Skylift is going to be a wonderful development for that area and will provide jobs, bring even more tourists down to the area and enhance our local economy. The Minister for Tourism and Major Events is here, and I note that tourism is worth more

than \$1 billion a year to my electorate and is my electorate's no 1 source of employment. The facility will enhance and expand the products that we offer on the Mornington Peninsula. I think work on it has started this week, and hopefully it will be operating by Christmas 2016.

Point Nepean National Park has been the subject of a long saga. A range of master plans have been put forward by various owners and controllers of the national park, from the federal government to the previous Labor government and on to the development proposed when we were in government, which has now been tossed out. This government is going back to the previous master plan, which it wants to upgrade.

When you look at and compare all of those master plans, you realise that they are essentially the same. Every one of them recognises it is a unique area that has a significant history. It has beautiful environmental attributes, a very deep and rich Koori history, a deep and rich white history, and a military history that includes a quarantine and the army. Even Harold Holt is part of its history. You have got to have a development that encompasses all those issues and will open up a number of offerings to a range of people. All of the master plans have eventually said that is what is needed down there.

Millions of dollars are needed down there. It is all very well for the member for Eltham to say, 'We don't want this outrageous spa development', but did she really look at the plan? It was going to use the existing buildings for goodness sake! Of course we were going to knock down the 1960s and 1970s lean-tos, but it was going to use the existing buildings. I think there was one case where an existing building was going to be knocked down, but the brand-new building that was going to be erected had to be in the same footprint — the same height and the same ground. What is wrong with that? It would be a better looking building that would replace a building that is there now. That would not be an exorbitant rich people's play area that would line people's pockets.

You have got to look at this dispassionately and look at the reality. I know it. I have walked it. I have been in every single one of those buildings on numerous occasions. I know what it looks like, and a reasonable development down there is not cheap, because there are a range of buildings and we want a range of people to visit that place for a range of uses. The maintenance down there is horrific and constant maintenance has to be done. If the government is not going to pour money into that place just for the maintenance, the place will just fall down and will not be used.

Point Nepean has not been used. The Labor Party, the Greens and the VNPA talk about locking people out. For goodness sake, there are very few people down there. When you have a range of uses and a range of accommodation — you have Aboriginal museums, you have education, you have a water play area, you have a cafe and you have a wedding reception centre, which are all using existing buildings — a whole range of people who have never been there before will come down and use it. What is wrong with that? Yes, it will cost money. If the state government is not going to put the money in, what is wrong with a private developer doing it? In the end the people of Victoria will have a brand-new asset to use, and the state government will not have to pay the millions of dollars required each year just for upkeep.

I know what the Greens and the Labor Party want: they want those buildings to be frozen in time and for people to walk around and look at them. That is pretty boring. That might suit a few people. We need to use the buildings. We need to open up Point Nepean to a whole range of people, and at least the 50-year lease option for Point Nepean that is in this bill will provide an opportunity for that sort of investment.

I go back to where I started from: we need this debate. This issue needs to be looked at reasonably. It is about horses for courses. It is about rational development and development that is going to enhance the product and enhance the beautiful built and natural environment here in Victoria.

Mr PEARSON (Essendon) — I am delighted to rise and make a brief contribution to the debate on the National Parks Amendment (No 99 Year Leases) Bill 2015. I have been listening with interest to the contributions from those opposite. At its nub this bill is seeking to stop large-scale development in national parks. We are not saying we are against development in national parks; we are just saying no to large-scale developments. Why would you need a large-scale development and why would you need a long-term lease? A large-scale development by its definition means that you are using a significant amount of capital.

You would assume that any large-scale development would involve millions of dollars of investment, rather than hundreds of thousands, for example. Therefore if you were investing, say, \$10 million as opposed to \$100 000, you would need a long-term lease in order to repay that debt to the banks or equity participants. A large-scale development tends to mean millions of dollars being invested, which therefore means you need a long-term lease. We are not saying with this bill that

you cannot have any form of development; we are just saying we do not want you potentially investing tens of millions of dollars into these sorts of facilities. We want a more modest investment, which is fair and reasonable.

The reality is that you can have a reasonable level of investment under a short-term lease. I remember that when Alan Stockdale was Treasurer of Victoria there was a small area of land owned by the port of Melbourne, and he sold that off in about 1995 for a 30-year lease to Pier 35. Pier 35 is still in operation today. It is a marina restaurant and bar. It is quite a nice place. The kids can have a bit of a run around watching the cargo ships come in and out. It is a different experience. That was a significant development, and the banks agreed to fund it over a 30-year lease. The point I am trying to make is that you can have a level of investment and still get an acceptable rate of return, even though your lease might be more like 21 years rather than 99 years.

The other point to make in relation to this bill is that prior to the actions of the former government in allowing long-term leases, we had a spirit of bipartisanship in relation to parks and gardens in this state. This was a welcome situation because we are, as a city and a state, going through an extraordinary level of expansion and population growth. I have been on the record many times saying that I am in strong favour of this. Population growth has been one of the great success stories of this state in the last 15 years, and long may it continue. Population growth will drive greater levels of investment along with economic growth and activity — and therefore greater prosperity for all Victorians. That should be a welcome thing, but we need to make sure we try to have a reasonable level of amenity in our environment to sustain that level of growth.

If you look at, for example, a city like New York City or a state like New York State, there has been an explosion of population growth in those areas over the last couple of hundred years. Robert Moses established the Long Island State Park Commission under Al Smith's governorship of New York State in 1924, and he created the Jones Beach State Park. These sorts of strategic investments made early on when a city or a state is going through a rapid rate of population growth are invaluable. You need to make sure you preserve that level of open space in that environment for future and successive generations to offset what will inevitably be a level of crowding and increased density.

We have had that spirit of bipartisanship in Victoria until more recent times. There has been a common

view that we need to protect the city's lungs and that we need to make sure we have a reasonable amount of public open space, both on the city fringes and also in regional Victoria. One of our concerns about the actions of the former government in allowing 99-year leases is that these leases are de facto freehold. Let us be honest: which bank is not going to lend me \$10 million if I have a 99-year lease, provided I have sufficient capacity to repay that? Of course that is going to happen. But the reality is that over the course of that leasehold it is inevitable that that lease will be rolled over and it will become a de facto freehold. The risk then becomes that you see a dilution of the ownership of land held by the people of Victoria, and it is to their detriment. That is a real, fundamental problem.

The reality is that you can still have investment in national parks in this state; it just has to be on a more modest, smaller scale. It has to be of a size where you can get a sufficient rate of return over up to 21 years, where you can make sure that the equity participants in your enterprise can get a return on their investment and that your financial lenders can get their original capital repaid. That will mean smaller scale developments, which over the course of time may well be replaced. It may well be a case of saying, 'That dilapidated milk bar was built in the 1980s and looks tacky and awful. Well, the lease is coming up for that and we're going to take it back and put that space to better use for the needs of the community today'.

The fundamental notion of the bill is really about economic stewardship. These are fantastic public resources that are held by the state of Victoria, by the people of Victoria — this generation and successive generations. It is about making sure that while we have some degree of development it is sensible, measured and reasoned, that it is not rapacious and not in perpetuity, because frankly a 99-year lease is in perpetuity.

The reality is you are not going to invest \$1 million in capital for a 50-year lease. If you have a 50-year lease, like the one we will see at Arthurs Seat — and I am quite happy that we are recognising the fact that there are mature investments on public land that need to be replenished because the capital stock is worn; that is fair and reasonable — you are not going to invest \$1 million, because that would be sheer and utter laziness. You would say, 'I've got a 50-year lease. I will have mature cash flows once the construction has been completed, I have my marketing and advertising in place and word of mouth has spread. Basically, I'm out of dough for the first 5 years, 8 years or 10 years, but then it's all cream'. By the nature of the investment you will be investing millions of dollars rather than

hundreds of thousands of dollars, and therefore you are going to have a much larger scale development that will have a far more profound impact on those public assets.

It is about making sure that we get the balance right and do what we think is fair and appropriate. Those opposite have been critical of the legislation, suggesting that it is some grand conspiracy between Labor, the Greens and the Victorian National Parks Association, which it is not. Those on this side of the house want to protect these assets for the long-term benefit of the people of Victoria. It is about trying to find that sensible balance which allows investors and financial institutions to make an investment and to get an adequate return on it and ensures that the developments that occur on these sites are modest and within the expectations of the people of Victoria. It is a sensible, rational and fair bill. I hope that once it is passed we can return to the spirit of bipartisanship which has been the hallmark of debate on this issue.

Ms ASHER (Brighton) — I too wish to make some comments on the National Parks Amendment (No 99 Year Leases) Bill 2015. One of the characteristics of this debate I have observed so far is that a lot of newer members on the government side have spoken on this bill, and many of them are not aware of the history of tourism investment in national parks and in parks generally and the role that the ALP has played in that over many years. I want to put this bill in its context.

In June 2007 the previous Labor government issued a document called *Victoria's Nature-based Tourism Strategy Draft Plan 2007–2011*. The desire of the previous Labor government, and indeed of the previous Labor tourism minister, was to increase what is known as nature-based tourism. That document outlines Victoria's short lease and licence terms compared with other jurisdictions as a major impediment to tourism investment. Specifically, the document addresses Victoria's leading position in relation to national parks. The document had broad bipartisan support, I might add.

We move on to September 2008, when the final report — *Victoria's Nature-Based Tourism Strategy 2008–2012* — was released, and again the Labor government's aim at that time was to boost visitation, especially international visitation, through nature-based tourism. We then move forward to May 2009, when Labor introduced a bill called the Crown Land Acts Amendment (Lease and Licence Terms) Bill 2009. The bill addressed leases on public land under the Crown Land (Reserves) Act 1978 and the Forests Act 1958. The leases were then 21 years, and in that 2009 bill Labor moved to extend those leases to 65 years. The

bill also introduced a new system of licences for tourism operators, and the theme of the second-reading speech by then Minister Cameron was that 21-year lease terms were inadequate.

This is what the Labor Party was saying in May 2009 — and the speech starts at page 1322 of the Assembly *Hansard*, volume 484:

... private investment in public land results in significant economic and social benefits for the whole of the Victorian community.

However, there exists a major barrier to attracting further private sector interest in public land — this being the length of lease term available to investors ... Currently, the Victorian government is limited to offering leases of up to 21 years over land managed under the Crown Land (Reserves) Act 1978 and Forests Act 1958.

Mr Cameron went on to say — and this is the clincher:

A maximum lease term of this length —

that is, 21 years —

is often not long enough to allow the operator to recover the level of capital invested or generate a significant return on their investment.

This acts as a disincentive to the private sector and places Victoria at a competitive disadvantage in attracting major tourism and commercial developments on public land.

The minister went on to say:

To enable Victoria to compete with other jurisdictions and attract major commercial and tourism developments, we need to be able to offer a lease term that is commensurate with the type of development proposed.

I put to the Labor Party that the reasons articulated by the Labor government in 2009 are completely different to the reasons articulated for introducing the bill before the house today.

I move on to September 2010. The Victorian Competition and Efficiency Commission (VCEC) was asked by Treasurer Lenders in the dying days of the Labor government to look at impediments to investment and tourism. VCEC was briefed with a responsibility to see what could be done to boost tourism, a very important industry in this state. One recommendation from that was that private investment should be allowed in national parks.

I move forward to August 2012. The coalition government had of course then been elected. It inherited the VCEC inquiry, and it announced its response to the inquiry. We said we would have these longer lease terms in national parks to facilitate tourism developments.

In May 2013 the National Parks Amendment (Leasing Powers and Other Matters) Bill 2013 was second read by the Minister for Environment and Climate Change, the member for Warrandyte. It introduced the 99-year leases into national parks under very limited circumstances. One-third of national parks were completely and utterly excluded from development — those being wilderness parks, wilderness zones, remote and natural areas, reference areas and designated water supply catchment areas. It is very important to reflect on the reasons that was done. It is being unravelled by this bill.

Victoria was the last state to introduce long-term leases, and the member for Warrandyte has already gone through the detail of that. Most importantly, for the newer members of Parliament, the long-term leases in national parks were strongly supported by the federal Labor government. In fact I recall sitting at meetings of ministers for tourism, where the then federal Labor tourism minister Martin Ferguson used to berate Victoria for lagging behind on long-term leasing of national parks. Basically this was completely driven by the federal Labor government at an overall national level.

Most importantly, long-term lease proposals in national parks had very strong support from the tourism industry, because the key argument in this is yield. I know many people have touched on tourism, but I do not think some of those who have touched on it understand the nature of yield. In essence 8 per cent of domestic visitors visit national parks or state parks and 46 per cent of international visitors visit national parks or state parks. The problem with the Chinese, which has been mentioned in this debate, is that only 3.5 per cent of Chinese tourists — and they are our biggest international market — stay in regional Victoria. They travel to the national parks in a day and return to Melbourne and stay in Melbourne hotels. Basically the tourism benefits are being confined to Melbourne and not being spread to regional Victoria. One of the big motivators for the Labor Party previously supporting long-term leases at a state and a commonwealth level, and one of the reasons the coalition government supported long-term leases, was to spread the yield, the benefits of tourism, into regional areas.

I also make the point that the tourism industry regards this bill as incredibly short-sighted. I refer to a press release from the Victoria Tourism Industry Council (VTIC), the peak body for tourism, issued on 17 September. It states:

The Victoria Tourism Industry Council ... is disappointed that the state government is acting to remove the ability of the

state to grant 99-year leases in Victoria's national parks, saying it will discourage much-needed tourism investment.

'Reducing the maximum lease period in national parks from 99 to 21 years will discourage appropriate investment by the tourism industry and limit the development of the significant projects that Victoria needs to broaden access to our wonderful park experiences', said VTIC chief executive Dianne Smith —

whom I note the government has now employed. The press release went on to report her as saying:

Many competitor destinations such as Canada, New Zealand and Tasmania have been successful in achieving development that is sensitive to the local environment in partnership with the private sector, with strict controls on use and impact to foster sustainable tourism growth ...

However, reducing maximum lease terms to anything less than 50 years will stifle development as industry will walk away from investing in Victoria.

As other members have said, the opposition will not be opposing this bill. However, I would hope this government would set up a monitoring mechanism to see whether confining the lease to 21 years will have a negative impact on tourism development, because previously, in 2009, the Labor Party believed that a 21-year lease was insufficient to support private sector development and moved for much longer leases, not in national parks but on other sensitive government land. I understand the politics of this and what it is doing for Greens preferences, but I urge the Labor government to look at this from an economic perspective and rationally in the future.

Ms EDWARDS (Bendigo West) — I thank the member for Brighton for her very long history lesson. It just goes to show how long she has been in this place. I am very pleased to speak on the National Parks Amendment (No 99 Year Leases) Bill 2015. What I would like to add is that the member for Brighton failed to mention that the Labor Party did not introduce 99-year leases; it was in fact the former coalition government that legislated amendments that raised the maximum term for leases in national parks to 99 years, and Labor did not support those amendments.

In 2014 Labor made an election commitment — and I am pleased to let the house know that the government is fulfilling another Labor election commitment — to not allow large-scale private developments in our national parks and to remove the government's ability to grant 99-leases. I should add that since the former government introduced the 99-year leases, not one has been taken up.

There is a lot to be said about our national parks. We have 32 national parks in Victoria. We do not have a

big landmass area, but we need to protect the parks that we have, for a number of reasons. One of those reasons, which has not been mentioned by anyone today but is quite important — it is a little bit separate from what other members have mentioned in terms of tourism — is the beekeeping industry. There are many beekeepers, including members of my family, who have used national parks for many years — generations, in fact. They have had sites in national parks where they have taken their bees because of the fantastic opportunities the national parks offer for apiary. I recall my brother, my brother-in-law and my uncles all travelling to the Little Desert National Park and taking truckloads of hives to their sites there over many years. That is because the Little Desert National Park has some of the most amazing stringybarks, yellow gums and red gums in Victoria. One of the best places to get the best pollen and the most beautiful honey is the Little Desert National Park.

Can you imagine some kind of huge development going into the Little Desert National Park and what that would mean for those small business owners who are beekeepers and are making a living from that national park and the beautiful flora that exists there? There is a small business that benefits from our national parks and that would not benefit from overdevelopment. As the member for Essendon mentioned in his contribution, this is not about stifling any kind of development. This is about making sure that it is appropriate development in appropriate places.

I am fortunate to live in Bendigo. Bendigo has a beautiful national park, the Greater Bendigo National Park, part which is the Mount Sugarloaf Nature Conservation Reserve. I live at the base of Mount Sugarloaf, so it is my vista. It is what I look at when I sit on my back verandah. On the other side of the Sugarloaf conservation reserve is the Fosterville gold mine. When I sit on my verandah I can hear the trucks from the Fosterville gold mine, but I can still see the conservation reserve between me and them, and that is important. It is important that we reserve these types of conservation areas because of their beautiful wildlife and magnificent flora. I have seen lots of interesting wildlife on Mount Sugarloaf. I have seen goannas, a koala or two and a lot of snakes. There are many kangaroos there at the moment.

There are a number of reasons why these amendments to the act are important. One of the most important, as I said, is to encourage the right development in the right place. If the right private development with community support comes forward needing longer than the 21-year lease that we are proposing in our amendments, it can be exposed to the rigours of Parliament and legislated

for using site-specific leasing provisions. There is nothing stopping further development, but what we are saying is, 'Let's just bring it back a notch or two. Let's make it 21 years, not 99 years'. Of course the 50 years stays in place.

There are another two important reasons why this is good policy. It protects the natural values of our most beautiful and environmentally precious land, our national parks, and it protects small-business tourism and our regional towns from large resorts that draw tourist dollars away from towns. I would be horrified if any kind of resorts were planned for the Greater Bendigo National Park. Can you imagine that? It is not worth even considering. Bendigo has lots of tourism opportunities without encroaching on our national park for further tourism opportunities. National parks need to be protected because they are the best of our natural heritage. We have stunning landscapes. We have extraordinary wildlife and majestic forests, and we have protected areas because they form the basis of our economic and social wellbeing. National parks attract millions of visitors annually, and they help to protect our unique wildlife by acting as a refuge for threatened species.

Although the primary purpose of national parks is the protection of biodiversity, they also deliver other invaluable economic, social, cultural and health benefits to people. Future generations — our children and their children, and their children after them — deserve the right to see these natural values intact and protected, as we do today. National parks form the cornerstone of biodiversity conservation, and they contain vital habitats that provide safe havens in which animals and plants can survive and thrive. Together with other protected areas, they provide a backbone of core conservation areas that can be linked by conservation efforts across different tenures, supporting a diverse, healthy and resilient environment. A well-connected landscape is essential for the protection of thousands of threatened species, and many of these are in our national parks. In addition to providing protected areas, national parks provide life-sustaining services vital for the wellbeing of our environment and society, such as the protection of our urban water catchments and climate amelioration.

Our national parks also provide a major boost to the economy. Nature-based tourism brings in billions of dollars every year. Regional communities in particular benefit from people visiting our national parks each year through job creation and money being spent on accommodation, fuel and food. As another member mentioned, it is a no-brainer. You have national parks, people visit them and people spend money when they

visit them. My children and I and my late husband spent a lot of time in the Grampians, which is not very far from where I grew up. We spent many holidays camping in the Grampians National Park. I can remember even as a kid going on a school trip to the Grampians for an orienteering expedition. We managed to get lost in the Grampians, but that is a story for another day.

It is very clear that these amendments to the legislation are absolutely necessary, because we want to protect our national parks. We do not want to see overdevelopment in our national parks. We do not want to see them wasted and lost to future generations. We have a very small number of national parks in Victoria compared to the rest of Australia. We need to protect what we have. We need to make sure what we have is looked after for future generations, and I think 99-year leases are absolutely not necessary. A 21-year lease is reasonable. There is the opportunity for people to put forward alternatives if they want to, and Parliament can address those in the future.

Right now, however, given that we are heading into one of the most serious droughts this state has known, it is even more important that we make sure our national parks are protected. We have seen bushfires go through the Grampians. We have seen bushfires go through Cobaw just this week. If we are going to look at development, it is important that all those things be considered. The most important thing is maintaining our wildlife, our flora and our reserves that are in national parks.

We should also give consideration to the Indigenous aspect of many of our national parks and to the heritage of the many Aboriginal clans that have used the national parks and have their culture embedded in them. It is important to protect their heritage as well.

That is why I commend the bill to the house.

Mr KATOS (South Barwon) — I rise this afternoon to make a contribution to the debate on the National Parks Amendment (No 99 Year Leases) Bill 2015. This bill has two components and does two things. It reduces the maximum term of a lease that can be granted from 99 to 21 years, and it reduces the maximum term of a lease that can be granted in respect of specific areas of land in Point Nepean National Park, Mount Buffalo National Park and Arthurs Seat State Park from 99 years to 50 years.

As has been said, the coalition is not opposing the bill, but much of its genesis relates to scaremongering regarding the 99-year leases. There were a lot of

principles and guidelines that needed to be followed. A prime example of some of the Labor Party scaremongering that was going on around this bill is from the former federal member for Corangamite, Darren Cheeseman, who put flyers into Corangamite and the South Barwon electorate showing pictures of Bells Beach with a massive hotel on top of Point Addis — absolute scaremongering, absolute nonsense. In a media release in July 2013, the former federal member stated:

I am concerned that there are plans for a hotel overshadowing Bells Beach, such a location would be prized by the white shoe brigade and with the legislation passed the minister has the power to grant such a lease tomorrow.

I have never been approached about a massive development at Bells Beach as a state member. That is absolute scaremongering and nonsense. The 99-year lease was about appropriate development, not building a 50-storey building or whatever it might be on top of Bells Beach or Point Addis. The building Mr Cheeseman used looked like the state government offices in Geelong — it was probably superimposed. These were all fabrications and lies that never happened and never were going to happen.

As I said, this was about getting people to come out into regional Victoria. I will focus my contribution on the tourism aspect. As the member for Brighton very importantly said earlier, 3.5 per cent of Chinese visitors stay overnight in regional Victoria. That is our major tourism market and we need to try to get more of those Chinese tourists — or any tourist from any country — to stay in regional Victoria. Not all tourists want to stay in a tent. They might want ecolodging or sensible developments in regional areas in or adjacent to national parks so they can enjoy the beauty of Victoria's national parks with the flora and fauna, the walks they can do and simply the natural beauty of those parks.

What happens, particularly with Chinese tourists, is that they go to either the penguins or the Apostles. They get in a bus, they go to Phillip Island to the penguins and then they go back to Melbourne, spending the dollars here. Or they get in the bus, they go to the Twelve Apostles on the Great Ocean Road and they do not stop anywhere. They used to stop at Bells Beach and take advantage of the toilet facilities but there was an uproar about that, particularly in the surfing fraternity. The previous government introduced permits that bus companies had to purchase, which essentially stopped that. The buses no longer stop there so the surfing fraternity is quite pleased with that. Now the buses stop at the Anglesea riverbank. They get out at the toilet, get out their thermos of coffee and drink it, get back on the

bus, get to the Apostles, then get back on the bus and drive straight back to Melbourne. That is what is going on.

We need to encourage those people to stay in regional Victoria, whether it is at Port Campbell, Anglesea, Torquay or Bendigo. We need to get them to stay outside of Melbourne. If you have a city-centric government that is just worried about Melbourne, of course you are not going to be too worried about rural and regional Victoria because those tourists coming down and spending the dollars are critically important. This has always been about sensible development. It is not about — as the former member for Corangamite put it in his absurd petition in July 2013 — building massive structures and resorts inside national parks. It is about building sensible developments, such as ecolodges because not everyone wants to sleep in a tent. It is the reality. Some people come over as tourists and want to stay in more up-market lodgings. They want to be in something that is better than simply a tent or a little lodge like a caravan at a caravan park. The guidelines are important.

The previous Labor government, the Brumby government, commissioned a report into all this. It set out eight principles which were adhered to. I will not go through all eight principles, but there are a lot of things in them that would preclude absurd or ridiculously big developments inside national parks. I am disappointed that the lease time has decreased from 99 years because I want to see sensible and appropriate development that brings people out into rural and regional Victoria where they will spend dollars along the journey if they are staying overnight.

As I said earlier with those two examples of the penguins and the Apostles, people are not spending money if they are just on a bus from A to B and back, and that is what is going on at the moment. If we can get those tourists to stay and give them appropriate lodgings to stay in — we are not talking about the Hilton at Bells Beach — that are sympathetic to the natural environment, we can encourage more people to come into rural and regional Victoria and spend their dollars there, particularly the Chinese tourists who are our major tourism market. Many other tourists come from all over the globe to enjoy Victoria's natural beauty. Melbourne is a magnificent city that people enjoy visiting, but Victoria has a lot to offer outside of Melbourne and this is a way of getting people to visit our beautiful regional and rural Victoria. I will leave it at that. As I said, the coalition is not opposing the bill.

Mr STAIKOS (Bentleigh) — I rise to make some brief comments in the debate on the National Parks

Amendment (No 99 Year Leases) Bill 2015. I listened to the member for Warrandyte's contribution on this bill earlier. The member for Warrandyte, of course, is the former Minister for Environment and Climate Change. To be accused by the member for Warrandyte of being ideologically driven was totally laughable. He even took issue with the title of this bill and said that it and this government were ideologically driven. This is the same minister who sent cattle into our national parks against all expert advice: 'Forget about what the scientists said: let's send the cattle into our national parks!'. Those opposite did not actually call them cattle. What did they call them? They called them 'mobile fire reduction units'. No, they are cows — they are not native Australian animals — and those opposite sent them into our national parks because they do not value our national parks. Those opposite have never seen an inch of public land that they have not wanted to hand over to a developer, and this is what 99-year leases were all about.

During last year's election campaign, Labor made commitments to not allow large-scale private development in our national parks and to remove the government's ability to grant 99-year leases. Our amendments remove the power to grant 99-year leases and put in place a maximum term of 21 years, retaining the three 50-year lease exceptions that were in place prior to 2013.

As we have heard from other members, Victoria is the most cleared state in Australia. National parks provide a huge range of benefits to the community. We all know very well that Victorians value their national parks and that was confirmed in a study released by the Victorian National Parks Association last year. It was a credible study — not the sort of research that those opposite rely upon to commit environmental vandalism. The study found that 89 per cent of Victorians support Victoria having a comprehensive network of national parks and 96 per cent recognise the importance of national parks for conserving nature. The executive director of the Victorian National Parks Association, Matt Ruchel, stated:

National parks should protect Victoria's natural and cultural heritage for all time. They should be a community resource for rest, recreation and respite, not real estate handed over to the highest bidder, or opened up for cattle grazing and other damaging uses.

I often disagree with the member for Melbourne, but I think she was absolutely right in her contribution earlier this afternoon when she said that in other countries around the world there is great bipartisanship when it comes to national parks. Unfortunately that is not the case in Victoria. This side of the house wants to protect

our national parks and the natural environment throughout Victoria, but the other side of the house wants to send in the cattle and open the land to developers.

We value the environment, and we believe in science. The former environment minister, the current member for Warrandyte, can say that we are ideologically driven, but the reality is that to compromise your opinion based on science is pragmatism — but to totally ignore science to pursue an agenda is totally ideological. That is the truth of it. Our national parks are places of great tranquillity. Given how consistently angry the member for Warrandyte is — like his leader, the Leader of the Opposition, who certainly has an anger management problem — he would do well to take advantage of some of the tranquillity available in our national parks.

I was also intrigued by the member for Nepean's contribution. He is a very intriguing individual, in fact. In my view he represents an electorate that is probably one of the most beautiful and unique places on earth. The Mornington Peninsula is one of the few places you will find a beautiful natural environment, a beautiful hinterland and also some amazing coastal villages at the same time. However, the member for Nepean has been a big critic of the grand final public holiday. He actually felt that the holiday would be bad for small businesses in his electorate.

Mr Burgess — On a point of order, Acting Speaker, it is clear that the speaker is drifting a long way from the intent of the bill. I ask you to bring him back.

Mr STAIKOS — On the point of order, Acting Speaker, this is all about our defence of small business. The reality is that the member for Nepean supported 99-year leases that were going to suck the tourists out of his small businesses and into the resorts that were going to be built in the Point Nepean National Park. This is all about small business, and I put it to you that I was being absolutely consistent with the scope of the bill.

The ACTING SPEAKER (Ms Kilkenny) — Order! The member will continue.

Mr STAIKOS — I listened to the member for Nepean's contribution to the debate on the bill earlier. He said, 'Tourism is the no. 1 employer in my electorate', and he was absolutely correct. Tourism is the no. 1 employer in his electorate. On the public holiday he opposes I was in his electorate, as I have been for most of my life — my family has a house there, so it is my second home. In terms of national

parcs, the two national parks there, Arthurs Seat and Point Nepean, are the two I am probably most familiar with. On the grand final public holiday there were tourists everywhere — in the small businesses, in the wineries, in the cafes, in the restaurants, in the lavender farms, in the hedge mazes and in the strawberry farms — experiencing everything that the wonderful Mornington Peninsula has to offer. It was so busy that it took me 2 hours to get a seat for lunch at a winery.

What the member for Nepean wants to do is open up Point Nepean to a lease. He wants to hand it over to developers to suck tourism dollars out of his small businesses, out of the Rosebud central shopping strip, out of the Rye shopping strip, out of the Sorrento shops and into a major resort. As I said earlier, those opposite have never seen an inch of public land that they have not wanted to hand over to a developer. There was absolutely widespread opposition to this plan. There was an open letter from a group of eminent Australians that reads:

Australian national parks are very special places. They contain the outstanding examples of our natural and cultural heritage remaining after the major settlement and development phases of our past.

...

Until now our national parks have been securely protected under state legislation, having been created after thorough scientific assessment and extensive comparative studies.

...

In reality, a 99-year lease transfers ownership of a public asset, something we all own and can share, to a private benefit enjoyed by a privileged few. Once the private sector develops resorts and associated infrastructure, the return of this land to the public will never occur.

The Point Nepean National Park is a case in point. It would have been developed, which would have absolutely detracted from the beautiful environment it is today. I was quite puzzled to hear members opposite use their contributions to say that nobody goes to Point Nepean National Park, and I was even more puzzled to hear them say that nobody goes to Arthurs Seat. Have they ever been to Arthurs Seat? Have they ever been to the Point Nepean National Park? People go there with their families, and they go there for peace and tranquillity. Put the tourism developments outside the national parks; that is where they are best placed. The member for Nepean should support the small businesses in his electorate for once. I commend the bill to the house, and I wish it a speedy passage.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the National Parks Amendment (No 99 Year Leases) Bill 2015. It is worth

hearing a bit of history as we get into the debate on the bill. In September 2010 the Labor government commissioned the Victorian Competition and Efficiency Commission (VCEC) to inquire into Victoria's tourism industry. The VCEC findings were released in 2011 and advised that regulatory reforms and a shifting focus to how tourism can enhance the environment and regional goals were required in order to avoid the Victorian tourism industry stagnating. In particular the report identified as an issue barriers to private investment in tourist facilities on public land that are compatible with the environment, heritage and other values.

The coalition government addressed the recommendations of the inquiry initiated by Labor and took its findings a number of steps forward to facilitate a regulatory environment that was more supportive of tourism developments in high natural amenity areas. That was also supported by the Australian Trade Commission, a collaborative body of various tourism and other ministers. We had something that was begun by Labor, we stuck to the recommendations and we introduced 99-year leases. That is now being undone by the present government.

I was at a tourism forum as a guest of the former minister, the member for Brighton. I was sitting at the forum, and a couple of women next to me made some comments about environmental tourism. They wanted to enjoy our natural amenity but at the end of the day they did not want to spend an hour on a bus. They wanted to walk in from the environment, sit on porcelain, use a shower and sleep in a bed. In order to develop our natural resources and attract tourism it was necessary to create an environment which allowed that to happen and which allowed private enterprise to invest. Private enterprise needed to have land tenure over a period, which was supported by VCEC requirements.

During this debate we have heard a considerable amount that rewrites history and goes off on tangents, but if we want a vibrant tourism industry, if we want people to visit our national parks and if we want people to come to Australia to enjoy our natural environment — international visitors in particular — we have to cater for their needs. Our international tourists arrive at two levels, and they are fairly diametrically opposed. There are backpackers, who are happy to accept a certain standard of accommodation simply because they are here to travel economically, and there are people who can afford to travel and are looking for very comfortable, high-level accommodation in close proximity to the natural features they are enjoying. The 99-year lease option

was a solution that was recommended for that. Now we have a 21-year option. It will be interesting to see how business reacts to this policy and whether it is prepared to invest in the sort of facilities we need to capitalise on those high-end, high-spending, high-value international tourists. As I found out from sitting at that table, there are also a number of high-end Australian tourists.

In my electorate we have a number of great natural features, but they are all some distance away from the sort of accommodation I have described. I was hoping to expand tourism in the economy of my electorate and thus attract those sorts of businesses and the jobs that come from them. Now we will have to wait to see if the proof of the pudding is in the eating and if the 21-year leases can deliver on a much smaller time base than what the VCEC said was important. With that I will leave the discussion of this bill to others, but as I said, the proof will emerge over time.

Ms GREEN (Yan Yean) — I have great pleasure in joining the debate on the National Parks Amendment (No 99 Year Leases) Bill 2015. I have spoken on many occasions about the importance of our national parks to Victoria's heritage and livability across the state, but today I will start in relation to my own electorate of Yan Yean. I have been really pleased that through the whole time I have been in the Parliament — some 13 years — there has been a steady increase in the parks in the area around my electorate. This is really necessary, particularly as we are seeing growth in areas in the north and in the Yan Yean electorate. It is really important to have those things close to where people live and for national parks not to be under threat of development. That is one of the things that the coalition did not think about at all with its blanket approach of granting 99-year leases.

The spine of the Yan Yean electorate has the fabulous Plenty Gorge Park, to the north we have the Kinglake National Park and, until the boundary changed, the southern boundary was the Warrandyte State Park and the eastern boundary was the Warrandyte-Kinglake Conservation Nature Reserve. We have also added parks, including the Merri Creek grasslands, which is the boundary between the Yan Yean electorate and the electorate of my good friend the member for Yuroke. It is really important for people in communities, especially growing communities, to have access to state and national parks close by to where they live. But parks are also important as refuges for the fauna and other wildlife that are being displaced by the encroachment of the growing human population. Every day I see numerous native animals on the side of the road, including kangaroos and wallabies — and I think I saw about six wombats in one day last week.

I support development in growth corridors, and I support the retention of the green wedges, but I support only small-scale development in national parks. The coalition was wrong when it introduced 99-year leases, and it is still wrong now, which is why we are delivering on our election commitment. The previous minister for tourism, the member for Brighton, referred to a 2007 strategy in relation to development in national parks. I was part of a government that supported that. She tried to say in her contribution on this bill that the Labor government is caving in to pressure from the Greens political party, that this is all about preferences and that we have changed our approach, but we have not changed our approach.

At the time I supported the strategy that small-scale development in our national parks should be allowed. That is the key, that it needs to be small-scale development and not large-scale development.

This week we have seen one of the most fundamental reasons why large-scale development is not a good idea on our public land, with going fires at Lancefield and Tallarook at the moment. The Lancefield fire on public land has gotten out of control and is endangering our community. I know this very well, and remember 90 per cent of the Kinglake National Park being burnt in those horrific 2009 Black Saturday fires.

If this policy introduced by the coalition government had resulted in large-scale development, how much worse would that fire have been if there had been large-scale development in that park at that time? I ask members to think about any additional large-scale development in the Cathedral Ranges National Park around Marysville and about how much worse that fire could have been. How on earth do you protect people who are holidaying in a large-scale development in an unfamiliar area? How on earth do you move them out of that location? Why on earth would people want to go and stay in those sorts of locations during our dangerous summers? This is an important point.

In terms of local economic development, I said I would break down my views about our city. I am very familiar with many national parks across the state as I am the Parliamentary Secretary for Tourism, Major Events and Regional Victoria. These are portfolios that I really love, because I have spent so much time throughout my childhood and adult life exploring our parks.

As many people in this place would know, our family is a skiing family, and 99-year leases are allowed in our ski resorts under the Alpine Resource Management Act 1997. Large-scale developments in the alpine regions are very well utilised. We have had a very successful

season this year, and I commend the lift companies and others who invested in snow-making technology. That has been supported by government and has served to extend the season and allowed skiing to continue in the face of climate change. However, those operators do it tough. They are not able to maximise the investment outside the ski season.

Since 2013 we have seen no significant applications for large-scale development in our national parks. You need only look at our ski resorts to see that they are not utilised outside the ski season. The government is trying to promote this. I congratulate Mount Hotham in particular, which next month is hosting one of the world's great hill climbs, the Corsa. It will mean there will be many more bed hours utilised at that resort. But there is still always downtime when resorts are not utilised.

My family are tourism operators in Port Campbell, and they are very fearful about the impact on our beautiful Great Ocean Road should these 99-year leases proceed. They are concerned about the impact on development but also the impact on that little town and the impact on little towns across the state.

I see the member for Eildon is in the chamber. She represents a lot of these small towns. She kicked off the opposition's case on this bill in defence of those leases. I would ask her to consider the future of towns like Kinglake, Marysville, Alexandra and Yea, which have all been greatly impacted on by disaster in recent times. They are trying to get back on their feet, actually make some money and encourage people to return and visit the beautiful parks near those towns. Those townships would not survive. This would have an impact on schools and on banking services. If people visiting those parks and staying in fully self-contained, large-scale developments within them, money would not be spent in the towns. I do not think the member has adequately thought this through at all.

The ACTING SPEAKER (Ms Kilkenny) —

Order! The time set down for consideration of items on the government business program has expired, and I am required to interrupt business.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JAB, NO PLAY) BILL 2015

Second reading

**Debate resumed from 7 October; motion of
Ms HENNESSY (Minister for Health).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2015

Second reading

**Debate resumed from 6 October; motion of
Mr PAKULA (Attorney-General).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

VICTIMS OF CRIME COMMISSIONER BILL 2015

Second reading

**Debate resumed from earlier this day; motion of
Mr PAKULA (Attorney-General).**

Motion agreed to.

Read second time.

Circulated amendments

**Circulated government amendments as follows
agreed to:**

1. Clause 38, page 19, line 10, after "Judge" insert "or a reserve Judge".
2. Clause 38, page 19, line 13, after "judge" insert "or a reserve judge".

3. Clause 38, page 19, line 15, after “magistrate” insert “or a reserve magistrate”.
4. Clause 38, page 19, line 18, after “coroner” insert “or a reserve coroner”.
5. Clause 38, page 19, line 20, after “magistrate” insert “or a reserve magistrate”.

Third reading

Motion agreed to.

Read third time.

WRONGS AMENDMENT BILL 2015

Second reading

Debate resumed from earlier this day; motion of Mr PAKULA (Attorney-General).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER — Order! I have had referred to me for consideration a point of order raised by the member for Burwood concerning the admissibility of the member for Bentleigh’s constituency question today.

In light of my ruling earlier today I have reviewed all constituency questions raised today. I uphold the point of order raised by the member for Burwood and rule the member for Bentleigh’s constituency question out of order as it seeks an action. For the same reason I also rule the questions raised by the members for South Barwon and Rowville out of order. The questions raised by the members for Macedon and Ivanhoe are borderline, but I do not intend to rule them out of order on this occasion.

I suggest to members that they consider beginning their questions with ‘how’, ‘why’, ‘what’ or ‘when’ to avoid any confusion about admissibility in the future.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

North Road, Ormond, level crossing

Mr SOUTHWICK (Caulfield) — I raise a matter with the Minister for Roads and Road Safety. The issue I bring to the attention of the minister is the need for consultation on the future of the coalition-funded North Road, Ormond, level crossing removal project.

The North Road, Ormond, level crossing removal is a vital project for my electorate. It was announced and fully funded by the coalition government in the 2014–15 state budget. Many local residents, including the Ormond Traders Association, and some schools, including Kilvington Grammar, have contacted me with concerns about the progress of the North Road level crossing removal. In particular, locals are concerned about the future of the Dorothy Avenue rail underpass, which may be removed, which would limit access to the school for traders and a number of residents around this area, as well as their links to E. E. Gunn Reserve.

This is all part of this project, because it enables commuters to travel in an east–west direction through their neighbourhood, including to two nearby schools. I recently wrote to the Level Crossing Removal Authority requesting that it hold a community consultation session in Caulfield with a focus on discussing what will happen to Dorothy Avenue as part of the North Road level crossing removal. Kilvington Grammar kindly offered to host the consultation. The Level Crossing Removal Authority has since told me that it is not willing to send any representatives for a community consultation to discuss the North Road level crossing removal. I find this to be a confused decision, given that earlier this year a sham consultation by the member for Bentleigh was held on the level crossing removal projects at McKinnon Road, Centre Road and North Road.

I ask the minister to assist in facilitating a community consultation between residents and representatives from the Level Crossing Removal Authority as I wish to discuss concerns we have with the project. In providing that advice, I ask the minister to clarify the decision to allow the member for Bentleigh’s consultation, in which names were used and formed part of the process. I understand that the authority has written to the member for Bentleigh asking him to hand those email addresses over to the authority. This clearly smells of a political activity that was used as part of this process. I expect that the authority will act independently, as it

was established to do, and that residents and community members will be afforded consultation regardless of where they live and whether their elected representative is a member of the government. Everybody is entitled to an opinion and to — —

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

Carrum electorate small business

Ms KILKENNY (Carrum) — My adjournment matter is for the Minister for Small Business, Innovation and Trade. The action I seek is that the minister visit my electorate of Carrum to meet with some of the many terrific small business owners and operators and their dedicated staff. What a terrific long weekend we just had. I know that many small businesses in my electorate reaped the benefit of increased business on what was a beautiful Melbourne day.

There are some fantastic small businesses in my electorate which provide quality products and services to the greater Carrum region. It would be great for the minister to meet with some of these business owners and their staff to discuss issues and share ideas on how best the government can assist in providing services and support to enable small businesses to grow and create local jobs. I know that local small business owners would welcome the opportunity to hear what the Andrews Labor government is doing to support them and their staff, and I look forward to hosting the small business minister in Carrum in the near future.

Nagambie ambulance services

Ms RYAN (Euroa) — I raise an issue for the Minister for Ambulance Services. The action I seek is that she review her decision to implement a trial of paramedics in Nagambie and, in light of the response time data released yesterday, commit to a permanent ongoing service.

In recent weeks I have collected thousands of signatures of residents of the Shire of Strathbogie calling for the minister to adopt the coalition's plan to station two paramedics and an ambulance community support officer in Nagambie permanently. The data is indisputable. Ambulance Victoria's annual report reveals that last year only 34.9 per cent of code 1 incidents in Strathbogie were responded to in 15 minutes or less. To put that into context, the average number of code 1 incidents across the state responded to within that time frame was 74.3 per cent. Just down

the road, in Shepparton, 73 per cent of code 1 incidents were responded to within 15 minutes.

Nagambie needs a real solution, and that solution must involve a permanent 24-hour ambulance presence. This is an issue of public safety, equity and fairness. Following extensive lobbying, last week the government finally announced that it would temporarily place a paramedic unit in Nagambie from the end of November to 6 February next year and for six days over the Easter period. The trial will only operate three days a week, and even then only between the hours of 10.00 a.m. and 10.00 p.m. Unfortunately this does very little to address the community's concerns. As we all know, heart attacks, car accidents and other medical emergencies do not only occur during daytime hours. As a result, the town's community emergency response team (CERT) volunteers, of which there are now very few, will have to remain on call for the peak holiday period as well as for the other 10 months of the year.

This announcement has been seen as a cynical attempt to buy our co-operation. I ask any member of this house whether they would be willing to raise their children in a community where, if their children became critically ill, an ambulance might not arrive in time to save them? Would any member be willing to see their parents retire to Nagambie? By ignoring the concerns of the Nagambie community and by refusing to make investments based on the response time data, that is what the government is asking of Nagambie residents.

On Monday, a school bus carrying 47 students from Nagambie to Euroa Secondary College ran off the road after it collided with a semitrailer. Thankfully no-one suffered serious injury, and I put on the record the community's thanks to the emergency services personnel who attended that accident. The situation could have been much worse. Without adequate ambulance coverage, an accident like that does not bear thinking about.

Even the secretary of the Ambulance Employees Association, Steve McGhie, is calling on Labor to act. This week he said:

The ambulance union has not changed in its belief that the Nagambie catchment needs five full-time paramedics stationed in Nagambie with ambulance community officer (ACO) support. The ACO positions could be made up of current CERT members who have upgraded their skills to fulfil that role.

Before the last election Labor members claimed that there was an ambulance crisis and that they would fix it. So far we have received nothing but a half-hearted attempt to placate the community. If this government

were a government that truly governed for all Victorians, it would act and act now.

Mornington Peninsula and Frankston Medicentre

Mr EDBROOKE (Frankston) — My adjournment matter is for the Minister for Health. The action I seek is that the minister advocate to the commonwealth government on behalf of the after-hours Mornington Peninsula and Frankston Medicentre at Frankston Hospital.

The centre is an independently owned, after-hours general practice clinic co-located within Frankston Hospital's emergency department. This clinic provides over 10 000 consultations every single year. This wonderful service allows the people of my electorate of Frankston to access the health care they need after hours and frees up the hospital emergency department for the most acute cases. This service is incredibly important to me as a parent. My children have been to that clinic, and if not for that service, we would have had to wait for hours for treatment from a hospital medical professional.

The funding for this service is at risk because of changes to funding being proposed by the commonwealth Liberal government. I ask the minister to call on the commonwealth government to resolve this issue. Cuts to the centre's funding will mean that more and more people will wait longer at Frankston Hospital. Cuts to that funding will cause stress to and hurt the people of my electorate.

Somerville police station

Mr BURGESS (Hastings) — I raise a matter for the Minister for Police. The action I seek is that the minister provide police for the new Somerville police station, thereby allowing it to fulfil the purpose for which it was built — that is, to provide Somerville residents with improved safety, refuge and peace of mind.

The new station opened on 30 September; however, the Andrews Labor government has flatly refused to provide any uniformed local police or to allow the community to have access to the police station. If Somerville residents find themselves in need of help while running from domestic abuse or other urgent threat, this government has ensured that those people will find no assistance at their own police station.

Somerville's long and hard fight for its own police station began more than 15 years ago when, in 2000,

local resident Mrs Brigitte Paine doorknocked the entire community securing massive support and more than 3000 signatures on a petition for a Somerville police station. Unfortunately the Bracks Labor government's police minister, André Haermeyer, completely ignored the request and the petition. At the 2002 state election I secured a commitment that a coalition government would build Somerville a police station. Labor won the election and refused to build it. At the 2006 state election I again secured a commitment that a coalition government would build the police station, but Labor won again and again refused to build it. At the 2010 election I secured a similar commitment and following election of the coalition set about ensuring that the Somerville police station was built.

Throughout the process of building the station, the Labor opposition persistently spread rumours, firstly, that there was no money to buy the land and, secondly, that after the land was purchased there would be no money to build the station. After the building of the station commenced the rumour changed to if Labor were elected the station would never have police. Community members who heard these rumours came to me seeking clarification. I contacted police command and received written confirmation that the rumours were untrue.

Less than a year ago — just a month before the state election — then Chief Commissioner of Police, Ken Lay, confirmed in writing that Somerville would have a fully-fledged police station, that it would have its own local police to look after and protect Somerville residents and would be open to the public 16 hours a day initially and increasing as required. The chief commissioner also confirmed that this was the situation when I asked him in front of 70 people in Parliament during the year. Prior to last November's state election the coalition committed to a further 250 police, complementing the 1850 police, 950 protective services officers and 100 transit police put in over the four-year term.

Not surprisingly, soft-on-crime Labor refused to commit to any additional police. Labor has always been soft on crime and again emphasised that approach when it left the state with the lowest number of police per capita in the nation at the end of the failed Brumby government. While that government was bad enough, it is frightening to think how soft on crime Labor will be under the current Premier, the first Socialist Left Premier since Joan Kirner. Being soft on crime is in this Premier's DNA. Earlier this year's Labor's police minister announced that Somerville would not be opening as a police station, but of course claimed he had nothing to do with it. He said that only a chief

commissioner could do that. However, at the same time the minister was sending police down to Bellarine — —

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

Narre Warren South electorate bus services

Ms GRALEY (Narre Warren South) — My adjournment matter is for the Minister for Public Transport and concerns bus route 892. The action I seek is that the minister direct Public Transport Victoria to investigate the idling of buses on this route, in particular on Littlecroft Avenue. I have regularly been contacted by James and Kate Gilluley, residents of Littlecroft Avenue in Narre Warren South, about this issue. In fact I raised their concerns with the previous minister in this very chamber. Over several years we fought to stop buses idling at a bus stop just outside James and Kate's home. In an email from December 2011 James wrote:

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

These buses would often sit just outside the Gilluleys' bedroom for up to 20 minutes, from before 6.00 a.m. till late at night, each day and every day — a completely unacceptable situation. It took some time and repeated letters to the minister, but eventually bus drivers on both routes were instructed to wait further away from the Gilluleys' home. They were also instructed to wait for no more than 5 minutes. Unfortunately this directive is not being followed.

James Gilluley has again been in contact with my office, as buses are once again idling for up to 20 minutes. There is now ample space for buses to wait on Narre Warren-Cranbourne Road following the completion of duplication works earlier this year, yet buses are not using it, much to the frustration of local residents who have been putting up with this behaviour for years. James and Kate have contacted Cranbourne Transit. They have spoken to the bus drivers, yet they are getting absolutely nowhere. They have put up with constant noise and air pollution for years, showing remarkable restraint, patience and understanding throughout. They deserve to have this situation resolved. Simply put, they deserve better, and I believe that our new Minister for Public Transport may be able to assist them. I ask the minister to ensure that Public Transport Victoria investigates this matter and finally puts an end to this disruptive behaviour.

Markham Avenue, Ashburton, redevelopment

Mr WATT (Burwood) — My adjournment matter is for the Minister for Housing, Disability and Ageing. The action I seek is for the minister to halt development at the Markham Avenue housing estate in Ashburton and make available all plans, schematics, drawings, details, briefing notes and correspondence with stakeholders, developers and the Department of Health and Human Services in relation to the recently announced development of 240 units at the estate.

Last year the communities of Ashburton, Ashwood and Chadstone held two forums in relation to issues of importance leading up to the 2014 state election. Both these forums were dominated by the issues in relation to the Markham public housing estate and its future. Prior to the election the Labor Party committed to there being no decisions made on the future of the Markham estate without community consultation. You can imagine my surprise, and that of the Ashburton community, when on Sunday, 6 September, which was Father's Day, the Minister for Housing, Disability and Ageing announced in an online article of the *Age* that the Andrews Labor government would build a 240-unit development on the government housing estate at Markham Avenue.

No-one was consulted, not even the Boroondara Council, which only found out about the development on the following Monday from a government media release. In it the minister benevolently stated that local residents would be consulted, but the decision had already been made — 240 units, 180 for private sale and 60 for social housing. There was no guarantee of public housing. That no consultations had taken place prior to the decision is what is so harrowing for residents who took the ALP at its word, mistakenly believing that they would be consulted before a decision was made.

The online Cambridge English dictionary describes 'consultation' as 'a meeting to discuss something or to get advice' and 'the process of discussing something with someone in order to get their advice or opinion about it'. It is obvious to all that this has not happened. You do not arbitrarily make a decision before community consultation; it is the equivalent of running someone over with your car and then applying the brakes. You should consult, then make a decision. Consultation leads to better decision-making.

Let us take, for example, Labor MPs in safe seats who might hire casual staff they never meet, fill out their time sheets in advance without having them actually work for them and then find out that this may constitute

obtaining property by deception. Suddenly they find themselves answering questions from the fraud squad in the presence of their lawyers. Duh! If only they had consulted with their lawyers before making this decision!

Unlike most other developments, this is an Andrews Labor government development, so it is the government that is doing this to the people of Ashburton. I ask the Minister for Housing, Disability and Ageing to take a step back from the precipice of inappropriate decision-making and provide all the relevant information to the people of Ashburton.

Country Fire Authority Eltham brigade

Ms WARD (Eltham) — My adjournment matter is for the Minister for Emergency Services. The action I seek is that the minister visit my electorate to inspect the new Country Fire Authority (CFA) site in Eltham and meet with local CFA brigades from Eltham and Research. I thank the Minister for Training and Skills for the work he undertook as the previous member for Eltham in fighting for this new \$9.6 million state-of-the-art facility in Eltham. My electorate has great CFA career firefighters and volunteers, who all work extremely hard to ensure the safety of our community. Most recently they have been helping fight the fire near Lancefield, and I thank them for their efforts to protect these communities this week.

As we head into the fire season, which has arrived so early this year, our courageous volunteer and professional firefighters will again be on alert to respond to the danger of bushfires. I ask the minister to visit my community and meet the people who keep us safe from fire and to recognise their great work.

Cyclist safety

Mr T. SMITH (Kew) — The matter I wish to raise this evening in the adjournment debate is for the Minister for Roads and Road Safety, and the action I seek from the minister is that he arrange for a weekly magnetic sweep of Yarra Boulevard in Kew. What has been occurring for over some 18 months are attacks by someone, who is clearly deranged, who puts tacks out on Yarra Boulevard, clearly to try to interrupt cyclists, damage their tyres and generally create havoc for all users of Yarra Boulevard. What has been going on is extremely dangerous, where cyclists are finding tacks laid out on the road and on the footpath. The council has had to put cycle tyre kits on the side of the road to ensure that people can fix their tyres.

This has been in the media on a number of occasions, and it has been brought to my attention on a number of occasions. I have spoken at length with Boroondara police. Boroondara police have not been able to find the perpetrator because it is so dark around Yarra Boulevard at night. They are very concerned and have put a number of resources into this above and beyond what is usual, but they cannot find out who is doing it.

As a mitigating factor I simply ask for VicRoads to sweep the site on a weekly basis. They have been sweeping it on an ad hoc basis to date, but we need this done weekly because people are getting punctured tyres, falling off their bikes and getting injured. We need this done weekly to ensure that people do not get seriously injured on Yarra Boulevard while going about the pleasurable activity of a weekly, daily or afternoon bike ride.

National disability insurance scheme

Mr BROOKS (Bundoora) — I raise a matter for the Minister for Housing, Disability and Ageing, and the action I seek is for the minister to visit the north-eastern suburbs of Melbourne where my electorate is located to host a meeting with local stakeholders, constituents and anyone interested in the rollout of the fantastic national disability insurance scheme (NDIS).

Like all members in this house, I am sure, I was delighted to see the Premier last month sign a historic agreement with the Prime Minister in relation to the rollout of the national disability insurance scheme in Victoria. This agreement will see Victoria contributing \$2.5 billion per annum, matching the federal government's \$2.6 billion per annum when the scheme is in full swing. This will see disability support funding approximately double, which is a great thing for those people who rely on disability support services. This will impact on and improve the lives of over 100 000 Victorians.

In the north-east of Melbourne over 10 000 people are expected to benefit from increased services. The area I am talking about includes Banyule, Darebin, Nillumbik, Whittlesea and Yarra and, in a great move for those people who live in the north-east of Melbourne and for those of us in this place who represent that area, this part of the state will be among the first areas to receive the full rollout of the NDIS, which will begin in July next year.

There is a great level of support and excitement among the people who will benefit from the rollout of the NDIS, and it would be fantastic if the minister could come out and engage with them to explain how the

NDIS will work and what improvements it will make to their lives. I would welcome the minister coming out to any part of those north-eastern suburbs to engage with our constituents.

Mr Watt — On a point of order, Deputy Speaker, the member for Frankston raised an issue that is clearly out of order in accordance with *Rulings from the Chair*, page 3, 'Raising issue at federal level — minister's responsibility'. The member for Frankston clearly asked about an issue that is not within the remit of the state government when he asked the state minister to advocate on behalf of his constituents. I understand it is an important issue for his electorate, but I put it to you that it is out of order and as such ask you to rule it out of order.

Ms Graley — On the point of order, Deputy Speaker, there have been many occasions in the adjournment where backbenchers have asked a minister to advocate to the federal government at a Council of Australian Governments meeting or a meeting of health ministers to put the views of local constituents, who the member for Frankston is quite rightly fighting for, and it is quite a regular thing that members have asked for that.

The DEPUTY SPEAKER — Order! The honourable member for Burwood is correct. The honourable member for Frankston asked the minister first of all to advocate to the federal government for the Medicentre, and he then called on the minister to contact the federal minister and advocate in that regard as well. If you look at page 3 of *Rulings from the Chair*, which members can get from the papers office, the honourable member for Burwood is correct. It says it is in order for a member to raise a matter for a minister relating to a state government submission or approach to a federal government body — so the honourable member for Narre Warren South is correct — but it is not in order to raise a matter for the state minister to take up with their federal counterpart, and that is what the honourable member for Frankston did do. I uphold the point of order and the minister does not need to respond on that particular point.

Adjournments are difficult in the sense of asking for the appropriate action, and there are various people within the Parliament from whom members can get advice in terms of what action is appropriate or not appropriate; but *Rulings from the Chair* may also assist one to do the right thing or ask for the appropriate action.

Responses

Ms HENNESSY (Minister for Ambulance Services) — I thank the member for Euroa for her adjournment matter. I am certainly aware that rural and regional communities across the state are requesting and requiring additional investment in a whole range of health services. They too have endured the impact of \$1 billion worth of cuts from the health sector over four years. I was delighted to be able to announce some additional investment at Murchison. I note that the member for Euroa made reference to an important investment this government is making for a support paramedic unit in Nagambie for three days a week commencing on 27 November until 6 February 2016.

We will continue to take the advice of Ambulance Victoria on how we ensure that the needs of these communities are best met. Ultimately they are operational decisions. We put an additional \$99 million into Ambulance Victoria's budget at the last state budget and will continue to ensure that the needs of that entire community are met.

I acknowledge the advocacy from the member for Euroa. I know she is a new member, so I do not necessarily hold her to account for the sins of the past, but this is a promise that could have been delivered upon by the previous government over the last four years. Nevertheless, we will continue to do all we can to ensure the needs of that community are met when it comes to emergency services.

Mr FOLEY (Minister for Housing, Disability and Ageing) — I begin by responding to the adjournment matter from the member for Bundoora. I indicate that I would be only too happy to visit him and join with him in his community, along with disability organisations, people with disability, local government and those who care and love people with disabilities, to discuss the timetable for the rollout of the national disability insurance scheme (NDIS). As he indicated, it will start next year in the northern suburbs of Melbourne, in an agreed position with the commonwealth, as part of the full rollout over the subsequent three years. This will ensure that the 105 000 Victorians who currently have a disjointed and ad hoc series of services in disability are able to seek the choice and control they require. The rollout of the national disability insurance scheme will fundamentally re-energise and redesign the entire disability service sector. As a result, I would like to think that it will help the wider Victorian community to be a genuinely disability inclusive community.

As I have indicated to a number of members and to community groups, we should not underestimate the extent of the changes for the better that will occur as a result of the way disability services and related

community organisations are structured, funded and operated under the national disability insurance scheme. There is a lot to get through with community organisations, and I look forward to joining the honourable member, as indeed I look forward to joining all honourable members in this place, because this process will roll out right across the state over the next three years.

In regard to the issue raised by the honourable member for Burwood, it was disappointing to yet again hear from someone who has made a political career on the back of ill-advised and near hysterical antipublic housing and social housing rantings, to the point where in recent days I have received advice from social housing organisations complaining about the honourable member's harassment of public and social housing tenants in his community.

The honourable member needs to very carefully consider the way in which he deliberately and politically targets vulnerable people in our community for short-term political gain. The honourable member needs to seriously question his approach and how he might go about representing all of his community. We have had this discussion with the honourable member across successive governments and parliaments, so I would like to think that he would have the maturity and political wisdom to withdraw his harassment of public and social housing tenants.

This government will consult with the people of Ashburton, the City of Boroondara and all of the people who are legitimate stakeholders in this matter. We will make sure we bring the community with us in delivering on precisely what we said we would. We said we would bowl over this disgraceful 1950s estate, which does not meet any modern standards whatsoever and which now has less than five of its units tenanted. A number of the other units are unsafe or filled with squatters.

Rather than harassing tenants and deliberately peddling misinformation and half-truths to his community, the honourable member's time would be better spent, like the City of Boroondara, in constructively engaging with the department, the community and the government and in sitting down and going through a process of proper planning and delivery of the service. Unlike the honourable member, who does not have the political or moral fortitude of a pox-ridden dingo, this government will deliver its arrangements, as it has indicated to this community, in a consultative way. I urge the honourable member to reconsider his position.

Mr Watt — On a point of order, Deputy Speaker, I ask the minister to withdraw.

The DEPUTY SPEAKER — Order! I ask the minister to withdraw.

Mr FOLEY — I withdraw. The honourable member does not have — —

The DEPUTY SPEAKER — Order! No, the minister will stand up and withdraw without any commentary.

Mr FOLEY — I withdraw.

Ms ALLAN (Minister for Public Transport) — I am responding to the matter raised by the member for Narre Warren South regarding the issues that her constituents James and Kate Gilluley are experiencing. From what she has explained to the house, they have been experiencing this issue of buses idling outside the front of their house, particularly on bus route 892, for a number of years. The member has asked me to have Public Transport Victoria undertake an investigation into this matter, and I am advising the member that that is what I will do. I will instruct Public Transport Victoria to undertake this investigation and to appreciate what appears to be the distress that this is causing the Gilluley family. I will continue to have Public Transport Victoria liaise with the member for Narre Warren South on this matter.

The member for Caulfield raised a matter for the Minister for Roads and Road Safety regarding an issue to do with the level crossing at Ormond Road and issues with the Level Crossing Removal Authority. I have spoken to the member across the chamber, and this is a matter that falls within my portfolio responsibility. If I can, I will respond briefly to the member. If I recall correctly, he was seeking consultation on some issues. While we are undertaking our massive level crossing removal program there will be some disruptions along the way, and we are wanting to work sensitively through those issues with local communities. I will have to investigate the issue the member raised a bit further. He has undertaken to forward me some paperwork to do with this matter, and I will follow that matter up for him with the Level Crossing Removal Authority and respond to him accordingly.

The matters raised by members that were not addressed directly by ministers tonight will be referred to the relevant ministers for their attention.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 5.36 p.m. until Tuesday, 20 October.