

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 18 August 2015

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Deputy Speaker:

Mr D. A. NARDELLA

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Ms Kilkenny, Mr McCurdy, Mr McGuire, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

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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

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Council — Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Resigned 2 February 2015

² Elected 14 March 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, Mr Mulder, 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 Elasmr, Mr Melhem and Mr Purcell.

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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Tuesday, 18 August 2015

The SPEAKER (Hon. Telmo Languiller) took the chair at 12.05 p.m. and read the prayer.

ABSENCE OF MINISTERS

Mr MERLINO (Minister for Education) — The Premier will be absent from question time today, and I will be answering questions in his place.

The Minister for Tourism and Major Events will also be absent from question time today. The Minister for Health will answer questions on his behalf.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Rail passenger safety

Mr HODGETT (Croydon) — My question is to the Minister for Public Transport. I refer to Labor’s press release on 24-hour weekend public transport of 19 January 2014, which said:

... protective services officers will continue to staff train stations until the first of the morning services resume —

and I ask: how will the minister guarantee the safety of people arriving or departing from Prahran station, in the heart of one of Melbourne’s busiest nightlife districts, at 2.00 a.m. on a Saturday when the station will not have one single Victoria Police protective services officer (PSO) on duty?

Ms ALLAN (Minister for Public Transport) — I thank the acting Leader of the Opposition for his question. It is great to see the acting Leader of the Opposition and the opposition as latter-day converts to the Homesafe program. It is great to see that the opposition has got on board with the Homesafe trial, because it was an initiative that the then Labor opposition was very proud to put to the Victorian community, well ahead of the election last November. It was opposed at that stage by some, but it is now being well and truly developed and in the process of being rolled out.

The acting Leader of the Opposition — —

Honourable members interjecting.

Ms ALLAN — The Nationals party is never relevant.

The SPEAKER — Order! The minister will continue and not engage with the opposition.

Ms ALLAN — In relation to the question around safety and security of this Homesafe trial, I emphasise to the house that in the development of the roll out of Homesafe, I have been working closely with the Minister for Police and we have been taking advice from Victoria Police on how best to implement — —

Mr Hodgett — On a point of order, Speaker, the minister is debating the question. It was a simple question about safety and PSOs, and I ask you to draw the minister back to answering the question.

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

Ms ALLAN — As I was saying before the premature point of order from the acting Leader of the Opposition, the government has been taking advice. The Minister for Police and I have been taking advice from no less a body than Victoria Police on how best to roll out the security — —

Honourable members interjecting.

Ms ALLAN — I thought it was their question, which they might like to hear the answer to, on how best to roll out the security and safety elements of the Homesafe trial. Of course this is ‘home safe’, so we are very focused on providing security and safety. That is why in addition to providing 24-hour public transport on Fridays and Saturdays, through this program we are also going to be engaging, on the advice of Victoria Police, an additional 109 PSOs and an additional 62 transit police.

In relation to the question about passengers getting off at Prahran or any other station, they will have additional transit police riding the trains and providing that security.

Supplementary question

Mr HODGETT (Croydon) — I again refer to Labor’s press release of 19 January 2014 on 24-hour weekend public transport, which says, ‘getting home will be safer’, and I ask: how will getting home be safer on the Frankston line arriving at Chelsea or Aspendale stations at 3.00 a.m. on a Saturday morning, where not one Victoria Police PSO will be there to help and protect those arriving home?

Honourable members interjecting.

Ms ALLAN (Minister for Public Transport) — Is it not going to be a great thing that people on the Frankston line, the Glen Waverley line — the lines right across the system — and indeed those of us in

regional Victoria, including in Ballarat, Bendigo, Traralgon and Geelong, will be able to get home on Friday and Saturday nights as a result of this Homesafe trial?

As I mentioned before in response to the acting Leader of the Opposition's question, as part of the rollout of the Homesafe trial there will be an additional 109 PSOs and an additional 62 transit police. This is a key point, and based on the advice of Victoria Police the deployment model that it has recommended as part of the Homesafe trial is to have police riding the trains — that is, to have more police on the trains providing the security that is needed in our community.

Ministers statements: education funding

Mr MERLINO (Minister for Education) — This time last year our TAFEs were on their knees. Those opposite slashed TAFE funding, thousands of jobs were lost, campuses were closed and courses were cut. Too many young Victorians were denied opportunities to learn and develop their skills. Too many communities saw their facilities close down that provided pathways for learning and employment. That is why I rise today to update the house on recent progress we have made on our election commitment to fix TAFE and to reopen the Greensborough and Lilydale campuses.

Those opposite made cut after cut to our TAFE system, directly leading to Swinburne University putting locks on the gates and directly leading to Melbourne Polytechnic closing its Greensborough campus doors. We are righting the wrongs with a \$320 million TAFE Rescue Fund and a \$50 million TAFE Back to Work Fund, and we are getting on with the job of reopening Greensborough and Lilydale.

Just last week we announced that the member for Eltham, a passionate advocate for education, will lead the Greensborough consultative working group to determine how high-quality vocational training will be delivered to meet the needs of industry and that local community. The member for Eltham announced in a public meeting that the Greensborough campus will also host one of our 10 new tech schools. I am also pleased to announce that the Lilydale campus will not only have TAFE and will not only have higher education but it will also host a new tech school.

Rail passenger safety

Mr HODGETT (Croydon) — My question is to the Minister for Public Transport. I refer to the government's plans for overnight weekend public transport that will only see protective services officers

(PSOs) on under half of Melbourne's train stations. Given that the minister stated on 6 August that:

People who live in the outer suburbs and regional areas shouldn't have to miss out ... This trial is about giving them a safe and affordable way to get home —

I ask: how will the government guarantee the safety of people arriving at Lynbrook station at 3.00 a.m. on a Saturday morning when the station will not have a single PSO on duty?

Honourable members interjecting.

Ms ALLAN (Minister for Public Transport) — I thank the acting Leader of the Opposition for his question. I think it is worth noting in my answer that the only reason we are talking about 24-hour public transport is because the Andrews Labor government is delivering on a key election commitment to the Victorian community. As part of the security and safety side of the Homesafe trial, as I indicated to the house before, we have taken the operational advice of Victoria Police on how best to roll out the security and safety elements of this program.

We have been advised that in terms of the model being used, it is based on the New Year's Eve deployment model, a model that has been in place for a number of years. I emphasise that in addition to that, we are going further by putting 62 additional transit police on the system. These are police who will be able to board the trains. They are not just confined to the platforms; they will be able to ride the rails — —

Mr R. Smith — On a point of order, Speaker, on the question of relevance, the minister has been speaking for half the time that is allotted to her. She has still not even mentioned the words 'Lynbrook' or 'Lynbrook station', or even talked about how people who get off at that station will be safe.

The SPEAKER — Order! I do not uphold the point of order.

Ms ALLAN — As I was indicating to the house, the advice from Victoria Police is that the deployment is for safety across the network. Can I be perhaps a little bit pre-emptive and say that no matter which station those opposite refer to in question time, the answer is going to be the same. It will be that we have taken the advice of Victoria Police and in addition to the 109 PSOs, there will be 62 — —

Honourable members interjecting.

The SPEAKER — Order! I remind all members that the Chair has to be able to hear questions and

answers. Indeed the media needs to be able to hear questions and answers so that they can convey that information to the public.

Ms Allan interjected.

The SPEAKER — Order! I warn the Leader of the House. The minister will continue and is to be heard in silence.

Ms ALLAN — As I was saying, on the advice of Victoria Police we are putting on an additional 109 PSOs and 62 additional transit police who will be able to ride the rails. So no matter what station we are referring to, there will be police on the trains. Based on the advice of Victoria Police, that is where the emphasis on security needs to be as part of the Homesafe trial.

Honourable members interjecting.

The SPEAKER — Order! I remind members of the need to follow good custom and practice and use parliamentary language.

Supplementary question

Mr HODGETT (Croydon) — Given that the Premier said in the *Herald Sun* on 6 December 2014 he had no intention of backing away from having two PSOs at every Melbourne train station, I ask the minister: why has she been unable to convince the Premier to stick by his promise and ensure that stations like McKinnon should be staffed by PSOs overnight during 24-hour public transport?

Ms ALLAN (Minister for Public Transport) — The advice we take is that of Victoria Police. Victoria Police have given us — —

Honourable members interjecting.

The SPEAKER — Order! The opposition asked a question and should allow the minister to continue in silence.

Ms ALLAN — That is the advice we are following, the advice of Victoria Police on the best model for security deployment. That is the advice we are taking.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Forest Hill. That caution should improve the member's reputation in the house!

Ministers statements: retrenched worker training

Ms GARRETT (Minister for Consumer Affairs, Gaming and Liquor Regulation) — I rise to inform the house of a bold new plan that will give 500 workers who face tough times in industries undergoing upheaval the chance for a fresh start. This program gives retrenched workers new hope for the future as they get the opportunity to reinvent their working lives.

In a deal this government struck with Crown, 500 training places are being offered to unemployed workers at the in-house, award-winning registered training organisations Crown College and Crown Training. I might note this was a pathway unexplored by those opposite.

This training can lead to exciting and secure careers in hospitality and security. It will target retrenched people, particularly from the automotive supply chain industry, to help them into employment. We, particularly on this side of the house, know just how devastating it was for communities when state and federal Liberal governments turned their backs on the car industry and trashed thousands upon thousands of jobs. This program will make a real difference to retrenched workers, like Noel Smith and his son Ryan from Geelong, by giving them the chance to change their careers and explore futures in new industries.

These types of back-to-work programs do not happen by accident. They require hard work and goodwill from local members, ministers and businesses to combine their strengths and create partnerships which work, including hard work by outstanding local members like the members for Bellarine, Lara and Geelong — members in the Geelong region — who have made a real difference to people who have been affected by Liberal government job cuts and losses, state and federally.

Honourable members interjecting.

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

Ms GARRETT — I commend these programs.

Murray Basin rail project

Ms RYAN (Euroa) — My question is to the Treasurer. I refer the Treasurer to the government's announcement yesterday regarding the Murray Basin rail project, a project now announced as totalling \$416 million, \$196 million above what was previously announced, and I ask: can the Treasurer confirm that

despite the higher price tag the state government is not putting in one extra cent?

Mr PALLAS (Treasurer) — This is an amazing question from those opposite, who basically managed to tell Victorians exactly what they thought of regional Victoria. They called them the toenails — they meant it and they have learnt nothing ever since.

Let me be clear about this: the Andrews Labor government is committed to the full \$416 million for the Murray Basin rail project. The only risk to the capacity of this state to be able to deliver the full, properly researched through a business case Murray Basin rail project is those opposite, who seem committed to undermining the foundation — the fundamentals — of this government's budget. It was a budget that it put together, a budget that it funded \$5 billion — —

Mr Clark — On a point of order, Speaker, the Treasurer is debating the issue. It was a very specific question about the source of the additional funding for this project. I ask you to bring the Treasurer back to answering that question.

Honourable members interjecting.

The SPEAKER — Order! Government members will allow the Treasurer to come back to answering the question.

Mr PALLAS — Let us be very clear. We are committed to funding and delivering this project. Of course we can deliver it earlier. We can deliver it effectively through the commitment of the federal government, and we will be working with it in order to secure the early delivery.

But let us not take my word for the need for this properly delivered project, not the shonky 'half the Rural Finance Corporation' funded arrangement that those opposite put up. Let us remember that no less an authority than the member for Mildura was out in public long before the true costs, hidden by those opposite, were in the public domain, saying, 'You need to put more money into delivering this project'.

Of course this government remains committed, and we will work to ensure that the commonwealth delivers for rural and regional Victoria, just as the Andrews Labor government is. Importantly, those opposite, who seek to torpedo and stand in the way of the value of the lease of the port — —

Mr Clark — On a point of order, Speaker, the Treasurer is again debating the question. I ask you to

bring him back to informing the house: where is the additional money?

Mr PALLAS — We made it clear before the last election. We told Victorians that we would establish the Victorian Transport Fund and that we would use those funds from the lease of the port. We have honoured that commitment, and the vehicle to achieve that is currently before the Parliament. The only question those opposite need to answer is: is it their job to sabotage rural and regional Victoria? Is it their job to stand in the way of Victorians getting the infrastructure they deserve? Are they going to continue to behave like the wreckers of the Victorian economy they have always been?

Supplementary question

Ms RYAN (Euroa) — I ask the Treasurer: if the government cannot answer simple questions about how the government will fully fund this important rail project, how can the people of western and north-western Victoria have any confidence that this project will ever be completed?

Mr PALLAS (Treasurer) — I do not know how many times I have to say, 'Yes this project is funded'. If those opposite will get out of the way — —

Ms Ryan interjected.

The SPEAKER — Order! The Deputy Leader of The Nationals asked a question. She will allow the minister to respond.

Mr PALLAS — It is what the Victorian Farmers Federation president described as the greatest single investment in Victoria's grain industry in living memory. Those opposite do not have memories. They are political goldfishes. They forgot about the legacy they left to Victoria — —

Honourable members interjecting.

Mr Clark — On a point of order, Speaker, the Treasurer is again debating the question. I ask you to bring him back to informing the house of how the community can have confidence the project will be completed.

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

Mr PALLAS — I will stop baiting the member. Can I be very clear? There is \$220 million in the 2015–16 budget; there is \$5 million for fast-tracking in February to get work started. We are getting on with this. Let us be very clear: 8.9 per cent of national

infrastructure funding, that is what Victoria gets. While ever those opposite try to exculpate the federal government, they will basically be selling short Victorians.

Ministers statements: education funding

Mr PALLAS (Treasurer) — I rise to update the house with new information on the government's investment in education which is being translated into a higher skilled workforce and the attraction of jobs to Victoria. Australian Bureau of Statistics labour force statistics released last week show that a total of 55 600 new jobs have been created since this government came to power — the second highest in the nation. These are jobs being created because Victoria offers low costs and a high-skilled workforce. However, unemployment remains intractably high in some areas, and of course this is an encumbrance upon young people's opportunities and their aspirations.

Last Friday I was pleased to attend the Broadmeadows economic and cultural summit convened by none other than the member for Broadmeadows, a man who speaks highly of and is greatly concerned about training and education opportunities for young people. At this summit the challenges of our manufacturing sector and the need for a highly skilled workforce were emphasised. This is why our first budget, which was the biggest education budget in Victoria's history, had \$3.9 billion for our education system, with \$730 million in capital, including 10 new technical schools. That is why we are investing \$320 million in rescuing our TAFEs and \$50 million in our TAFE Back to Work Fund. You will not create jobs by cutting education; you do not create jobs by cutting TAFEs and scrapping skills programs.

The Andrews government is committed to making Victoria the education state. We are putting our money where our mouth is. We are standing up to the Abbott government, which is ripping \$9 billion out of Victoria's education system over the next 10 years.

Fire services review

Mr BATTIN (Gembrook) — My question is to the Minister for Emergency Services. Can the minister confirm that the current fire services review into the management of fire services in Victoria will not result in a change to boundary alignments between the Country Fire Authority and the Metropolitan Fire Brigade?

Ms GARRETT (Minister for Emergency Services) — Yes.

Supplementary question

Mr BATTIN (Gembrook) — The minister still has not mentioned volunteers once in an answer at any time. Earlier this year the minister stated in this place, and I quote — —

Honourable members interjecting.

The SPEAKER — Order! The member will start again. The Chair must be able to hear the question.

Honourable members interjecting.

The SPEAKER — Order! The member is to be heard in silence, and that includes the Attorney-General.

Mr BATTIN — Earlier this year the minister stated in this place:

We are delivering on our election commitments, none of which involve boundary changes and none of which involve the amalgamation of the Country Fire Authority and the Metropolitan Fire Brigade.

Given that the fire services review is payback by the Andrews government to the union bosses, can the minister guarantee her position will not change?

Ms GARRETT (Minister for Emergency Services) — I certainly reject a lot of what was put in that question, but yes. Yes, I can confirm not the nonsense you put around it, sir — not the nonsense you put around it!

Honourable members interjecting.

Ms GARRETT — Not the nonsense you put around it!

The SPEAKER — Order! The minister is warned. The minister shall speak through the Chair.

Ms GARRETT — Anyway, this is another outstanding question time. Yes, I can confirm that we will not be doing boundary changes or amalgamation, which I have said publicly several times. Good use of a question, sir.

Ministers statements: vaccination

Ms HENNESSY (Minister for Health) — I rise to inform the house about a new government initiative: the expansion of our no job, no play policy. As members will recall, the government went to the election with this policy, and it gained great support from Victorians. Now we are getting on with it and implementing it, and indeed expanding it.

Our government is taking a strong stand to protect the health of children who attend child care and kindergarten because vaccinations save lives. Already this year in Victoria we have seen a significant rise in confirmed cases of whooping cough — there have been about 800 more cases this year than for the same time last year. We need to protect our most vulnerable children from serious, avoidable diseases and illnesses.

We are also determined to put the science first. We will be closing the loophole that allows for an exemption because of a conscientious objection. Under our plan, only those children whose doctors have supported the fact that they cannot be immunised due to medical conditions will have a legitimate exemption from this policy. We want to protect those children too, that is why we want to drive up our immunisation rates and to build community-wide protection from and immunity to diseases.

In Victoria around 92 per cent of our children are immunised, yet health experts advise that we need to achieve rates of around 95 per cent if people are to be immunised and safe from particularly virulent diseases like measles.

We cannot ignore the facts on vaccination. When parents refuse to vaccinate their children, they do not just put their own child in danger, they put other children in danger as well. That is why we are expanding and strengthening this policy, because we want to make sure as many children as possible are vaccinated and to do all we can to keep Victorian children safe.

Fire services review

Mr BATTIN (Gembrook) — My question is to the Minister for Emergency Services. Given that parties making submissions to the fire services review have been given just four weeks and that four unions invited to make a submission all have full-time staff, in contrast to local volunteer stations comprised of men and women who are often raising a family, working or training in addition to their firefighting duties, I ask the minister: why is she putting volunteers who want to have their say at a severe disadvantage?

Ms GARRETT (Minister for Emergency Services) — The Andrews Labor government values greatly the work of our volunteers.

Honourable members interjecting.

Ms GARRETT — I was with the Deputy Leader of The Nationals on Sunday opening a new Country Fire Authority station at Stanhope and celebrating that very

significant milestone. I was also with the members for Eltham and Yan Yean when I met with volunteers at Wattle Glen and Plenty in the last seven days. When I came into this job I was absolutely horrified at the mess that those opposite had left the fire services in. They were at war with firefighters. They slashed millions and millions of dollars — —

Honourable members interjecting.

Mr Clark — On a point of order, Speaker, the minister is now debating the question. It was a specific question about consultation with volunteers, and I ask you to bring her back to answering it.

Honourable members interjecting.

The SPEAKER — Order! Member for Frankston is warned. I uphold the point of order. The minister will respond.

Ms GARRETT — As I said, I was disturbed by the mess that those opposite had left the fire services in. At war — —

Mr Clark — On a point of order, Speaker, the minister is defying your ruling. She has repeated almost word for word the statement she was making when I took the previous point of order. I ask you to bring her back to answering the question.

Honourable members interjecting.

The SPEAKER — Order! The member for Gembrook! I have just upheld the point of order, and I have just called on the minister to come back to answering the question. That was only 3 seconds after she got the call. I will not uphold this point of order. The minister knows exactly what she has to do. The minister is called to answer the question.

Ms GARRETT — I was providing some context about why this review was so necessary and why the consultation with volunteers throughout this review is absolutely critical. We have David O'Byrne, a former Tasmanian Minister for Police and Emergency Services, conducting this review. It is extraordinary. They scream so loudly now, and they were silent in terms of fixing anything when they were in government. We had court case after court case. They were at war, the volunteers were not happy, the Metropolitan Fire Brigade was not happy and the Country Fire Authority was not happy. No-one was happy.

Mr Clark — On a point of order, Speaker, I submit that the minister has now had plenty of time to come

back to answering the question in accordance with your ruling. She is again debating it. I ask you to bring her back to answering the question about consultation with volunteers on the current consultation process.

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

Ms GARRETT — Commissioner O’Byrne has already met with volunteer associations, with volunteers and with key stakeholders. We have a very significant process. There will be significant recommendations made and further consultation will take place on those recommendations.

This review is just as necessary for volunteers as it is for paid staff and as it is for management. It is going to look at interoperability, it is going to look at resource allocation and sharing, and it is going to look at workplace culture, diversity and volunteers.

Supplementary question

Mr BATTIN (Gembrook) — During a recent meeting with the Deputy Premier in his own electorate, local volunteers and Volunteer Fire Brigades Victoria representatives were told by the Deputy Premier that there should be an extension to the submission deadline for volunteers. Will the minister now make an extension available for volunteers who want to make a submission to the fire services review, so that volunteers can properly be heard, as the Deputy Premier has requested?

Ms GARRETT (Minister for Emergency Services) — Is it not terrific that our local volunteers can spend as much time as they need with the Deputy Premier of their state, and is it not wonderful that volunteers throughout the state have been meeting with our local members, our ministers, our Deputy Premier and the Premier. It is an absolute sign of how much — —

Mr Battin — On a point of order, Speaker, in relation to meeting with local members of Parliament, particularly the Deputy Premier, maybe the Deputy Premier should get up and call those volunteers liars who have come out to the opposition — —

The SPEAKER — Order! The member for Gembrook will resume his seat. There is no point of order.

Ms GARRETT — I say to the member for Gembrook that getting angry does not make questions any more relevant or pertinent. As I said, is it not wonderful that in our state our Deputy Premier is sitting

and meeting with volunteers and discussing it with me? Significant consultation is occurring with every key stakeholder in the fire services.

Mr Clark — On a point of order, Speaker, in relation to relevance, the question related to the Deputy Premier’s statements about an extension and the granting of an extension. I ask you to bring the minister back to answering that question.

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

Ms GARRETT — There is a very significant opportunity for consultation by volunteer associations, with the volunteers — —

The SPEAKER — Order! The microphone is now working. I apologise; I was unable to hear the minister. I extend the opportunity to the minister to repeat the last couple of paragraphs.

Ms GARRETT — There is extensive opportunity for all key stakeholders to be engaged in this review, which will make recommendations. We are trying to fix the mess that you people left.

Ministers statements: Murray Basin rail project

Ms ALLAN (Minister for Public Transport) — Following the theme that the Minister for Emergency Services finished on — fixing messes left behind — I am very pleased to announce progress on the biggest upgrade to regional freight rail in decades in this state. We are committed to rolling out the full Murray Basin rail project. We will standardise the main line, we will standardise the branch lines and we will increase the axle loadings on those lines to 21 tonnes.

We will reopen the Maryborough–Ararat line, and we are going further than what was previously proposed. We will also upgrade the Murrayville–Ouyen line. This is about providing better connectivity for our primary producers and mineral sands industry to our ports of Portland, Geelong and Melbourne, and it is about supporting local communities by reducing truck traffic. This project takes 20 000 trucks off local roads — a significant improvement to safety. Are not regional Victorians pleased to see this announcement? I will quote a comment from Ken Wakefield, who said:

... there’s been a stake driven into the ground and it’s got money attached to it.

That is absolutely right. Those opposite did not fund this project properly. They did not do the work. The

member for Mildura let the cat out of the bag when he revealed in the local paper that there was not enough money set aside by the former government. That is why we are approaching the commonwealth government. The main line is on the national freight rail network. There is every good reason for the commonwealth to partner with us in this project to get this done as quickly as possible. With just 8.9 per cent of federal infrastructure funding, let us hope it gets on board.

CONSTITUENCY QUESTIONS

Malvern electorate

Mr M. O'BRIEN (Malvern) — (Question 405) My question to the Minister for Public Transport relates to the removal of the level crossing at Burke Road, Glen Iris, a project which was fully funded by the former coalition government and which was out to tender at the time of the election. Upon election the Labor government delayed the completion of the tender and delayed the signing of the contract. To make up for these delays, the project works, which local traders had been assured would only cause minimal disruption, are now causing huge disruption.

Loss of car parking, unannounced road shutdowns and reduced access now threaten the viability of these small businesses and the livelihoods of dozens of their staff. Will the minister join me to meet local traders, such as Kat Vcelka of Academy of Scuba and Andy Phillips of Global Dance Studio, to discuss what urgent action she will take to fix this mess and save these small businesses and their employees from further damage as a result of the government's bungling of this vital road project?

Bendigo West electorate

Ms EDWARDS (Bendigo West) — (Question 406) My question is for the Minister for Aboriginal Affairs. There is a strong desire amongst my constituents to promote local Aboriginal culture. I am lucky enough to have a number of Aboriginal groups and organisations in my electorate that are a proud and active part of the community. Registered Aboriginal parties (RAPs) in particular play a very important role in protecting, managing and promoting Aboriginal cultural heritage. RAPs provide self-determination and employment opportunities. The Dja Dja Wurrung Clans Aboriginal Corporation is the RAP in my electorate.

Dja Dja Wurrung performs significant cultural heritage management work, including providing expert cultural heritage management advice on cultural heritage management plans in the region. It also entered into a

recognition and settlement agreement with the Victorian government in October 2013. This agreement was the first comprehensive settlement under Victoria's Traditional Owner Settlement Act 2010, which formally recognises the Dja Dja Wurrung as the traditional owners of that part of central Victoria. Dja Dja Wurrung is active in capacity building, community development and employment for the local Aboriginal community. It provides natural resource management and cultural services and delivers cultural awareness training. Can the minister inform the house of any interactions she has had with Dja Dja Wurrung?

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

Ovens Valley electorate

Mr McCURDY (Ovens Valley) — (Question 407) My constituency question is to the Minister for Health. The scourge of methamphetamine, widely known as ice, is growing rapidly in regional Victoria. It has been revealed that Wangaratta has a higher ambulance call-out rate per capita than larger centres like Geelong, Ballarat and Bendigo, with a massive 33 per 100 000 head of population in 2013–14. We need to act now, before this becomes an epidemic. I ask: will the minister commit to establishing a drug detox centre in Wangaratta to assist members of our families and communities who are actively seeking to detox from ice and other drugs?

Melton electorate

Mr NARDELLA (Melton) — (Question 408) My constituency question is for the Minister for Local Government. As the minister would be aware, the previous government left a lot of uncertainty around the management of weeds and pests. Many of my constituents and the councils in my area in particular were pleased to see funding secured for the roadside weeds and pests management program in Labor's first budget. Melton council needs this funding to control a range of weeds, including Chilean needle grass. Chilean needle grass affects both sown pasture and native grasslands. It is relatively unpalatable and can render the land unproductive — qualities many of those opposite share. Can the minister detail what the funding means for local councils in my electorate?

Warrandyte electorate

Mr R. SMITH (Warrandyte) — (Question 409) My request is of the Minister for Police. I have recently had a number of constituents contact my office with concerns about the operating hours of Warrandyte

police station and the low numbers of police stationed there. Warrandyte police station is not a 24-hour station and, at its full complement, has only seven police officers. Of course they are not all there at the same time but are spread out over the week's shifts. With recent signs of escalating crime, my community is calling on the government to increase both the operating hours and police numbers in Warrandyte from conditions that have been static for many years.

I anticipate that the minister's formal answer will be that the allocation of resources is up to police command. However, we know that the minister has directed Victoria Police to place additional police in Bellarine, a marginal Labor seat. My community simply asks that the minister put good policy ahead of politics and take action to deal with its concerns.

Niddrie electorate

Mr CARROLL (Niddrie) — (Question 410) My constituency question is for the Minister for Mental Health. On 3 June this year the minister joined me on a visit to cohealth, an important community health organisation in my electorate, to discuss crystal methamphetamine and the government's Ice Action Plan. I ask the minister for an update on the government's Ice Action Plan, in particular the work being done with cohealth in my electorate on the rollout of the more than \$25 million in support for families, frontline workers and treatment for ice users themselves. As last year's parliamentary inquiry found, treatment works, and support is needed to assist people affected by this insidious drug.

Prahran electorate

Mr HIBBINS (Prahran) — (Question 411) My constituency question is for the Minister for Planning. The Punt Road Public Acquisition Overlay Advisory Committee was set up earlier this year to report on the potential removal of the public acquisition overlay (PAO) along Punt Road in the Prahran electorate. Initial information on the department's website gave clear time lines for each step of the committee process, which was to start with the provision of a VicRoads background report. This report was due over a month ago, and information regarding the timing of each step has been removed from the website, which now states 'to be advised'. This delay has caused great concern for local residents, who are tired of empty promises when it comes to Punt Road.

I ask the minister to provide an update on the Punt Road Public Acquisition Overlay Advisory Committee process, including time lines for each step. The Punt

Road PAO is a hangover from 1950s-era transport planning, which envisaged Melbourne as a freeway utopia. We now know how mistaken this approach to transport is, and we certainly do not want a six to eight-lane road dividing the Prahran community. PAOs can be useful tools for community planning, but the Punt Road PAO is in place for an unplanned, unfunded, unnecessary road widening that the community does not want.

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (Question 412) My constituency question is for the Minister for Roads and Road Safety. My question concerns payment options for motor vehicle registration. I understand that VicRoads is currently conducting a review into payment structures for vehicle registration. I also understand that this review will consider the option of allowing people to pay their motor vehicle registration in more frequent instalments. I ask the Minister for Roads and Road Safety to provide Pascoe Vale constituents with an update on this review.

Currently, with the exception of concession card holders, who are able to pay their registration in two six-month instalments, payment for vehicle registration is required to be made in one lump sum payment. This puts considerable strain on the finances of many individuals and families who often through necessity operate multiple vehicles. Creating a system that allows motor vehicle registration to be paid in more frequent instalments will significantly reduce the financial burden for people and make the process far more manageable. Household utilities such as electricity, gas and water are able to be paid on a bimonthly or quarterly basis and rates in monthly or quarterly instalments.

Rowville electorate

Mr WELLS (Rowville) — (Question 413) My constituency question is to the Minister for Environment, Climate Change and Water. My question relates to a small section of Crown land at the corner of Tampe and Stud roads in Rowville, which is turning into an absolute eyesore. The grass on this land is waist high and strewn with rubbish. It borders Dandenong Creek. The Victorian government has spent millions of dollars keeping the waterways in good health. In summer it will quickly become a grassfire hazard.

Incredibly, this is Crown land managed by the Department of Environment, Land, Water and Planning, which should know something about land care. The fire and land management branch of the

department is 10 minutes down the road, at Knoxfield. Nearby businesses have repeatedly asked for something to be done to look after this public land but have been ignored. This has been going on for months. Can the minister advise when the department will take action to fix this problem?

Ivanhoe electorate

Mr CARBINES (Ivanhoe) — (Question 414) My question is to the Minister for Industrial Relations. Many of my constituents, particularly young and low-skilled workers, rely on penalty rates to support themselves. In early August Prime Minister Tony Abbott's Productivity Commission report into industrial relations recommended removing Sunday penalty rates for some workers. In the south-eastern suburbs there are 29 000 retail workers and 17 000 hospitality workers who will be affected by this policy. Can the minister explain to my constituents and the house what the effect of the recommendations of Tony Abbott's Productivity Commission's report would have and what the Andrews Labor government is doing to protect workers' rights? Those matters are particularly important in my electorate of Ivanhoe where separate little shopping villages are a great attractor, great economic drivers and social hubs from the Heidelberg mall in West Heidelberg to the Burgundy Street shops, the Ivanhoe shopping village, Rosanna village, the Eaglemont traders, East Ivanhoe traders and the Macleod traders. That is what drives economic and social impacts in my electorate.

FIREARMS AMENDMENT (TRAFFICKING AND OTHER MEASURES) BILL 2015

Introduction and first reading

Mr NOONAN (Minister for Police) — I move:

That I have leave to bring in a bill for an act to amend the Firearms Act 1996 to lower the number of unregistered firearms that is a traffickable quantity, provide higher penalties for the unlawful manufacturing of firearms and clarify the circumstances under which certain persons are taken to be in possession of a firearm, to amend the Crimes Act 1958 to create a new offence of theft of a firearm and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the scope of the bill, further to the details provided in the long title.

Mr NOONAN (Minister for Police) — The details that I provided are relatively straightforward, but for the member's benefit, the bill will make amendments to the Firearms Act 1996 with regard to the possession of

firearms, firearm manufacturing and trafficking offences and firearm theft.

Motion agreed to.

Read first time.

HEAVY VEHICLES LEGISLATION AMENDMENT BILL 2015

Introduction and first reading

Mr DONNELLAN (Minister for Roads and Road Safety) — I move:

That I have leave to bring in a bill for an act to amend the Heavy Vehicle National Law Application Act 2013, the Road Safety Act 1986 and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill.

Mr DONNELLAN (Minister for Roads and Road Safety) — The bill extends the effect of the exemptions in relation to fatigue management for heavy commercial vehicles like buses to light commercial vehicles to ensure that in instances of emergency or replacement trains, the fatigue management rules do not apply but occupational health and safety and the Bus Safety Act 2009 do so.

Motion agreed to.

Read first time.

RACING AMENDMENT BILL 2015

Introduction and first reading

Mr PAKULA (Minister for Racing) — I move:

That I have leave to bring in a bill for an act to amend the Racing Act 1958 in relation to governance arrangements for Harness Racing Victoria and to specify bodies to which the racing integrity commissioner may disclose integrity-related information and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the scope of the bill.

Mr PAKULA (Minister for Racing) — I am happy to advise the manager of opposition business that the primary purpose of this bill is to implement the governance-related aspects of the Monteith review into Harness Racing Victoria and for some other minor purposes, but principally it relates to the recommendations of the Monteith review that were directed to government.

Motion agreed to.

Read first time.

NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015

Introduction and first reading

Ms D'AMBROSIO (Minister for Energy and Resources) — I move:

That I have leave to bring in a bill for an act to amend the National Electricity (Victoria) Act 2005 to grant rights to the minister and consumer or user groups to intervene in appeals against certain decisions and determinations made by the Australian Energy Regulator and for other purposes.

Mr SOUTHWICK (Caulfield) — I ask the minister to provide a further explanation of the bill.

Ms D'AMBROSIO (Minister for Energy and Resources) — The explanation was in what I have just said. It is about strengthening the oversight of the process for the determination of infrastructure charges and this bill will give the minister and consumers the opportunity to intervene in any appeal against such determinations.

Motion agreed to.

Read first time.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Allegations against Auditor-General

Mr PEARSON (Essendon) presented report on terms of reference.

Tabled.

Ordered to be published.

Reference

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

That:

- (1) the Public Accounts and Estimates Committee is requested to inquire into and report no later than 20 October 2015 on allegations made against the Auditor-General, Mr John Doyle, in a formal grievance dated 12 August 2015, by a member of his staff; and
 - (a) whether, in light of any findings that the committee may make in relation to the allegations, the Parliament should give consideration to the removal of the Auditor-General from office; and
 - (b) the committee is requested to conduct this inquiry having regard to the need to afford procedural

fairness to all parties and to protect the privacy of individuals;

- (2) a message be sent to the Legislative Council seeking their agreement.

Mr CLARK (Box Hill) — The opposition supports this motion. It is obviously a very serious matter. It follows from the report of the Public Accounts and Estimates Committee (PAEC) that has just been tabled. We appreciate the fact that the government has provided a number of briefings to various members of the opposition and that we have been able to discuss the matter constructively and positively with the government in those briefings.

It is important to put on the record the formal context in which this motion is put forward. It is a motion for a referral to the Public Accounts and Estimates Committee pursuant to section 33 of the Parliamentary Committees Act 2003, which provides:

- (1) A Joint Investigatory Committee must inquire into, consider and report to the Parliament on any proposal, matter or thing that is relevant to its functions and has been referred to the Committee —

- (a) by resolution of the Council or the Assembly ...

The motion before us today follows the issuing yesterday of a statement in the name of the Parliament by you, Speaker, by the President of the Legislative Council, and by the chair and deputy chair of the Public Accounts and Estimates Committee. The statement sets out that you and the President had yesterday morning been notified, as we understand by the government, of allegations that have been made against the Auditor-General by a member of staff of the Auditor-General's office; that the Presiding Officers had referred the matter to the Public Accounts and Estimates Committee, which met early yesterday afternoon to consider how to proceed in relation to the matter; that PAEC had resolved unanimously to ask the Legislative Assembly and Legislative Council to refer the matter to the committee setting out proposed terms of reference and indicating that, to ensure the committee's inquiry is able to be conducted as expeditiously as possible with absolute regard to the need to afford procedural fairness to affected individuals, the committee would seek the authority from the Parliament to commission recently retired High Court justice the Honourable Ken Hayne to investigate the matters referred to in the grievance and to report to the committee on those matters; and that Mr Hayne would conduct his inquiry in such a manner and pursuant to such procedures as he considers appropriate.

The motion before the house is, with slight wording variations, in the terms set out in the joint statement that was issued yesterday. As has been noted, it is an exceptionally serious matter that an inquiry of a nature such as this should be commissioned and that a statement by the Parliament refers, as does the motion before the house, to the possibility that the Parliament may be asked to give consideration to the removal from office of the Auditor-General. Should that procedure become relevant — and of course it is important to recognise very clearly that at this stage the allegations that have been made are solely allegations — the relevant provisions would be those of section 94C of the Constitution Act 1975, which provides in the first part:

- (5) The Auditor-General ceases to hold office if he or she —
 - (a) is removed from office on the presentation of an address of both Houses of the Parliament praying for his or her removal from office ...

As I said at the outset it is important, given the seriousness of the step that the Parliament is being asked to take and which the opposition supports, that these matters be set out on the record. This matter has developed very quickly, given that it was only raised with you and the President of the Legislative Council yesterday morning. The opposition is not in a position to express a view on some of the procedural aspects of how it is proposed that these matters be handled, and we assume and trust that there has been careful consideration given to them. There is some novelty in the procedures being followed in that the motion before the house proposes that a message be sent to the Legislative Council seeking its agreement, which is not the normal practice in relation to references to parliamentary committees. However, we cannot see any objection to that course being followed and to making it clear that both houses have given consideration and support to the course of action that is being proposed.

Having said that, it is important now that the committee proceed and whatever processes are put in place by the committee and by the Parliament be followed with all proper propriety, care and expedition to ensure procedural and substantive fairness to all parties concerned. Assuming that this resolution is passed, the house will wait for the report of the committee. The opposition certainly hopes that the work of the committee is able to proceed as expeditiously as is appropriate and proper in the circumstances. We will await the committee's report.

Motion agreed to.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 9

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 9* of 2015 on:

- Corrections Legislation Amendment Bill 2015**
- Crimes Amendment (Child Pornography and Other Matters) Bill 2015**
- Education and Training Reform Amendment (Miscellaneous) Bill 2015**
- Emergency Management (Control of Response Activities and Other Matters) Bill 2015**
- Resources Legislation Amendment Bill 2015**

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

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

Occupational Health and Safety Act 2004 — Requests under s 11

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

- Alpine — C34, C50
- Ballarat — C182
- Banyule — C109
- Boroondara — GC32
- Brimbank — C174, C175
- Colac Otway — C73
- Darebin — C133 Part 1, GC32
- Glen Eira — C135
- Glenelg — C83
- Golden Plains — C71
- Greater Bendigo — C175
- Greater Dandenong — C192
- Greater Shepparton — C98 Part 1
- Hobsons Bay — GC32
- Maribymong — C131

Moonee Valley — C143

Stonnington — C208 Part 2

Surf Coast — C101

Yarra Ranges — C152

Statutory Rule under the *Subordinate Legislation Act 1994* — SR 92

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Racing Act 1958* — Amendment of Racing Victoria Bookmakers' Licence Levy Rules 2012

Surveillance Devices Act 1999 — Reports of the Victorian Inspectorate under s 30Q (five documents)

Surveyor-General — Report 2014–15 on the administration of the *Survey Co-ordination Act 1958*

Workplace Injury Rehabilitation and Compensation Act 2013 — Requests under s 595.

Education and Training Reform Amendment (Miscellaneous) Bill 2015

Emergency Management (Control of Response Activities and Other Matters) Bill 2015

Motion in relation to the budget papers

Resources Legislation Amendment Bill 2015.

In making a few brief comments on the legislative agenda this week, I draw the attention of the house to the desire of the government to complete the motion in relation to the budget papers by 5.00 p.m. on Thursday. This is a last call. If there is any member who really wants to speak on the 2015 budget, they should speak this week or forever hold their peace. We are taking last orders for members who might want to speak on that motion; otherwise, that business will be completed at the end of this week. There is a range of other matters on the program that will no doubt exercise the minds of members of the house during the course of debates.

ROYAL ASSENT

Message read advising royal assent on 11 August to:

Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015

Energy Legislation Amendment (Publication of Retail Offers) Bill 2015

Judicial Entitlements Bill 2015

Planning and Environment Amendment (Recognising Objectors) Bill 2015

Victoria Police Amendment (Validation) Bill 2015.

I also make the point that it is the government's intention — and I have given a verbal indication of this to the manager of opposition business — to make a ministerial statement tomorrow, led by the Minister for Local Government, in relation to local government reform. That will be an opportunity for the house to further debate and discuss issues in relation to local government, whether it is a member's view of their own local council or local government legislation and reform priorities as a whole. This government came into office with a strong policy agenda to improve local government and to work with local government to address a number of issues raised by the sector. I have no doubt that the debate will be engaging. It is the government's intention for that to start after question time tomorrow and for it to carry over the course of the day, depending on the number of people who are interested in speaking on this.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Education and Training Reform Amendment (Miscellaneous) Bill 2015

Emergency Management (Control of Response Activities and Other Matters) Bill 2015.

Finally, it would be remiss of me not to comment on the fact that this week is the first week that we are operating under new sessional orders. I hope that everyone enjoys their lunchbreak tomorrow and on Thursday and that they make good productive use of that time in having meetings, including with important guests so that they can see how well behaved we are as members of Parliament. This is a sensible change to the sessional orders. With that perhaps unnecessarily provocative addition at the end of my contribution, I commend the motion to the house.

BUSINESS OF THE HOUSE

Program

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

That, under standing order 94(2), the orders of the day, government business, relating to the following items be considered and completed by 5.00 pm on Thursday, 20 August 2015:

Crimes Amendment (Child Pornography and Other Matters) Bill 2015

Mr CLARK (Box Hill) — The opposition does not oppose the government business program, but it does have some reservations and concerns about it. I am sure the Leader of the House was being deliberately

provocative in referring to the amended sessional orders that commenced this week. I note the fact that the Leader of the House again did not take the opportunity to apologise to those members of the house who were denigrated in the past by her and by other members on the government side of the house when they raised the very concerns that the government has now accepted. We all look forward to seeing how these changes made by the government to the sessional orders operate and indeed to further consideration of sessional orders more generally by the reference to the Standing Orders Committee.

The opposition's reservations about the government business program are twofold, and they relate to the time available. Firstly, there is the fact that a ministerial statement has been foreshadowed. I certainly appreciate the fact that the Leader of the House has indicated that to me and now to the house today to give ample opportunity for people to consider that fact; nonetheless, ministerial statements take up a portion of the time of the house. That fact, combined with the second concern of the opposition — about the fact that the budget papers motion is to be put to the vote and to leave the notice paper this week — raises the concern that there may not be adequate time to properly debate the bills that are being put before the house.

This is reinforced by the fact that we have had no indication from the Leader of the House about whether or not the government intends this week to comply with its election commitment to make consideration in detail a standard part of the consideration of bills by this house or whether it intends to again break that election commitment. This week, following the request made of me by the Leader of the House last sitting week, I not only am raising during debate on the government business program but have raised by direct contact with the Leader of the House — and my colleague the member for Caulfield has raised with the Minister for Energy and Resources — the fact that we believe that in particular this week the Resources Legislation Amendment Bill 2015 should be subject to consideration in detail.

If the government were honouring its commitment, all four of the bills nominated for debate this week — or at least the vast majority of them — would be considered in detail, but we believe that in particular the Resources Legislation Amendment Bill should be considered in detail. Thus we may end up with inadequate time to properly consider the various matters coming before the house. It is a bit unpredictable, but I think we do run that risk.

I express some concern and puzzlement as to why the government wishes to discharge the budget papers motion from the notice paper. It may well be fully appropriate to bring the budget papers motion on for debate, should other matters be fully dealt with in adequate time, but that the motion is being discharged rather than remaining on the notice paper is perhaps a bit surprising. It may be argued that time is passing — that the budget was in May, and we are now quite a way down the track; however, usually something very topical in relation to the budget can be discussed at almost any time of the year, and it would not have been inappropriate to have left that motion on the notice paper. If a large number of members wish to take up the Leader of the House's offer of a final call, as she put it, I think the leader would struggle to accommodate them this week.

We do have these reservations about the government business program. It will be interesting to see how the program transpires during the week and whether there is adequate time for consideration of all bills and in particular whether at last the government will start to honour its election commitment about bills being considered in detail.

Mr PEARSON (Essendon) — I am delighted to join the debate, and I welcome the opposition's support for the government business program. I think what is before the house this week is that balance between the day-to-day management of the state with some of the bills — such as the Emergency Management (Control of Response Activities and Other Matters) Bill 2015 and the Education and Training Reform Amendment (Miscellaneous) Bill 2015 — and responding to issues that arise which require the urgent attention of the state. I think there is a really important balance there, and I think this week's business program reflects that.

I note the concerns of the manager of opposition business about the budget papers. Certainly those on this side of the house were enthusiastic about the budget. We were rushing to the whip's office to line up to make our contributions, and those contributions have now broadly been made. I hear the concerns of the manager of opposition business, but I think that the overwhelming majority of members have now had the opportunity to speak on the budget so it is only appropriate that we move forward.

In relation to the ministerial statement tomorrow, I think a good opportunity has been flagged by the Leader of the House — the opportunity for all members to reflect, ponder and think about their experience with local government and the contribution they might want to make to that debate. We have struck a healthy

balance with the schedule for this week. Four bills is a reasonable workload for this place. The government business program will provide plenty of opportunities for people to make detailed, thoughtful and measured contributions and to inquire in quite a detailed way about aspects of the bills.

I also note the fact that we are transitioning to the new sessional orders, which is good. I know the manager of opposition business has been quite vocal about this in his last couple of contributions. I look forward to taking the opportunity to break bread with the manager of opposition business next week. We can toast the new sessional orders, and perhaps we can have a discursive discussion about the impact that Old High German played upon the rise and development of the modern English language. A really great piece was recently written by the Oxford English Dictionary team about the development of the strands of Old High German in terms of the Old French and Norman languages and the impact Old High German had on the rise and development of modern English. There are a number of familiar terms and phrases we use in the vernacular which derive from Old High German, which is really that pre-1066 Norman invasion language. If the manager of opposition business is looking for a date at lunchtime tomorrow, I would be happy to accompany him over the road. We can have a chicken parma. We can break bread. We can go to the Imperial, and we can toast the new sessional orders.

I commend the government business program.

Mr HIBBINS (Pahran) — I rise to speak on the government business program. The Greens will not be opposing this government business program. There are four bills listed on the program. We have not foreshadowed any amendments or requested consideration in detail of any of these bills, not that that would make the slightest difference. I do not think the government has been too committed to delivering on its election commitment to make consideration in detail a standard feature of the consideration of bills.

There is one thing that is missing from the notice paper which is a glaring omission, and that is of course the Greens Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2015 which was voted down at the first reading without debate and without a chance to go on the notice paper. You can imagine the outrage or the indignant response if the Greens suddenly started voting down — —

Ms Allan — On a point of order, Acting Speaker, the matter the member is referring to is outside the

scope of this debate, and I ask you to bring him back to debating the issue at hand.

The ACTING SPEAKER (Mr Angus) — Order! I uphold the point of order and call the member back to the government business program.

Mr HIBBINS — On a point of order, Acting Speaker, when it comes to the government business program the lead speakers from both the government and the opposition are allowed to make wideranging contributions, and what I am referring to is the business of the house. I am referring to the notice paper which was referenced in previous contributions, and I ask that the Greens be extended that courtesy.

The ACTING SPEAKER (Mr Angus) — Order! I uphold the point of order and call the member back to the matter before the house.

Mr HIBBINS — Continuing on, you can imagine the outrage if the Greens voted down bills on their first reading. We will not be doing that. The Greens believe that all bills in this house, whether they are government bills or private members bills, should be given full and due consideration and be debated in this place.

The previous week highlighted the unusual practice in this house of not having any time for general business to take precedence. I would ask the government to give strong consideration to not having a repeat of last week, when a bill that had passed in the upper house came into this house where the debate was gagged and the bill was taken off the notice paper, and instead to allow private members bills like the one brought in the previous week and other motions to be debated in this house.

Mr McGUIRE (Broadmeadows) — I rise to speak in support of the government business program. The critical issues are straightforward. This is important legislation, the workload is not onerous and the time is available. The propositions raised by the manager of opposition business go to concerns and points of difference, and that is the point of the opposition and is fair enough. Those issues should be heard. There is time. The proposition is here to get that done. There are critical issues that are being raised that we all want to address, particularly on the Crimes Amendment (Child Pornography and Other Matters) Bill 2015. They are urgent and significant to the community and to every member here.

The Leader of the House has outlined something practical that is getting on with what needs to get done, and I commend the program to the house. We do not

need to have any further debates. It is not going to be opposed. Let the debate run.

Mr CRISP (Mildura) — I rise to speak on behalf of The Nationals on the government business program. The Nationals in coalition are not opposing this program. However, we raise a couple of concerns, and particularly I want to support the point made by the manager of opposition business regarding consideration in detail. This was a feature of some earlier conversations with the government whose assurance has not been kept up. This week we have nominated a bill that we would like to go through consideration in detail, and one hopes that this will be accommodated later in the week.

The program is also slightly complicated by the announcement of a ministerial statement on local government reform, and that will be of interest. I have a number of councils of differing dimensions and capabilities within my electorate, and it is certainly a statement that I will be here to listen to. I may well wish to make a contribution on it depending on what the minister has to say tomorrow.

The bills on this week's program that The Nationals are anxious to speak on are the Resources Legislation Amendment Bill 2015; the Emergency Management (Control of Response Activities and Other Matters) Bill 2015; the Crimes Amendment (Child Pornography and Other Matters) Bill 2015, a particularly difficult area but a necessary one for the reforms to be undertaken; and the Education and Training Reform Amendment (Miscellaneous) Bill 2015. With those statements, The Nationals are not opposing the government business program.

Motion agreed to.

MEMBERS STATEMENTS

St Paraskevi festival

Ms SULEYMAN (St Albans) — On Sunday, 26 July, the Greek Orthodox community of St Albans held its annual St Paraskevi festival. The festival was very popular. There were food stalls and live Greek music and performances. The Greek community is an integral part of the west. I commend the Greek Orthodox community of St Albans on another successful event this year.

Joan Kirner Women's and Children's Hospital

Ms SULEYMAN — On another matter, the Andrews Labor government recently announced that expressions of interest are now open to appoint a

builder for the new women's and children's hospital in Sunshine. The new \$200 million women's and children's hospital in the heart of the St Albans electorate will not only provide vital services but also create jobs in the west. It is a fitting tribute that the hospital will be named after the late former Premier Joan Kirner, a champion of the west and women's rights.

St Albans electorate level crossings

Ms SULEYMAN — On another matter, over the weekend the demolition works at the Main Road level crossing in St Albans were completed, making way for the removal of this level crossing. Today I note there was an information session held for locals, and I understand there has been huge community support for the Main Road and Furlong Road level crossing at Cairnlea. I am proud to be part of the Andrews Labor government. We are getting on with delivering for the people of the west.

Jewish Holocaust Centre

Mr SOUTHWICK (Caulfield) — On Thursday, 13 August, I had the pleasure of hosting the Minister for Multicultural Affairs at the Jewish Holocaust museum and research centre in my electorate of Caulfield. The minister's visit followed the adjournment matter I raised on 26 May requesting that he join me for a tour of the centre and meet with its leadership group to discuss the possibility of assisting with its redevelopment.

In the 2014 state election campaign the Victorian coalition committed \$500 000 to assist with the redevelopment of the centre — a commitment I would like to see receive bipartisan support. The redevelopment would include new classrooms, a display for middle school students, an upgrade of the main auditorium and the commemorative and contemplative places and an additional facility for temple exhibitions.

The centre runs many programs for schools and plays an important role in teaching students about the hardships endured by Jews during such a dark time in human history. The centre has over 30 Holocaust survivors. They actively volunteer in programs, and students are able to listen to their stories. There has been a significant increase in student visitation in recent times, with 20 000 students from over 750 schools across Victoria visiting annually. I thank the minister for his visit and offer him all the bipartisan support he needs to ensure that Labor delivers funding for the Melbourne Holocaust centre.

Jewish Community Council of Victoria

Mr SOUTHWICK — I would like also to congratulate the Jewish Community Council of Victoria (JCCV) for voting in its plenum on 3 August in support of the affiliation of Keshet Australia, JCCV's first GLBTI affiliate. I wish to offer my sincere congratulations to JCCV members, including their president Jonathan Barnett, on this historic moment. This is the first time a GLBTI organisation has joined a Jewish community roof body in Australia and one of the few that has done so around the world. It is fitting that it happened on the JCCV's — —

The ACTING SPEAKER (Mr Angus) — Order! The member's time has expired.

Northern Football League juniors clubs

Ms GREEN (Yan Yean) — I rise to pay tribute to all the clubs that have had a great season in the Northern Football League juniors competitions. A number of the clubs I am very close to and sponsor had a very successful weekend. Firstly, I congratulate the Yarrambat Junior Football Club, which won three flags on the weekend. The under-13 Green team defeated Laurimar; the under-12 Blue team defeated Montmorency, the old Magpies enemy; and the under-11 Silver team defeated West Ivanhoe. I ought to have had a bet on that with the member for Ivanhoe, who sits next to me in this place. I look forward to catching up with the Yarrambat Junior Football Club members at their presentation afternoon this Saturday. They fielded 12 juniors teams and that is a great effort.

I also congratulate the Whittlesea Junior Football Club. Its under-17 team defeated Epping's under-17 Red team. The Diamond Creek under-15 girls team also defeated Epping. Mernda Junior Football Club had a win, defeating Epping's under-12 Red team. I should mention also that Whittlesea had a win, with its under-12 Green team defeating Bundoora.

Congratulations also to the runner-up teams, the Whittlesea — —

The ACTING SPEAKER (Mr Angus) — Order! The member's time has expired.

Latrobe youth council

Mr NORTHE (Morwell) — I want to acknowledge participants in the Latrobe youth council and note their attendance at Parliament today. It is terrific that we have young members of our community who are prepared to be a voice and advocate for youth. Congratulations to Daniel, Tearnna, Samantha,

Christopher, Kristen, Joshua, Gregory, Brodie, Nyalat and Maneesha for your efforts and contribution to this important program.

Cancer Council Victoria Traralgon branch

Mr NORTHE — On Sunday I attended the Traralgon branch of the Cancer Council Victoria's annual high afternoon tea fundraiser at the Premiere Function Centre in Traralgon. The event has been running for five years and aims to raise money for cancer research. Approximately \$25 000 was raised on the day, with 360 guests in attendance. Since 1981 the Traralgon branch has raised approximately \$975 000. I commend Val Kennedy, Sally Wilson, Kaye Jones and their army of volunteers on their ongoing efforts. Cancer survivor Sophie Morell also gave an inspiring account of her battle with leukaemia. Well done to all volunteers and local businesses for supporting such a worthy cause.

Vietnam Veterans Day

Mr NORTHE — I also had the pleasure on Sunday of attending the Latrobe RSL group's Vietnam Veterans Day reflection service at ANZAC Memorial Park in Traralgon. The commemoration day allows us to pay our respects to those who served and sacrificed so much in the Vietnam War and in particular recognises the Battle of Long Tan. Approximately 60 000 Australian men and women served in Vietnam, with 521 Australian lives lost, including 6 Latrobe Valley men who were recognised at Sunday's service for their sacrifice. In addition, many thousands were injured physically and emotionally, and our thoughts today are with all those brave men and women who served in Vietnam. Lest we forget!

Indian Independence Day

Mr RICHARDSON (Mordialloc) — Recently I attended in Cheltenham the Australia India Society of Victoria's celebration for the 69th anniversary of India's independence. Indian Independence Day is a significant occasion for the Indian community here in Australia and for the more than 1 billion people in India. It is a time to reflect on the struggles towards independence and the journey of India over the past decades to become one of the world's powerhouses in the Asian century, and it is an opportunity to celebrate the contribution of the Indian community to our multicultural society. The bond between India and Australia is strong. It is underpinned by our shared democratic values, by the appreciation of Indian culture and by our passion for sport, and it is expressed in the creative industries.

The strength of our relationship was on display during last year's visit of Indian Prime Minister Narendra Modi, the first Indian Prime Minister to visit Australia in 28 years. In addressing the Australian Parliament, Prime Minister Modi said that he sees Australia as a major partner in every area of our national priority. In addressing the federal Parliament he went on to say:

India's development, demography and demand provide a unique long-term opportunity for Australia — and all in the familiar framework of democracy. There is no other example of this nature in the world.

These words encapsulate the bright, prosperous and collaborative future between our two nations. I would like to thank the president, Dr Gurdip Aurora, and the entire committee of the Australia India Society of Victoria for a wonderful celebration and for its ongoing service to Victoria's Indian community over the past 50 years.

South-West Coast electorate roads

Dr NAPHTHINE (South-West Coast) — During the 2014–15 year the port of Portland handled a record 6.5 million tonnes of trade — the fourth successive year of growth. Of this, 4.25 million tonnes were plantation-grown hardwood and softwood woodchips and logs. This level of activity is important for the local and the Victorian economy and for jobs. There are more than 280 000 truck movements to and from the port of Portland each year and this is estimated to increase further over the next 5 to 10 years. Indeed, one local transport company is currently advertising for 40 to 60 new truck drivers.

Many of these truck journeys are bringing wood products to Portland along the Princes Highway from South Australia via Heywood or along Portland-Nelson Road. This enormous volume of truck traffic is causing massive damage to these roads, especially during wet, wintry conditions. The previous coalition government funded new safer passing lanes on the Princes Highway at Greenwald and committed a further \$640 000 for road repairs at Bolwarra and Greenwald. However, under this government VicRoads has now installed 60-kilometre-per-hour speed restrictions, rather than fix damaged roads at Greenwald and on Portland-Nelson Road. Action is needed now to fix these roads, not simply put up speed restriction signs. There is significant damage being caused to these roads, which is dangerous. We need action from this government, not just speed restrictions.

Sunbury electorate schools

Mr J. BULL (Sunbury) — The Andrews government is getting on with education in Sunbury. Members know that Sunbury College is a fantastic school. It is a place that gave me a wonderful start in life through a quality education. On Friday, 7 August, I had the great privilege of joining the Premier in touring the school and in particular discussing the design and build of the new \$3 million science wing the Andrews Labor government will build over the next two years. We are giving students at Sunbury College the world-class science facilities they need to reach their full potential. We are also supporting student wellbeing at Sunbury College, with an extra \$70 000 in funding to ensure that students stay healthy, happy and ready to learn.

On a personal note, it was fantastic to introduce the Premier to my former politics teacher, Dale Thornton, a teacher who always does his absolute best for his students. There is nothing more important than getting a good start in life. That is why we are making Victoria the education state. Time and time again throughout history we have seen that getting access to quality education can be the single biggest factor in living a happy, healthy and productive life. This includes ensuring that school buildings are maintained so that students can learn in quality learning environments.

Last week I was extremely proud to announce that Sunbury schools will be receiving an additional \$1.1 million to fix buildings and do general repairs. Sunbury Downs College, Sunbury College, Sunbury West Primary School and Sunbury Heights Primary School — my former primary school — will all be sharing in this money. It will ensure that every child, student and adult learner in Sunbury gets a great education and the promise of a bright future.

Unconventional gas

Mr KATOS (South Barwon) — Last Friday I wrote to the Premier and asked that he not grant a further petroleum exploration permit (PEP) 163, which is a gas exploration permit in sensitive areas of the Surf Coast shire and Geelong. The permit area covers areas of Highton, Waurin Ponds, Armstrong Creek, Torquay, Jan Juc, Anglesea, Moriac, Modewarre and much of the rural hinterland of the Surf Coast. I previously stated that I would not support unconventional gas exploration that puts at risk our prime agricultural land and water resources. I have previously supported Moriac, Freshwater Creek and Paraparap communities to declare themselves 'frack free' townships, and I have also supported a moratorium on unconventional gas.

I have consulted widely in the electorate of South Barwon, and it is my firm opinion that unconventional gas exploration on the Surf Coast will put at risk agriculture, tourism, water resources and our residential zones. It should be noted that PEP 163 was originally granted under a Labor government in 2002 and has been renewed on eight occasions by Labor. If the Premier chooses to grant or expand this permit, then he and his government will face the strongest opposition from local groups and constituents in the Surf Coast shire and the South Barwon electorate. I am also willing to meet with the Premier, along with local groups and constituents, to discuss these matters at any time that is convenient to the Premier.

Victoria Police commemoration

Mr NOONAN (Minister for Police) — I rise to congratulate Victoria Police, the Victoria Police Anzac Centenary Committee and the Blue Ribbon Foundation on their efforts in organising a commemorative service on 7 August acknowledging the 138 Victoria Police officers who served in the First World War and the 27 who lost their lives. The day was especially poignant, with families of some of the officers attending to remember their ancestors. A moving address was given by Constable Steven Newland, whose grandmother's uncle, Sergeant Herbert Newland, was one of those Victoria Police officers who served his country as a soldier and his community as a police officer. He spoke of his pride in following in his ancestor's footsteps. The commemorative address was given by Sir Angus Houston, who spoke about the importance of service and sacrifice. The Victoria Police chief commissioner, Graham Ashton, also spoke, and I was honoured to lay a wreath with him.

In a moving tribute to the 27 officers who lost their lives, 27 current officers stood behind the catafalque guard and came to attention as the name of a lost officer was read. The Victoria Police chapel provided a fitting location for the moving commemorative service. I would like to thank the Australian Welsh Male Choir for lending their voices to the day; their voices filled the academy chapel and provided an inspiring rendition of *In Flanders Fields*. The service reminded us of the sacrifices —

The ACTING SPEAKER (Mr Angus) — Order! The member's time has expired.

Unity Cup

Ms SHEED (Shepparton) — I was honoured to attend the Unity Cup at Rumbalara Football and Netball Club on Saturday, 8 August. The ninth annual event

brought together Rumbalara and Congupna football and netball players, supporters, Aboriginal elders, aunts, sisters, mothers, grandmothers and female representatives. Each year the Unity Cup honours the significance of women and their impact on creating strong families and communities. The men formed a guard of honour on the ground as about 100 women joined together for the Women's Walk of Solidarity, a mark of respect for the role of women in the community.

I joined Victorian Governor Linda Dessau on the walk, a truly meaningful event for everyone involved. I would like to congratulate Paul Briggs and Debbie McColl, presidents of the clubs involved, for their continued leadership and hard work on this event and throughout the year. Governor Dessau is now Rumbalara club patron and no. 1 ticketholder, and I look forward to her continued involvement in the club and the wider region.

Horses for Hope

Ms SHEED — Last week I visited Horses for Hope, which is an equine facilitated learning and therapy program to assist people with a range of issues. The program's clients may be victims of abuse or trauma, have experienced an accident or natural disaster or be suffering from a developmental or mental health issue. Horses for Hope operates out of Shepparton and Kinglake in Victoria. The program connects troubled people and troubled horses, and is truly remarkable in this respect. Delivered by Kildonan Uniting Care, the program has gained a reputation for being able to assist individuals and groups that have tried a range of other therapeutic options.

Berry Street Ballarat

Ms KNIGHT (Wendouree) — Today I would like to speak about an organisation in my electorate, Berry Street. We all know about the great work Berry Street does Australia-wide, but I want to talk about what they are doing in my electorate of Wendouree. Last week I attended Berry Street Ballarat's monthly staff meeting, and I must say I walked out of that meeting with a renewed sense of respect for support agency workers. I am referring to all the workers, including the administrative staff and everything that they do. The assistance that they provide to those in our community who are most vulnerable is quite amazing. It is also incredibly selfless, and I want to sincerely thank those workers.

At the meeting I heard about the great successes that they are having with their programs, and what a wide range of programs they have. I heard about kids who

have come from the worst situations you can imagine and who now, with the help of their Berry Street caseworkers, have enrolled in educational courses and are now out there excelling in the workforce. They are just some of the many, many examples that I heard about on the day.

It was a great privilege to listen to the staff giving their reports. Again, I want to thank them for being so generous with their time and with their knowledge, and for extending that invitation to me to attend their staff meeting. The dedicated and passionate staff at Berry Street Ballarat are second to none, and I am really proud to have these people working in my community, helping children and families.

Buchan Caves Hotel

Mr T. BULL (Gippsland East) — There is nothing like a small country town to show how a community can come together, and what more important reason is there than to build a pub — a pub that was destroyed by fire last year? Although as a teetotaler, Acting Speaker, you may not be greatly interested, the community of Buchan is very interested! The pub was burnt down in April 2014 after a fire. It is a very historic pub; it had been there for 121 years. The community of 400 people believed the town had lost part of its soul, if you like.

With complications around the agreement and rebuilding, it was initially appearing as though the town would be publess. The community then came together, and through key organiser Lyndel Moore a fundraiser was organised to raise the sum of \$600 000. Support for the fundraiser came from all over the electorate, including towns such as Orbost, Nowa Nowa and Lakes Entrance as well as those further afield — Bairnsdale, Strathfield, Heyfield and Maffra. Indeed the fundraiser captured hearts from all over the world, with even people from New York donating. Amazingly, the \$600 000 in community fundraising was achieved last week.

I am delighted for the people of the township of Buchan and its surrounding communities, who will regain their iconic pub. I encourage all members to visit Buchan as soon as possible and have a refreshment. They can have a look at my name on the wall as a contributor to that great cause.

NETschool Bendigo

Ms EDWARDS (Bendigo West) — Established in 2005, the success of Bendigo Senior Secondary College's NETschool is well known. NETschool provides a highly personalised alternative educational

setting for young people aged 15 to 19 who are unable to attend mainstream schooling, who have a history of non-attendance at school due to physical or mental health issues, trauma, ongoing family issues, poor relationships with teachers and other students, being bullied, being pregnant or being a young mother and who still have a strong desire to gain formal qualifications.

On Friday night I was privileged to join some of the NETschool students as they embarked on their first ever debutante ball. This was a very proud moment for these young people, their teachers, their parents and their friends. Most of these students thought they would never have the opportunity to do anything like this. They also fundraised and provided supper for the event.

The importance of this debutante ball to these young people was reflected in their personal comments about what the night meant to them. Bonnie Cook and Josh Pama said:

The fact I am able to afford to do my deb is something I never thought would be possible. All the fundraising has really helped. I have really enjoyed being able to get dressed up and to feel special. I am also very excited about the opportunity to perform with my cello tonight. I am happy to be connecting with my music again. Both these things have helped make me feel a part of NETschool very quickly.

Ollie Cornwell and Tully Novelli commented:

This deb ball is very important to me because it is a subtle and not-so-subtle way for me to announce to others who I am. It also gives me an opportunity at the same time to bring to the fore societal and gender norms. Lastly, I am really looking forward to a great night and to being able to dance with my best friend.

The ACTING SPEAKER (Mr Angus) — Order! The member's time has expired.

East-west link

Mr WELLS (Rowville) — This statement strongly supports the recently held community rally backing the east-west link 'Just build it!' campaign and condemns the Andrews Labor government for its political sabotage in ripping up the contracts for the east-west link, thereby dooming the millions of Melbourne commuter and business road users to many more years of continuing congestion and traffic gridlock. Scrapping such a vital major infrastructure project also means that the Andrews government has, hypocritically, axed thousands of jobs — an estimated 6700 jobs to be exact — for Victorian workers at the same time as spruiking its now seriously floundering so-called jobs plan to create 100 000 jobs.

An east–west link remains a critically important and vitally needed project for Victoria’s future and economic prosperity, and such a link will be built in the future. Victorian motorists just cannot afford to remain permanently gridlocked on increasingly congested roads. If the east–west link is not built, Victorian commuters will be forced to spend more and more of their valuable time frustrated in their cars rather than spending quality time with their friends and families.

The Andrews Labor government’s reckless irresponsibility is not only threatening Victoria’s hard-won international reputation as a place to do business and to invest but also literally flushing more than \$640 million in taxpayers money down the drain for absolutely no gain, nothing, zip — no new road and no new jobs. Scrapping the east–west link has hit Victoria’s economy at a time when new investment is critically important.

Moonee Valley Lone Pine

Mr CARROLL (Niddrie) — On Saturday, 8 August, along with the federal member for Maribyrnong, the state member for Essendon and the mayor of the City of Moonee Valley, I attended the unveiling of a beautiful plaque and planting of a special Lone Pine tree to commemorate the 100th anniversary of the Battle of Lone Pine at Gallipoli from 6 to 9 August 1915. It is 100 years since the Anzacs fought one of their bloodiest battles. The Battle of Lone Pine was part of the Gallipoli campaign and has only recently been described by the Governor-General, Peter Cosgrove, as a ‘vicious armed brawl’. It was four days of intense hand-to-hand fighting during which some 800 Australians died, some 1500 were wounded and seven Victoria Crosses were earned.

The City of Moonee Valley’s special Lone Pine is an Aleppo pine, *Pinus halepensis*, presented by the 58/32nd Infantry Battalion Association. It is a descendant of the original lonesome pine from the battlefields of Lone Pine and was grown from a seed from the Australian War Memorial. This lone pine was a solitary tree on the Gallipoli Peninsula in Turkey that marked the site of the Battle of Lone Pine in 1915. Pines that are planted as a memorial to the Australian and New Zealand soldiers who fought in Gallipoli are also known as Lone Pines or Gallipoli Pines, referencing the original tree. The original Lone Pine was the sole survivor of a group of trees that was cut down by Turkish soldiers who used the timber and branches to cover their trenches during the battle.

I thank Moonee Valley City Council for organising our community’s very own Lone Pine tree to commemorate

100 years since this historic battle at Gallipoli. I encourage locals to visit Queens Park to see both the plaque and the newly planted Lone Pine tree, which stands in perpetuity commemorating the great work of our Anzacs.

Vietnam Veterans Day

Mr BLACKWOOD (Narracan) — Today, 18 August, is Vietnam Veterans Day. Originally it was a day to commemorate the Battle of Long Tan, which took place in 1966. It has since been adopted as the day to remember the sacrifices made by Australian diggers during the entire 10-year Vietnam campaign.

The battle of Long Tan was the largest single-unit battle fought in Vietnam by Australian troops. It began on the afternoon of 18 August and went right through the night until the morning of the 19th. The reason it was looked on as decisive and significant was that the Australians had only been there a few months. It was the first major conflict involving Australian troops in Vietnam.

The Viet Cong and the North Vietnamese army were aware that the Australians were there to secure the province and decided they would take them on. That was the fate that befell the men of Delta company from the 6th battalion of the Royal Australian Regiment who were on patrol that particular day. The enemy lay in wait for them in a huge ambush in a rubber plantation called Long Tan, and the Australians had to hold off thousands of enemy troops for the duration of the battle. Eighteen Australian troops and up to 1000 enemy troops were killed. The skills of the artillery men and the arrival of armoured personnel carriers with more men saved the day.

The 6th battalion was called the ‘baby battalion’ as it was made up largely of national servicemen, and they certainly underwent a baptism by fire. This is another example of the mateship, courage, endurance and sacrifice that our diggers are renowned for.

William Caldow

Ms COUZENS (Geelong) — On 1 August 2015 a great stalwart of the Australian Labor Party and a valued member of the Geelong and district community, William Caldow, passed away at the age of 86. Known as Billy, he was born on 11 April 1929 at Rokewood, Victoria. The family moved to Cressy, where they lived at the billiard saloon opposite the Cressy hotel. In 1951 the family moved to Hope Street, Geelong West, and in 1955 Bill began work at Australian Portland Cement in

Geelong. He remained there until he was made redundant in 1992.

In 1956 Bill married Lorraine Edmonds, and they bought their first home in Joyce Parade, Herne Hill, where they raised their three children, Anne, Maxine and Roger. It was also in 1956 that Bill joined the ALP. Bill loved his footy, a beer and the ALP. He was very active in the Geelong West branch and helped out at every election until he was hit by a car 10 years ago, which slowed him down.

In honour of Bill, a minute's silence was observed at the ALP's Geelong West branch meeting last night. Bill's commitment to his community and the ALP was outstanding. He was well known for his dedicated volunteer work. Bill was a life member of the ALP, having served 60 years. Vale, William Caldw.

Merbein Great Australian Vanilla Slice Triumph

Mr CRISP (Mildura) — I was delighted to attend this year's Merbein Great Australian Vanilla Slice Triumph and even more delighted that this year there were blue skies and sunshine, unlike last year. The day was an overwhelming success, with the organising committee outdoing itself yet again. With an estimated 12 000 people attending and 1500 vanilla slices consumed, Merbein was a sea of smiling faces. Congratulations to all those involved.

Mallee Almond Blossom Festival

Mr CRISP — As spring is upon the Mallee, last Sunday the almond orchards were in full bloom for the Mallee Almond Blossom Festival. A huge crowd was well entertained, educated and well fed. Well done to Robinvale for organising a great event.

Mildura Tourism summit

Mr CRISP — Mildura Tourism, headed by Rod Trowbridge, conducted a summit to develop a destination plan for the region. Mildura Tourism has actively promoted Mildura and continues to support the development and promotion of new products. The take-home lesson for the region was that many of the things we have done very well as a destination are being done by everyone else and we need to be active in order to remain a destination of choice for tourists. I look forward to the development of the plan.

Hudson pear

Mr CRISP — The Kooloonong Natya Landcare Group is currently working towards the eradication of

Hudson pear in the area. Hudson pear is a highly invasive, thorny cactus species which is so tough that its spines can penetrate boots and even car tyres, and it can cause serious injury to humans and livestock as well as fauna. It is potentially the worst cactus species to spread in Australia since prickly pear. I was invited to attend the group's Hudson pear burning party last Friday, during which I was able to experience firsthand the dangerous and debilitating effect that this cactus has on valuable land.

Filipino/Australian Association of Ballarat

Mr HOWARD (Buninyong) — I was pleased to attend the gala night held by the Filipino/Australian Association of Ballarat Inc. (FAABI) on 1 August to celebrate the group's 24th anniversary. Many members of the group have settled in Ballarat after moving from the Philippines, and they have become very involved in Ballarat community life. The gala night was again an opportunity for FAABI members to celebrate and share aspects of their Filipino culture and especially their love of dance. The performances of traditional Filipino dance were a highlight of the evening, but other performances of ballet and singing were also appreciated by all who attended, as was the more contemporary dancing later in the evening. I congratulate FAABI president, Shirley Hart, all FAABI members and performers, and the St Patrick's College caterers, who all ensured that the gala night was enjoyed by all.

Volunteer emergency services equipment program

Mr HOWARD — I am delighted that the Andrews Labor government is continuing to support the volunteer emergency services equipment program, otherwise known as VESEP, which was initiated by the Bracks government. In this last round of funding five Country Fire Authority (CFA) brigades in the Buninyong electorate will share in over \$98 000 worth of support. These include: Elaine CFA, which will gain \$44 133; Meredith CFA, which will receive \$35 407; and Smythesdale, Ballarat and Maude CFAs, which will gain between \$1900 and \$10 000 to upgrade their facilities and equipment. This support will be greatly appreciated by these brigades and the communities they support, and I congratulate the brigades on their great work.

Steph Trace

Mr WATT (Burwood) — With most community groups it is the volunteers who are the driving force. It is with this in mind that I want to congratulate and

thank Steph Trace for her work with St Scholastica's Kindergarten, particularly her work with the sausage sizzle at Woolworths and the recent art show of students' works, which was a huge success. I appreciate the opportunity to be involved in both events, and I am inspired by the work of volunteers such as Steph.

Public holidays

Mr WATT — I refer to the article by Jesse Wray-McCann published on the front page of the *Whitehorse Leader* of 17 August 2015 titled 'Grand final losers'. While I very much appreciate the brown and gold scarf in the photo, all of the business owners I have spoken to in my electorate and I do not appreciate the circumstances that businesses find themselves in in relation to public holidays. Businesses like Zimt in Surrey Hills, which is run by a husband and wife team who reside in my electorate, have to make an unpleasant choice between losing \$2000 if they open on grand final eve or losing \$1000 if they close. The government spokespeople repeatedly state that the new public holiday will deliver benefits, something which is not substantiated by the regulatory impact statement. Along with business owners in my electorate, I call on the Premier to stop attacking hardworking mum and dad business owners and to cancel this ill-conceived grand final eve public holiday. It is a cost that businesses cannot afford and one that will cost jobs.

Camberwell Showtime

Mr WATT — On 7 August I attended the opening of *Camberwell Showtime*. I want to congratulate the local scouts and guides for another great season — I particularly appreciated some of the contemporary political references — especially given how much time and effort goes into producing the show each year.

Hart Art

Mr WATT — On 6 August I attended Hart Art, and I want to congratulate Hartwell Primary School and all the artists —

The ACTING SPEAKER (Mr Pearson) — Order! The member's time has expired.

Greensborough TAFE campus

Mr BROOKS (Bundoora) — I am very pleased to be able to rise in this place and say that the Andrews Labor government is reopening Greensborough TAFE, after it was shamefully closed down by those opposite.

The ACTING SPEAKER (Mr Pearson) — Order! The time for member's statements has expired.

EMERGENCY MANAGEMENT (CONTROL OF RESPONSE ACTIVITIES AND OTHER MATTERS) BILL 2015

Second reading

Debate resumed from 5 August; motion of Ms GARRETT (Minister for Emergency Services).

Mr BATTIN (Gembrook) — It is a pleasure to rise today to speak and put the opposition's position on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. We will not be opposing the bill as introduced into Parliament.

The former coalition government was committed to reforming Victoria's emergency services, which is something I know the former minister, the member for Rowville, and the former Deputy Premier were both committed to doing. They wanted to ensure that our emergency services in Victoria were well managed and that we had in place the things that would enable the emergency services to do what they are there for — that is, protect lives, property and the environment. It is essential that we have a system in place that works throughout the whole of Victoria, involves all our emergency services and enjoys a whole-of-government response.

This bill is an extension of the reforms that were put in place by the former government. It is about the management and the interoperability of services and will ensure that service delivery is available, particularly under the current commissioner, Craig Lapsley. During the coalition's time in government, working with Mr Lapsley was fantastic. He was very committed to his role. He did an outstanding job in ensuring the setting up of Emergency Management Victoria, and I know he continues that work today. I know that there is a lot of respect in the emergency services world for the role that Mr Lapsley has undertaken and the position he has taken going forward. One thing we give credit for, and obviously it is a bureaucratic position, is the role he plays in working with any government to deliver the best outcome. He will always offer open and frank advice to whoever is in government to ensure that the processes going forward are in place for the members, paid and volunteer, throughout the whole sector.

I would also like to put on the record our thanks to the chief of the Victorian Country Fire Authority (CFA), Euan Ferguson. He has done an outstanding job. He is very passionate about the volunteer sector in the emergency services, and members will have seen him out at many events. I will never forget the speech he

made at the Frankston ceremony for the presentation of the Emergency Services Medal following the 2009 bushfires. He spoke about the commitment of the volunteers and paid staff and the importance of their role. At the end of his speech he walked to the front of the stage and saluted. We all know a salute generally goes up the ranks, but this went out to the volunteers. It said, 'Thank you'. When I saw the emotion in his eyes, I understood how important the emergency services sector was to him. I understand he is going in November, and I wish him all the best in whatever he does. I want to put on the record that the coalition thanks him for his efforts in making sure Victoria has the best possible emergency management.

The Emergency Management Act 2013 was probably the most significant change to the emergency services in 30 years. It came after the 2009 Victorian Bushfires Royal Commission, which made lots of recommendations in relation to the future of our emergency services. We always like to think we are never going to have another emergency. That would be in an ideal world. But the reality is that Victoria has some of the nation's biggest fires and some very big floods. We have had earthquakes. You name it, we have had it, and will again in the future.

In 2010–11 we had floods in northern Victoria. I have lived most of my life in the hills, where we might see some fast-gushing water but not a lot of floods. It was eye-opening to go up to the north, to Cohuna, and see the damage floods can do. Unlike fires, they are very slow moving. Some of the farmers had to watch the water coming slowly towards their property, knowing the damage it would do. They knew they had the support of the Victorian community and emergency services, but properties are inevitably lost along the way. Since that time, further emergencies have reminded us of the challenges Victoria will continue to face, and of the importance of strong management and flexibility of response. Most significantly, the Emergency Management Act put in place the necessary flexibility to allow departments and bodies to work together.

The government has given the opposition a chance to look through the State Control Centre, and I visited it whilst in government. I encourage any member of Parliament to go in and have a look at it if they have the time. I know the Minister for Police, who is at the table, would have been through it. When you are sitting at home watching an emergency unfold, it is hard to understand how many departments are involved in emergency response in Victoria. Victoria Police can be a key agency, and there are the CFA and Metropolitan Fire Brigade. The Department of Environment, Land,

Water and Planning has fire services as well. There is the weather bureau, the State Emergency Service and Ambulance Victoria, and the list goes on. Groups like the Bushwalkers Wilderness Rescue Squad participate in rescues, and that can also be controlled through the State Control Centre.

The Emergency Management Act was essential to enable these organisations to work together. The chain of command must be well established. The state response controller oversees the issues of the day and works with all relevant departments. If you go into the State Control Centre during the fire season, you may see people from all departments working in one room and discussing the response as it happens. Sometimes those from one department will not have seen something that those from another department has seen, and it is important that they are feeding that information to each other to ensure the best outcome in terms of protecting the lives and livelihoods of Victorians.

The member for Eildon is here, and I know she would speak highly of some of the farmers in her area. When a fire comes through, life and property are the most immediate concerns, but the effect on the livelihood of families when they return to the area is important as well. That is what Emergency Management Victoria is all about — ensuring we have a whole-of-government approach. That includes things like working with the Department of Health and Human Services. That is why we think it is so important to see upgrades and changes to Emergency Management Victoria. This bill also provides further clarity to the role of the State Crisis and Resilience Council, which is a peak crisis management body providing advice to the minister and adopting the *State Emergency Response Plan*. The plan has input from everybody — all groups and communities. It is not about just the response on the day but also what should happen in the aftermath of an event.

We have been lucky in my part of Victoria not to have had a major fire through since Ash Wednesday in 1983, but those fires were tragic. Emergency services workers and local residents lost their lives. We are reminded of that sad time by the opening of a new Ash Wednesday memorial at Cockatoo. It does not have an official name at the moment, though the committee is trying to find one. Back then, communication channels were not in place, and Cockatoo ended up with 300-plus people in a kindergarten in the middle of town with nowhere to go. The only communication was through the local CFA. Communication has come a long way, and we have to keep up with it to ensure that we have best practice in place for messages to get from Melbourne to communities around the state and, even more

importantly, from those communities to Melbourne. When communication is good, we know emergency services can respond very quickly.

The refinement of the powers of the inspector-general for emergency management is a step forward in guaranteeing that the investigations conducted by the inspector-general determine the best possible response. I know the department has been working on this, and we support this part of the bill. I know the former minister was very keen on ensuring the inspector-general had this power. The coalition is committed to ensuring that these improvements do not go unnoticed, as has been happening in the past. We are also more than happy to work with government any time that we are looking at emergency responses and emergency management across the state of Victoria.

The Emergency Management Act 2013 established the position of emergency management commissioner, which has significantly strengthened the operational capability and operability of responding to all hazards. Craig Lapsley was appointed the commissioner. I have said before that the role of the person in that position is to ensure that communication between departments was clear so that in the future all departments would understand what is going on, what risks are in place and whether the incidents are about life, which is obviously the most important, as well as property.

At the local incident control centres there is now a bit more understanding of the local features. New mapping will make some difference, but sometimes a local person in the CFA in a certain area will understand better than anyone else the fire movements in the area and will have the ability to feed that information through. Having a commissioner in place at the State Control Centre will mean that information can be fed back into the meetings that are held regularly during any response that might be necessary. As I said before, dealing with all hazards is super important. The all-hazards approach in Victoria covers spills, fires, earthquakes and floods. The bill ensures that all departments will be able to communicate via the State Control Centre.

During discussions on the bill one of the questions we raised concerned the Victoria State Emergency Service (SES) and the levees that can be built on private property. In the past if a flood was coming through, the SES technically had to give seven days notice to build or remove a levee which could potentially cause hazards to other property or the lives of other farmers in the area. Generally that would happen more in regional areas in relation to levees. The bill provides for SES personnel to enter a property and have the ability to

make a management decision based on the safety of that community in order to build or destruct a levee or a levee bank to stop the movement of water or in some circumstances create a different pathway for the water. That is very important. However, I also understand that some farmers may regard those provisions as infringing on their rights on their own farms. When SES is faced with those decisions, I am confident and have trust in SES management that, whether locally or in Melbourne, it will make decisions based on the best outcomes for the community. The SES is doing what is best in the overall response for that community, and it is essential that it has the ability to do that.

The bill provides that SES is required to write or give notice seven days after an event to let the owner of the property know what they have done, and it is important that that gets done. We raised questions about whether anything was in place in the form of penalties if this provision was not adhered to, but there is no provision for that. Farmers have also raised this issue. They have said they need to know details, especially when they cannot get back to their properties. During that period they want to know what to expect when they get back after leaving their properties, particularly during events like the recent floods in this state.

We all know that SES does a magnificent job in Victoria. It responds to road rescues. In fact its various responses throughout the state have increased over the years, so that it now responds to many separate incidents for which its training and equipment have improved greatly over a period of time. My local SES unit in Emerald responds to more than 1000 call-outs a year, all performed by volunteers. That is more than three calls a day on average which are being answered by volunteers in our local community of Emerald. We are very lucky to have them cover my electorate, I know they also cover the Deputy Premier's electorate. They are currently working from a shed in Emerald. I attended the Emerald SES awards night this week and found the volunteers to be the most humble group of people. They were receiving certificates of service for 5, 10 or 15 years, and if I am correct there was a total of about 60 years of service in the certificates presented on the night. Each person who got up to receive their certificate was almost embarrassed to be the recipient of an award for what they regard as merely their role in giving back something to the community. It is important that we thank them because they do a fantastic job in our local areas and obviously throughout the state.

The bill allows the SES to construct, remove or alter a levee for the purposes I have already mentioned. When the previous government introduced the Emergency

Management Act it recognised the critical roles of both career and volunteer workers in the emergency management sector by including measures to ensure capacity and capability would not only be maintained but also strengthened. We are very keen to see, going forward, that our volunteer sector is supported and CFA is designed specifically around that. The CFA is a volunteer organisation, one of the best, if not the best, in the world, supported by career firefighters. It is important to get the message out that it is a volunteer sector, supported by career firefighters. It is not solely a career-firefighter driven agenda for CFA. The CFA does wonderful work throughout so many parts of our community, but some things are changing in CFA. With growth we are seeing a change in the response times it has to have and we are seeing a change in the training of its members.

If you visit many of the CFA brigades you will see many years of experience among the volunteers. In the same way that SES operates, it is the volunteers who are called out to the various incidents. They do not do it for the thanks; they do it because they want to give back to their communities. They love working in and protecting their community. It is vital that all governments ensure that these volunteers have protection and that all positions are in place and all factors are taken into consideration. The fire services review which is currently underway needs to focus on the volunteer sector so that we continue to have a volunteer service, supported by career firefighters, and not taken over by career firefighters.

In my electorate CFA brigades all operate with volunteers, other than Pakenham, which is an integrated station. Integrated stations do work and have a genuine place. Pakenham is probably a prime example of an integrated station with the recent growth that has occurred in Pakenham. To have three staff on duty for each shift is very important to our local area. They work effectively with our volunteers and, in their own words, they are there to support our volunteers at Pakenham. That integrated system is something we should be proud of, and we should work together to see improvements in that area. The volunteers still get the opportunity to respond and the volunteers are still supporting their community, but at the same time there are career firefighters available to give us a 90-second response time, particularly during the day.

That is probably one of the biggest issues that needs to be reviewed. I hope the fire services review looks at this issue, because currently you cannot have a daytime response station. If you have a daytime response station, after a short period of time, up to 12 months, that will automatically become a career station and

provide three staff members at a fairly big cost. It costs more than more than \$2.2 million to have three staff members per shift in a station. The review needs to look at that — it is part of the enterprise bargaining agreement — to ensure that we can have daytime stations where they are needed. The government needs to work in consultation with the local volunteers rather than going out on its own and turning all of the stations into 24-hour facilities, which may not be needed. You could have areas where a full-time station is not required.

I am sure we will talk more about the fire services review and its timing a bit later on, but I will just say that the review provides a very short period of time for our genuine volunteers to get out there and have a say. It is important that they have the ability to get their comments on the record.

The bill is all about continuing the work done by the coalition in 2013 with its Emergency Management Act 2013. It ensures that we have the right protections and communication channels, it ensures that we can respond to all emergencies in Victoria and it ensures the best outcomes for Victorians across the whole state. We on this side of the house 100 per cent support all of our emergency services. Members have different views on what our emergency services should do, but I believe that overall everybody supports the fact that we need a strong emergency services sector. The volunteer sector we have had for so long has worked so well. That is where we should be headed, and we need to make sure we have that going forward.

The message we often hear out there is about volunteers not being paid. They volunteer for our community. My view is that volunteers are paid — they are paid in respect. It is time for the Premier to pay up on that respect with the fire services review and make sure those people are listened to. The government needs to extend the four-week timetable on its consultation process.

We will not oppose this bill. There are certain elements of it we would definitely encourage going forward. If we were to raise one specific question, it would be in relation to the appointment of a state controller. If a state controller is appointed and they do not perform at the level required at the time, if they have a level of incompetence or if they have other issues in relation to what they are achieving or the outcomes — and that could be for any reason, including tiredness or working too long — we would like to know what process would be in place for that person to be replaced other than their simply being required to step down. It is very important that there be a mechanism that allows the

state controller to be overridden and someone else put in their place. That is the only question the opposition would have in relation to that.

We support most of the measures in the bill. It continues the work done by the previous government, which continued the work originally started by the 2009 Victorian Bushfires Royal Commission. We do not oppose the bill.

Mr CARROLL (Niddrie) — It is my pleasure to speak on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. Although I represent the Niddrie electorate, emergency services are not far from me because Essendon Airport is home to Victoria's emergency services, in particular the Royal Flying Doctor Service and Air Ambulance Victoria. During the bushfire season the Elvis helicopter is often taken to and from Essendon Airport. There are some 8000 incidents per year that the Essendon Airport air ambulance attends to. It is in a key location. It is in close proximity to the hospitals in the city. The Brumby government made a lot of investment in this area, and I know that the Acting Speaker, the member for Essendon, actively supports it. I support it also.

The primary objective of the legislation before the Parliament is to strengthen and enhance Victoria's emergency response arrangements. Emergencies are dynamic and volatile in nature and often have far-reaching effects. It is vital that the roles and responsibilities of agencies dealing with emergencies are understood and that our emergency services staff and personnel have strong and effective powers. As the Minister for Emergency Services said in her second-reading speech:

Victoria's emergency management arrangements are vital in protecting the lives, property and livelihood of Victorians in emergency situations. The Victorian government is committed to ensuring Victoria's emergency management reforms are practical and effective.

As we have seen when we have had floods and bushfires, Victoria is a very unpredictable place. This legislation will strengthen emergency response times and arrangements, it makes improvements based on operational experiences during the 2014 bushfire season and it takes learnings from the Parliament's inquiry and the appointed review. The bill also seeks to remedy a significant gap in the powers of the Victorian State Emergency Service (SES) so that it is better equipped to respond to emergencies, particularly flood events. The bill also seeks to improve the ability of the inspector-general for emergency management to meet their statutory objectives by fostering continuous

improvement in the emergency management sector and providing assurance to the community and the government. I will say a more on that in a little while.

In relation to compliance with the *State Emergency Response Plan*, the bill bolsters that plan so that arrangements are clear and responses to emergencies will be better coordinated and more effective. This is important during large and complex emergencies, such as in floods, storms or bushfires, when it is vital that all agencies work together. It is important that existing arrangements that have been found to be very good and to work in particular situations are kept. Plans for particular hazards will not be disturbed. If you look at what we have in place at the moment with the Australian veterinary emergency plan, the national electricity market emergency protocol and the *Australian Emergency Plant Pest Response Plan*, this bill builds on work that has been done previously, and it will prevail should there be any conflict with the *State Emergency Response Plan*.

We must realise that Victoria can be a very unpredictable place. The nature and unpredictability of emergencies mean that our emergency management commissioner needs to have the strongest powers. This bill will ensure that the commissioner has the most up-to-date powers to deal with unexpected emergencies.

In order to go forward and implement these reforms, the government will undertake consultation with the sector. We must ensure that Victoria's State Emergency Service has the right powers as the primary agency responsible for floods, storms and earthquakes so that our rescue workers have sufficient legislative authority to do their work, whether it be to enter property or enter a home. We have had bushfires, and we have had unexpected floods. We even had a review into these floods, which was led by Neil Comrie in 2011. I congratulate the Minister for Emergency Services. Here we are in the year 2015. The previous government commissioned the review, but it has taken the Andrews Labor government to implement its findings and bring the legislative changes to the Parliament.

The bill addresses what has come out of the Neil Comrie review, which identified a series of shortfalls in relation to the statutory powers available to Victoria's SES. The bill amends the Victoria State Emergency Service Act 2005 to provide the Victorian SES with the powers it requires. These powers can be arranged under three broad headings: to enter land and premises; to construct, alter or remove a levee; and to remove debris. The bill also gives the Victorian SES the ability to perform its functions and exercise these powers

without consent, but only if there is an emergency and only if it is necessary for the protection of life and property. This will mean that the Victorian SES has the power to take action to reduce the overall harm to the community when faced with an impending flood.

Importantly these new laws have also been welcomed by the SES community. The *Herald Sun* of 5 August reported of the SES chief officer of operations, Trevor White, that he:

... welcomed the proposed change and pointed to emergencies within the past decade when the powers were needed.

In the same article the Minister for Emergency Services was noted as having acknowledged the critical issue of:

... empowering our SES workers to act in the best interests of the community during a disaster such as a flood.

Indeed it is important for the next generation.

The powers and functions of the inspector-general for emergency management will be updated and improved, and given the transparency, legitimacy and enforcement that is required. The position of inspector-general was established a year ago with the objective of fostering continuous improvement in the emergency management sector and providing assurances to the community and the government. However, reform has been needed since that office was established.

Over the past year the inspector-general has identified three main changes that would improve his ability to achieve the objectives he is required to achieve in that particular office.

The bill will implement these changes. It will be done in a progressive manner. We will first and foremost expand the inspector-general's functions to include the monitoring and implementation of recommendations from the reviews and reports, including the Comrie report, but also those of the parliamentary inquiries. We will improve the inspector-general's power to gather information by enabling them to access an agency's premises to observe a system, process or anything else that may warrant attention. We will also require agencies to provide reasonable assistance to the inspector-general if requested.

In conclusion, I want to highlight that the overall objective of the bill is to strengthen and enhance Victoria's emergency response arrangements. Emergencies are dynamic and volatile in nature. Often they have far-reaching effects from which communities need to learn and make vital reforms. It is vital that the roles and responsibilities of agencies are clearly

understood, and that our emergency services have strong and effective powers. The government's agenda in this area — its emergency services management and agenda to reform the sector led by the Minister for Emergency Services — is critical going forward.

The government's emergency management plan reform agenda will be implemented progressively in stages. We will ensure that we take the community along with us. We realise what an important area of responsibility this is, with the floods and bushfires that Victorians face season on season. One of the key benefits of undertaking these reforms through a staged approach will be that we can make responsive refinements as we go along, as issues arise. Ensuring continuous improvement with minimal disruption to the community is going to be a key point.

Finally, I wish the bill a speedy passage. The member for Gembrook on behalf of the opposition has stated that it supports the bill. I thank Neil Comrie for the work he has done. It is a pity about the previous government; I think he handed down his report about four years ago and this is an area of public policy that cannot wait. We are now getting on and making the required reforms happen. I congratulate Mr Comrie on his report and his review, and also members of Parliament who have sat on the various state parliamentary inquiries into emergency management, whether it be dealing with the floods or the bushfires, on a job well done. I commend the bill to the house.

Mr McCURDY (Ovens Valley) — I rise to make a contribution to the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. This side of the house, as you know, Acting Speaker, is committed to reforming Victoria's emergency management to ensure best practice in responding to and recovering from emergencies and protecting all of our communities. Regional Victoria in particular does that well. These reforms will build on the terrific work that has been done by both the previous government and other governments before that.

Emergency management and the Country Fire Authority (CFA) have always had bipartisan support, and we certainly hope with this transition that it will continue; but we do have some concerns, and I will get to those a little bit later in my contribution. Again, as I said, this side of the house will assist in taking a momentous step forward in implementing a reform program. The introduction of the Emergency Management Act 2013 was perhaps the most significant reform in 30 years, and not a day goes by that emergency services do not work hard to look after

our communities. This bill addresses the intentions of the principal act in providing for a strategic action plan that ensures the preparedness, capabilities and emergency arrangements of each agency when Victorians need assistance the most.

It will provide further clarity in the role the State Crisis and Resilience Council plays as the peak crisis management body in providing advice to the minister and adopting the *State Emergency Response Plan*. That will enhance Victoria's emergency response arrangements by allowing for responsive changes whilst avoiding disturbance.

We on this side of the house are committed to ensuring that issues or improvements do not go unnoticed. Under the Emergency Management Act 2013 the position of emergency management commissioner was established, which has significantly strengthened operational capability and interoperability in responding to all hazards. The streamlining of the emergency management commissioner's ability to endorse and deploy a state response controller and controllers is an effective manner of dealing with all hazards efficiently. There is concern that the provision of powers to the emergency management controller under this legislation is not clear in the case of disendorsing a controller in the case of incompetence.

The Numurkah community, which used to be part of my electorate before redistribution, witnessed that firsthand when the floods came through in 2012. It was quite unsettling for that community, and they can speak firsthand about the mistakes that were made in some aspects of that emergency control management. Most of it was due to not listening to locals and not understanding the lie of the land. Let us hope that we learn from that. If it had been done better, we certainly could have saved Numurkah hospital. As it turns out that community was without a proper hospital for some three years. The hospital is now open and operating well, but with better emergency management control its closure could have been avoided and other resources in the community could have been saved as well.

The Numurkah community is still in a state of confusion as it waits for completion of its flood study, which we funded a couple of years ago. Emergency management needs that local knowledge, as I said earlier. Invariably there is a lack of local input, and it all ends up in tears, so to speak. Time is ticking by, because it seems that every 17 years there is a flood in the Numurkah-Nathalia region, and in between those 17 years there are fires as well, so it is important that we get these management practices up to speed.

I will briefly touch on the fire services review, for which the 52 CFA brigades and thousands of volunteers that are in the Ovens Valley hold grave fears. The Minister for Emergency Services and the Premier seem to have one thing in mind from where we sit — that is, strengthening the stronghold of the firefighters union, which is really just payback for their support in the 2014 election. That has become obvious, not just to us on this side of the house but within my communities as well. I hear from CFA brigades and volunteers that they are concerned about it.

What the CFA is trying to do in this whole process is fight to maintain its governance. The CFA is not seeking more or less power nor more or less resources, but it is seeking to hang on to what powers it has. I really believe the volunteers deserve better than that and that we owe them better than that as well. It is clear that this review is an opportunity for the United Firefighters Union (UFU) to toe the Labor Party line about the previous government's push.

Ms Green — On a point of order, Acting Speaker, I ask you to draw the member back to the subject of the bill at hand. It does not refer to the fire management review; it refers to changes to emergency management arrangements. The member may want to continue the dialogue from question time, but that is not the subject of the bill before the house.

Mr Battin — On the point of order, Acting Speaker, the bill before the house is the Emergency Management (Control of Response Activities and Other Matters) Bill 2015, which covers all emergency management arrangements. Emergency management covers the CFA, the Metropolitan Fire Brigade, the ambulance service and the State Emergency Service. The member is well within his rights and well within the realms of the bill.

The ACTING SPEAKER (Mr Pearson) — Order! I will allow the member to continue, but I ask him not to veer far and wide in terms of his contribution.

Mr McCURDY — I am pleased to be able to continue my contribution. As I was saying, it is clear that the fire services review is an opportunity for the United Firefighters Union to toe the Labor Party line, push volunteers out and attach impediments to Victoria's management of firefighting services. As the member for Gembrook said earlier, the fire services review could be the most serious challenge to volunteer firefighting in Victoria's history, allowing the UFU to dictate all management decisions and structures.

The fire services review has been allocated just four weeks to take submissions, and that is disappointing for all volunteers and those who have a stake in our communities. We should make sure that those people are given ample time to make a contribution to the review because it will impact on the future operation of the CFA. There is no excuse for putting volunteers at a disadvantage by giving them limited time to have an input; we know that other organisations supported by the unions certainly have that full-time structure to be able to do so.

If we need any further evidence, I refer to the fact that the secretary of the UFU claimed that 'volunteers could no longer be relied upon to protect Melbourne's outer suburbs'. You do not have to read between the lines to see where the UFU is headed with this review. It is clear to me that the latest round of the Victorian emergency services equipment program grants is the carrot. It is just an inducement, which is trying to get all the CFA stations feeling excited about some of the new facilities and new equipment they will get before that big stick whacks them from behind. That is what we need to be very careful about, and that is why we are raising it in this place.

To add fuel to the fire of that speculation, we have the appointment of a former Labor state president and trade union boss to head what was supposed to be an independent inquiry. It is not surprising; in fact it is quite typical. We hear about this independence and transparency from members on the other side of the house, and it is simply not true. The credibility of this review is of concern to us. Let us be honest: in this review the Labor government is only interested in paying back its union mates, not hearing from CFA volunteers. If the government really wanted to hear from CFA volunteers, it would have given them more than three or four weeks to make a contribution. I commend the work of all our emergency services men and women, and their dedication for what they do in our communities.

In conclusion, the CFA volunteers in my community are the backbone of my community and certainly of many other regional communities. I look at the likes of CFA volunteers in Katamatite, Almonds, Bundalong, Porepunkah and Bright, just to mention a few places. They are just some of the CFA brigades which continue to work strongly in our communities and which are there to support us year in and year out. We cannot undermine the service they provide. What will be next for volunteers? We have to be careful that our local Rotary clubs, Lions clubs and Country Women's Association branches are not taken control of, with a union spokesperson put in their place as well. This

review is just the beginning, and we have to raise it in this place so we can make sure that members on the other side understand where we are coming from. If we lose the voice of volunteers in the CFA, it will be the first step leading to further control. That having been said, I commend the bill to the house.

Ms GREEN (Yan Yean) — I take pleasure in joining the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. Victoria's emergency services are the envy of the world, and one of the reasons is that they are integrated. Career and volunteer personnel work alongside one another, and they are recognised internationally for the work they do. Their skills have always been necessary in the harsh climate of Australia, particularly in this state, but never more so than in the face of human-induced climate change, which is causing many more severe climatic events than in the past, whether they be storms, floods or catastrophic bushfires. This might be an inconvenient truth for the Abbott lovers, The Nationals, the Flat Earth Society opposite — or whatever its members call themselves this week. With the increased climate-related activity and number of these climatic events, there has never been a more important time than now to have that great partnership between career and volunteer staff.

The last thing an integrated service needs is continual sniping from the sidelines. The partnership between volunteers and career staff is like a successful marriage, and the last thing it needs is members opposite sniping from the sidelines, like a selfish mother-in-law or father-in-law — I have not quite made up my mind on which yet. Or is the member for Gembrook a jilted lover? That is how members opposite are carrying on. Every time a member of the opposition gets up to speak, they try to push the line that this government does not support volunteers.

I have been a volunteer with the Country Fire Authority for 13 years, and I can tell the house that the four years between 2010 and 2014 were not nirvana for volunteers, as those across the chamber would have you believe. I almost thought during the member for Gembrook's contribution that the member for Rowville had passed on and we had not noticed, because the member for Gembrook was eulogising the member for Rowville. He conveniently did not mention the former member for Gippsland South, who had a pretty unexemplary time as the Minister for Police and Emergency Services. That period was not a great time for volunteers, and we heard very little from the previous government about that.

I have sat in this chamber many times and listened as members of The Nationals have got to their feet, and almost every time it will be either to say that the Labor Party is interfering with volunteers or to say, 'Don't put any more red tape on volunteers'. That red tape is actually about things like safety; things that were introduced to keep volunteer firefighters and State Emergency Service workers safe. Many members on the other side have been completely silent.

Alternatively they want us to take volunteer or career firefighters back to that unsafe place at Fiskville, which was a situation they never acted upon but over which they cry crocodile tears. Before he passed away early last year from an awful range of cancers, my uncle firmly believed that he had got his cancer during the volunteer service he had undertaken at Fiskville.

I would like the member for Gembrook to listen to that inconvenient truth when he continues to interfere and cause problems in the successful marriage between volunteers and career staff. I will not stand for it. In the 13 years I have been a volunteer, I have turned out very happily alongside career staff. Many of the volunteers I have served with are career staff, so I say enough is enough with interfering in the successful marriage between volunteers and career firefighters. Members opposite should make up their minds whether they are the jilted lovers who are still upset that the Victorian community broke it off with them. They should accept that the children have gone off and are doing their own thing and are getting along nicely — and that they will get along nicely without members opposite talking them down.

I remember in the weeks after the 2010 election that volunteers and members of the community found it very difficult to find any member of the government willing to go and see what had happened as a result of the catastrophic floods that happened in the north-west and the west of the state. I know that the then opposition leader — the now Premier — and I went to see 25 communities in three weeks. There was no caravan, no-one saying, 'Here we all are; we are new members of the upper house. We are making sandwiches'. That was about what you got from members of the government, whereas we went in and spoke to communities and we saw what they needed. There was no fanfare.

The member for Bendigo East and I were almost the first people to set foot in Bridgewater — there were hardly any agencies there — after the catastrophe that had occurred. No-one was in charge. We got there and helped, and there was a volunteer who had worked with BlazeAid — re-fencing with the fantastic Butler family after the Black Saturday fires — and that person took

charge and assisted the local government. That local government was attempting to run five relief centres, and not one member of the then so-called state government had set foot in that place.

I recall seeing on the *ABC News* the then Premier, Ted Baillieu — now departed from this house — saying he was on his way to Creswick, pronouncing it 'Cressik'. That is how much the former Premier, Ted Baillieu, knew about the township of 'Cressik' — he did not even know how to pronounce 'Creswick'. There he was, on the news, at the Angler's Tavern at Maribyrnong: 'Oh gee, this looks really bad!'. I do not think he had ever been to the other side of the Maribyrnong River let alone having to go as far as 'Cressik' to find out what had happened there.

Those opposite may want to continue with their divisive language, but the communities that were affected by those floods will not forget the weeks and weeks when they did not see anyone from the Department of Human Services (DHS). I recall the former member for Rodney running for cover out of the Echuca College as the then Leader of the Opposition and now Premier and I walked in some four days afterwards. There were a lot of evacuees from just down the river — the name will come to me —

Honourable members interjecting.

Ms GREEN — Numurkah. They were evacuees who had been relocated there, and DHS still had not arrived. They came and asked us if we were DHS. There was a very tardy declaration by the then Minister for Community Services, Mary Wooldridge, now a member for the Eastern Metropolitan Region in another place. They were all on holidays. They were off on their Couta boats. They were not acting in the best interests of a community that had suffered a catastrophic flood.

I remember the member for Eltham and I being out on Boxing Day. I have to tell members about the volunteers in particular — and I will name the Plenty rescue brigade of the Country Fire Authority — and about what I overheard on the radio while I was simply directing traffic, getting absolutely drenched as I did so, though I was a lot safer than the rescue brigade members. There were not a lot of news crews around on Christmas Day and Boxing Day, but on that day there were flood surges that were just like those seen in the Lockyer Valley. Those opposite were completely oblivious to this. There were rescues of people from trees, and Lieutenant Brad Jones —

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

Quorum formed.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. The purpose of the bill is to make changes to emergency management in Victoria, to give the Victorian State Emergency Service greater powers to enter land and premises in relation to levees and flood situations and to make changes in relation to the fire services levy.

Members of this house would know only too well that Victoria has a long history of natural disasters, many of which have been devastating, including tragic bushfires, dating back to Black Friday in 1936 and Ash Wednesday. In the past 10 to 15 years we have seen a number of mega-fires in our forested areas in East Gippsland, the north-east and the Grampians, and of course we had the tragedy of Black Saturday in which 173 Victorians lost their lives.

I would like to take this opportunity to personally congratulate and thank all the emergency service volunteers, whether they be in the Country Fire Authority (CFA) or the State Emergency Service (SES); the career staff of those organisations; and the members of the police, ambulance and other services that support our other emergency services, all of whom make such a difference in the times of these large disasters.

When it was in government the coalition made a number of changes, which we believe — and which I think Victorians would recognise — have significantly improved our emergency response. The Emergency Management Act 2013 really gave shape to the all-hazards, all-agencies approach, and I think most people would agree that was a significant step forward in dealing with emergency management in this state, whether that be management of a flood, a bushfire, another natural disaster or even an exotic disease outbreak. The establishment of the position of emergency management commissioner and the appointment of Craig Lapsley have been a significant step forward in the management of emergencies in this state.

In the example of the fires that occurred across the state in February 2014 on a day which was publicly described by many as the worst day since Black Saturday, we saw that our response was significantly improved relative to the response on Black Saturday. There were clearer lines of command, there was better

integration of emergency services and the outcomes, in terms of community safety, were significantly advanced relative to the Black Saturday experience. Congratulations go to all involved. It shows the evolution of emergency management, and I particularly congratulate the former member for Gippsland South, the Honourable Peter Ryan, for his leadership in implementing those changes.

The second significant change under the coalition concerned the fire services levy. People had talked for decades in this house and in this state about the unfairness and inequity of a fire services levy based on the insurance system, which was fundamentally about those who did the responsible thing by insuring their house and contents and their businesses to the full and paying the full fire services levy, while the next door neighbour might underinsure or not insure at all and not pay their fair share. The bushfires royal commission following Black Saturday recommended that the system be changed, and it was a coalition government that had the courage of its convictions to make those changes and introduce a property-based fire services levy, which is fairer and more equitable and ensures that all property owners pay their fair share.

It is of concern that in the first budget under the Labor government we are now seeing a 7.2 per cent proposed increase in collections from the fire services levy. That is a breach of its promise to retain costs and charges increasing to the CPI or less, and it will hurt many people across Victoria. This significant increase in the fire services levy is a broken promise. It is an insult to the people of Victoria, particularly those from country Victoria who had just got used to a fairer, more equitable fire services levy and are now being hit by this government.

The third important thing the coalition government did — and I would urge this government to continue it — was to commit to a genuine fuel reduction burning program. The megafires in the Grampians, in East Gippsland and in the north-east of Victoria between 2000 and 2010 were largely due to a lack of commitment to a fair and reasonable fuel reduction burning program. The coalition government rolled up its sleeves and delivered fuel reduction burning well above the levels of the previous Labor government, and I would urge the Labor government to learn the lesson of that and make sure — —

Mr Edbrooke — On a point of order, Acting Speaker, could the member be brought back to the bill?

The ACTING SPEAKER (Mr Pearson) — Order! I ask the member to return to the bill.

Dr NAPHTHINE — The fourth area that under the coalition government we learned about and we need to continue is the vital role of Country Fire Authority volunteers, whether they be providing frontline emergency services in our rural communities, in our regional communities or in our outer suburban communities. Most importantly those volunteers provide the number of highly trained and highly skilled people in a surge capacity who can work alongside our career firefighters when we have large emergency situations. We should never do anything to jeopardise the vital role played by our volunteers in the CFA.

In the South-West Coast electorate the CFA is a vital organisation, and I congratulate our volunteers and our career firefighters. Under the coalition government we saw a significant investment in improved infrastructure for the CFA. Currently the CFA is building new fire stations at Portland and Warrnambool. New fire stations were built at Yambuk, Ellerslie, Grasmere, Condah, Cudgee, Mepunga, Homerton, Toolong, Hotspur, Lyons, Milltown, Warrong and Woolsthorpe. These were all important stations, and we need to continue those programs.

I now refer to the State Emergency Service. This bill expands the role of the SES, particularly with regard to floods, to make them better equipped to respond to floods, storms and earthquakes. In my electorate we have SES units in Portland, Heywood, Port Fairy, Warrnambool and Dartmoor. These volunteer-based organisations do a fantastic job with road accident rescue, search and rescue along coastlines, forests, cliffs and rivers and marine rescue. I particularly want to refer to an issue facing the Port Fairy SES, which has 20 active members and does 72 call-outs per year. The issue is the need for a new building to house the Port Fairy SES headquarters. There is a special opportunity — —

Mr Noonan — Why didn't you do it?

Dr NAPHTHINE — The minister interjects, 'Why didn't you do it?'. What we sought to do in Port Fairy was get agreement with the CFA and the SES to put their operations on the ambulance station site. We have now got that agreement with the Moyne Shire Council and with the people concerned. The only one that is lagging is the new Labor government which will not cooperate. It is the only laggard.

We are trying to be bipartisan to get the best outcome for our volunteers. If we want to play politics, we can play politics, but I think the CFA and the SES should be above politics. I am disappointed that the Minister for Police wants to play politics with the need for the

SES in Port Fairy to have a headquarters. A recent review of its facilities found very real issues with health and safety. There were concerns about asbestos, dangerous and illegal electrical wiring and fixtures, multiple leaks, holes and rust in roofs, no running hot water, and unsafe toilets, showers and kitchen facilities. There is an opportunity to build a new SES headquarters and combine it with a new CFA station because the fire station is too small. That is a commitment we agreed to in government, and it was funded through the CFA to put it on the site of the ambulance station in Port Fairy. That is the agreement of the community.

It took a lot of work to get that community agreement and get all the organisations together, and that is what we are seeking to do. We are calling on the government to implement that outcome. It is about what is the best interests of the community, and I believe that is what any government should work to achieve irrespective of their political flavour. I would urge the government to recognise that this has taken some discussion and community consultation and that there is now universal agreement about the need to combine the new fire station at Port Fairy with the new SES headquarters on the site of the old ambulance station. It would be good if the ambulance station was relocated to the hospital, but the government has said no to that. We do need a new CFA and SES headquarters in Port Fairy, and I would urge the government to support the volunteers with that program.

Mr McGuire (Broadmeadows) — It is the duty of each member of this Parliament to try to come up with a better coordinated and collaborative strategy for emergency response. We have to deal with this right across the board in Victoria. We in Victoria, along with people who reside in California, live in one of the most bushfire-prone areas in the world. We can have wildfire or mega-fires that can destroy our communities. In Australia's worst natural disaster they cost 173 lives. There are issues also around being flood prone.

We must deal with these emergencies in a way that means we have a bipartisan proposition. That does not mean that there cannot be criticism so that we work out a better way of evolving in our response to emergencies. It is on that basis that I commend the Minister for Emergency Services, Minister Garrett, on bringing this bill to the house. The key objective of the bill is to strengthen Victoria's emergency response arrangements because emergencies are increasingly dynamic and volatile and often they have far-reaching impacts. It is the responsibility of agencies to have clearly understood command operations — that is, they must understand what is the chain of command and

then how they can get a better coordinated and collaborative response from those people who work in emergency services. The agencies must make sure that they have the necessary powers to deal with circumstances as they evolve.

This bill is part of a broader reform strategy. It makes a number of changes to strengthen the whole system of emergency response in this state. The bill bolsters the *State Emergency Response Plan* so that the arrangements are clear and the response to emergencies is more coordinated and effective. This is particularly important in large and complex emergencies, when it is vital that all agencies work together. That applies not only to floods and storms but also to fires. I will come to a proposition about that.

It is important also that existing arrangements that have been developed for the response to particular hazards are not disturbed by a requirement in the *State Emergency Response Plan*. I cite the examples of the *Australian Veterinary Emergency Plan*, the *National Electricity Market Emergency Protocol* and the *Australian Emergency Plant Pest Response Plan*. The bill protects those hazard-specific arrangements so that they will prevail if they conflict with the *State Emergency Response Plan*. This is a better way to get a more integrated proposition, so that everybody knows what the chain of command is, what the lines of duty are and how arrangements can be coordinated so that any potential gaps are minimised and there is clarity on responsibility.

Part of this proposal will involve consultation with the sector so that the *State Emergency Response Plan* is informed by the views of all agencies involved in managing the whole array of emergencies that can arise. They can range from exotic animal diseases to essential service disruptions, pandemics, insect plagues or bushfires. This part of the bill will not commence operation immediately. Rather, the bill allows time to develop the new *State Emergency Response Plan* and to consult with agencies. This is a well-thought-through strategy. It is about how we get to responsibility, accountability and compliance.

Some sensitivity has been expressed by members on the other side of the house about the inquiry conducted by Neil Comrie, a former Chief Commissioner of Police, on the 2010–11 flood warnings and response. He identified a shortfall in the statutory powers available to the Victoria State Emergency Service (SES) when it responds to floods and other emergencies. The bill addresses this issue by amending the Victoria State Emergency Service Act 2005 to provide that SES members can enter land and premises;

construct, alter or remove a levee; and remove debris. These practical powers can be employed as required in an emergency.

The bill gives SES the power to perform its functions and exercise these powers without consent, but only if they are urgently necessary for the protection of life and property; that is critical. This means that SES has the power to take action to reduce the overall harm to the community when it is faced with an impending flood. The bill allows time to implement the proposal so that SES can develop its operational policies and procedures, train its members and engage with the community.

On the powers, the office of inspector-general for emergency management was established a year ago with the objective of fostering continuous improvement in the emergency management sector and providing assurance to the community and the government. Over the past year the inspector-general has identified three main changes that would improve the ability to achieve this objective. The bill implements these changes. This is really how the proposition on treating emergencies, preparing for them, trying to be as preventive as possible and then actually handling them when they occur has evolved. It is something that evolves over time, whichever the flavour of the government of the day.

I refer to another initiative taken by the new Minister for Emergency Services. Last month Minister Garrett established a historic agreement between the states of Victoria and California. It will make both states safer during disasters through sharing expertise, technical knowledge and training in bushfire and flood management. I am particularly delighted to see this agreement.

In November 2010 I wrote an article that was published in the *Sunday Age*. The headline was ‘When hell breaks loose, getting together will save lives’. About the relationship between the United States and Australia, I wrote:

There could be no more practical and symbolic example of the benefit of our relationship than an integrated response to Australia’s worst natural disaster and the threat that stalks the most populous state in the union — wildfire.

Combining the innovation and nous of two of the world’s most advanced nations would save lives, help communities survive and prove why the alliance matters ...

Victoria and California are two of the most bushfire-prone regions in the world.

On a day seared into Australia's psyche as Black Saturday, 173 people perished. Many were trapped without warning. Flames fell from the sky.

I went on to write about an example. I wrote about Colin French, who took me beyond the police line just after what happened on Black Saturday, particularly in Kinglake. We saw the bloated kangaroo carcasses and the razed houses, where only the chimneys stood in defiance. The smell of ash was mixed with anger and disbelief from the people. In that article I also wrote:

One of the most chilling revelations of the royal commission on Black Saturday was that the expert conducting the predictive mapping of the fires was in a back room of the incident control centre. Incredibly, there was no communication between him and the chief fire officer of the Country Fire Authority. Nor did the intelligence reach firefighters on the front line.

I am delighted that Minister Garrett has gone straight to the heart of these issues and that she has been able to establish a historic agreement between the states of California and Victoria. This will add to our ability to coordinate, share the expertise and look at what technological advances have been made to help with mapping and planning. We will first look at the prevention side, which might be making sure there is fuel reduction. Then we will consider how to deal with the disaster — what is the best response, how we use technology to map it and get ahead of it and how we put our resources in the right place at the right time to try to minimise the damage.

I applaud the establishment of the agreement. The more we share the expertise, the more likely we are to get better results out of disasters. This bill is part of the overall and ongoing strategy of the Andrews government. It is an important bill, and I commend it to the house.

Ms STALEY (Ripon) — I rise to speak in the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. As others have said, the Liberal Party does not oppose this bill. We are able to make these final minor reforms on the back of the substantive reform in this area in 2013 by the previous government.

It is clear that increased coordination between emergency services, particularly in the face of more challenging disasters, is the way to go, and this is what this bill is about. The bill strengthens coordination. It has some specific ways of doing that, and as previous speakers have said, some final recommendations from the royal commission are being implemented with this bill.

In my inaugural speech to this house, I recognised the contribution of emergency service men and women in Ripon, and I referred to Sir Henry Bolte's maiden speech. He lamented that the chief limitation on the brigades, the Country Fire Authority (CFA) brigades, was their lack of control. I warned the new government about its plans to assert union control over the CFA, and I will remind the house of what I said. I quoted from the Volunteer Fire Brigades Victoria full-page advertisement of 26 November 2014, in which it said that Labor policy has the potential to destroy the CFA.

Unfortunately even I, in my first contribution to this place, underestimated how far this Labor government will go to pay off its union mates in the United Firefighters Union. The appointment of David O'Byrne, former Labor state president and union boss, to head the inquiry into fire services — —

Mr Howard — On a point of order, Acting Speaker, the member is straying a long way from the bill before the house. I ask you to bring her back to this bill.

The ACTING SPEAKER (Ms Halfpenny) — Order! I ask the member for Ripon to come back to the bill.

Ms STALEY — This bill is about emergency services and their coordination. The government has views on emergency services and their coordination, and it is inquiring into those. It has appointed David O'Byrne to head that inquiry. The government has said that its inquiry into fire services is about additional coordination, which is what this bill is about. I thank the member for Buninyong for his unexpected and unlikely point of order.

The ACTING SPEAKER (Ms Halfpenny) — Order! Is the member questioning the ruling from the Chair, which was to uphold the point of order?

Ms STALEY — No. I thanked the member for making the point of order.

The ACTING SPEAKER (Ms Halfpenny) — Order! I ask the member to get back to talking about the bill.

Ms STALEY — The minister keeps ruling things out of this review of fire services, but questions still remain. Some of those are: who will control the CFA board? Will similar industrial clauses be inserted into the CFA charter, as exist for the Metropolitan Fire Brigade? And how will the huge increases in the fire services levy be spent?

The previous government built 250 new fire sheds across Victoria over four years — a huge investment. Where is the investment now in Ripon's fire brigades by this government? I asked for funding for Charlton, Inglewood and Ararat, just three of my many fire brigades; I have 95. I got a letter back from the Minister for Emergency Services, the minister whose bill this is, in which she was boasting of 350 new career firefighters. It is all about the paid union fireys; it is never about the volunteers and their needs. There was no answer. My fire sheds — those in Ripon — are not being funded.

Honourable members interjecting.

Ms STALEY — I understand those opposite are very unhappy about hearing the truth about emergency services — —

The ACTING SPEAKER (Ms Halfpenny) — Order! I again ask the member for Ripon to come back to discussing the bill. The member can of course talk about issues in her area, but they should be in relation to the bill that we are debating.

Ms STALEY — My communities rely absolutely on CFA volunteers, and they rely on them being coordinated. This bill does some useful things in relation to the coordination between the CFA firefighters, the State Emergency Service and — let us not forget the other major firefighting group in my electorate, which is the group from the Department of Environment, Land, Water and Planning or DWELP — the green fireys. They are in fact paid, career firefighters; we value them all. The coordination between those firefighting units and emergency services is incredibly important to an electorate like mine, which faces repeated, year in, year out, threats from fire. Again, this year we had — very close to home for me — the Moyston fires in January.

I am always concerned when we have changes to the structures of our volunteering and volunteer brigades. I have spoken about this issue previously in relation to volunteering generally. Volunteering is a very fragile thing. How we arrange volunteering to happen needs to be carefully thought through, and I do not believe that the changes that are being brought in by this government in this area adequately recognise what the unintended consequences are.

This bill is a continuation of the previous government's major reforms. We were heading in the right direction in this area, and we agreed that further coordination of emergency services is the way to go. But everything else this government is doing in emergency services,

particularly to the CFA, proves the concerns of the Volunteer Fire Brigades Victoria and others. It proves that they are right, that this is not just about innocuous changes to the way our emergency services run. In fact, the inquiry into the fire services headed by a trade unionist, former Labor state president David O'Byrne — —

The ACTING SPEAKER (Ms Halfpenny) — Order! I think everyone has a bit of leeway, but at some point the member for Ripon has to speak on the bill.

Ms STALEY — I thank you for your ruling, Acting Speaker. I invite those opposite to read this speech in *Hansard* to look at how many times I talk about coordination and how important coordination is within my electorate and within the emergency services of Ripon, which are overwhelmingly volunteer based. You cannot get away from that. In Ripon it is about the volunteers. It just is.

I understand that those on the other side do not like that. They do not even like using the word 'volunteers'. I stand very strongly with my volunteers, and I really find it interesting that my contribution on this seems to rile those opposite so dramatically. I really think that perhaps they should be thinking about what they are doing to the volunteers in their processes.

We do not oppose this bill because it brings in additional coordination and builds on our very strong and proud legacy in this area of continuously improving the emergency service response in our state so that we are all properly protected and our communities are protected. With that, I commend the bill to the house.

Mr EDBROOKE (Frankston) — I have read the bill so I reckon I am off to a pretty good start. I speak as a Country Fire Authority (CFA) volunteer and a former career firefighter so I guess I have a little to contribute to this debate. I want to start with the bill itself. The bill is part of a broader reform agenda, and it makes a number of legislative changes that seek to strengthen and enhance emergency response arrangements so that Victoria is better prepared for emergencies and their consequences. I think at this early stage in my contribution it is probably worth talking about some facts.

Even the CFA chief officer has ceased telling us that the career firefighters are here to support volunteers. What we are actually talking about is an integrated fire service which is one of the best in the world. It has approximately 26 000 volunteers, who do a fantastic job. I have trained with volunteers for years as a staff member and now as a volunteer, and I still think that

members of the State Emergency Service (SES), the CFA and our volunteer coastguard do a fantastic job. However, the one thing I cannot hack is that it is all about one side or the other and that it is all a union beat-up.

Where I come from in Frankston — district 8, we call it — district 8 firefighters attended 2853 calls from January to 31 March 2015. That is out of 11 000 calls in the state, and 80 per cent of them are attended by staff. People talk about the United Firefighters Union getting hold of the CFA board and doing this and doing that. CFA staff, who attend 80 per cent of the calls in district 8, have never had representation on the CFA board. To me, that is unfair and has led to some incredible decisions in the past. All the CFA staff members are asking is that they be represented fairly on the CFA board in the future. It is not about a union beat-up.

We can try to create a divide and put up a fence between staff and volunteers, but that is a very ad hoc Liberal way of thinking because at a lot of these integrated fire stations people are working together every day, hand in hand. They are highly skilled volunteers and staff who train and work together, and I do not see the fences the opposition are suggesting. They are just not there.

The member for South-West Coast stated that our emergency services should be beyond politics and that they should be supported. I agree totally, but I just wish those opposite had thought that when they were in government because when I was down in the Morwell mine I sure felt pretty forgotten. In the media we were pretty much being told, 'Nothing happening here. No support needed here'. It was treated like a house fire. There was no government support. We even heard the member for Ripon telling us last week that she should own presumptive legislation. She said that presumptive legislation was something that was brought in by the Liberal government, and the Labor opposition at the time only jumped on it at the end of the election campaign. That is utter rot. I sat in those seats up there whilst the now opposition members filibustered with that bill four times and would not let it get through.

The shame of it is that because of very bad polling towards the end of the campaign the current opposition thought, 'We might jump on board with this one' — not because it was going to help firefighters or their families but because they wanted to get into government. That is what it is all about for them. It is just about being in power. How about they do something for the community?

All we are hearing from members on the opposition benches is, 'My fire brigade did not get this', 'My fire brigade did not get that'. They had four years. Do they realise that?

Ms McLeish interjected.

Mr EDBROOKE — Did the member for Eildon do anything in four years?

We heard a statement from Volunteer Fire Brigades Victoria (VFBV), and let me tell members of the house: they certainly do not represent the number of volunteer firefighters they think they do. Where I come from in Frankston, we have over 50 firefighters at the Frankston fire station. Edithvale and Carrum probably have about the same, as do Mornington and Rosebud, and I think you would be at a loss to find anyone wearing a VFBV T-shirt. Why? Because in 14 years as a firefighter I never saw one of these blokes step onto a fire station and embrace integrated fire services. It is all about an 'us and them' mentality, and let me tell you that that does not get the work done.

To me this bill is about bolstering the interconnectivity between our different emergency services such as the SES and the CFA. It does that through the *State Emergency Response Plan*, and the arrangements are made clear. The response to emergencies will be more coordinated and effective under this bill. This is particularly important for large and complex emergencies when it is vital that agencies work well together, such as during floods and storms. Even with most regular fires, if they are prolonged, we have the SES there and all manner of other volunteer organisations working with us. It is about getting that tactical and strategic recipe right so that agencies can work together.

The SES can now build levees on land. That is something that I would have thought would have been introduced years ago. It is about putting the protection of communities above one person's opinion and is very similar to section 30 of the CFA Act 1958, which provides that CFA firefighters, under the power delegated to them by the chief officer, have the right to enter any pier, any shopfront or any store where there is a risk of fire or where there is fire. Any damage done, if they have been responsible in their actions, is deemed damage covered by insurance. This provision will be the same in relation to the SES.

The bill also accommodates the dynamic and sometimes unpredictable nature of emergencies by giving the emergency management commissioner the ability to urgently update the *State Emergency*

Response Plan in unforeseen circumstances to ensure the best outcomes for the community. We saw an example during the Morwell mine fire that showed that what this legislation seeks to achieve would have been useful at that time. We had a fire being dealt with by multiple agencies which were not very well coordinated.

It is interesting to note that one of the findings of the Black Saturday royal commission was that the agencies needed to work together more. The agencies were not working together particularly well until near the end, but we also had a community that was under quite a lot of pressure from the possible effects of carbon monoxide poisoning and so on, and it would have been very handy for the *State Emergency Response Plan* to have been updated to ensure the best outcomes for that community. I believe that community will embrace the reopening of the Hazelwood mine fire inquiry as well.

Part of this proposal will also involve consultation with all sectors so that the *State Emergency Response Plan* is informed by the views of all the different agencies that are involved in managing the vast number of different types of emergencies that may occur. These can include exotic animal diseases, essential service disruptions, pandemics, insect plagues as well as bushfires. This part of the bill will not commence operation immediately, but rather the bill allows time for developing the new *State Emergency Response Plan* and consulting with other agencies.

Just to get back to a few things that have been said, there is no doubt that there is a bipartisan appreciation of the many members of the Victorian population for whom volunteering is their way of contributing back to their community. These people do an awesome job. We have heard about the fire services property levy. That levy is paid by householders. It has been put up to ensure that we can deliver the best emergency service response, which is a 90-second response wherever possible. Gone are the days when we at Frankston would turn out to a house fire at Mount Eliza in the middle of the day. Those volunteers might be at work. If they turned out to the job, it would be a fantastic effort, but unfortunately the pressure on volunteers to even rub 2 cents together these days is pretty high, and the amount of training required of them is also very demanding. So it would be a case of two of us turning out to the house fire. If you start thinking about occupational health and safety, you start thinking about the danger to firefighters, the risk to life for the people involved in the house fire and also transport times and issues like that. It is not the best outcome for the community.

Also, when we are talking about fire services we need to fully embrace the fact that volunteers and staff can work together and have worked together for many, many years, and there have not been too many problems — apart from the problems invented by the Liberal Party, that is. I would love to go on further, but I am running out of time. I conclude by saying I wish this bill a speedy passage through both houses. I think it is a good bill.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. The purpose of the bill is to amend the Emergency Management Act 2013 to provide for the appointment of controllers in relation to class 1 and class 2 emergencies; to require agencies to act in accordance with the *State Emergency Response Plan*; to enable the *State Emergency Response Plan* to be updated and to require the inclusion of specific provisions in the plan; and to amend the functions of the inspector-general for emergency management in relation to monitoring and reporting outcomes of reports and reviews and to amend the powers of the inspector-general for emergency management in relation to information gathering, receiving assistance and entry to certain premises, vehicles, vessels and aircraft; and to amend the Victoria State Emergency Service Act 2005 in relation to insurance policies and powers to enter land and premises and in relation to levees; and to amend the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 in relation to levies, authorisations and fire insurance policies; and to deal with various other minor matters.

Part of this bill is about something that is uniquely Australian. I am reminded of the Dorothea Mackellar poem which describes Australia as the land of droughts and flooding rains. Of course in drought we have huge fire risks in the north of the state, and from time to time we also have flooding rains coming along that present a challenge in my electorate. We have come a long way to get to this stage. I will reflect on where we have been. The coalition has been committed to reforming Victoria's emergency management to ensure best practice in responding to and recovering from emergencies and protecting lives, property and the environment. These reforms build on the work done by the previous government. As is necessary from time to time, you look back, take note and change things. It was the coalition government that put itself at the forefront of emergency management in Australia by taking a step forward in implementing a reform agenda, and the introduction of the Emergency Management Act 2013 was significant in this area. As I said, we have looked back, and we are making changes.

Following emergency incidents during the interim we have been reminded that in emergencies Victorians have to face changes from time to time and of the importance of adequately providing for a strong and flexible emergency management response. It is important to provide further clarity on the role of the State Crisis and Resilience Council as a peak crisis management body in providing advice to the minister. Adopting the *State Emergency Response Plan* will enhance Victoria's emergency response arrangements in allowing responsive changes while minimising disturbance. By providing explicit requirements for agencies to comply with the plan, we are also recognising the culture of shared responsibility among agencies, which do a terrific job in protecting the state.

Streamlining the ability of the emergency management commissioner to endorse and deploy state response controllers is an effective management tool for dealing with all hazards efficiently. There are some concerns about the power of the emergency management commissioner. The provision in relation to unappointing an endorsed controller in the case of incompetence, illness or other matters may seem minor, but when you are dealing with an emergency that is very important. Protection of property and life is always paramount, and it is essential that this government give a clear assurance to Victorians that provisions will be in place to ensure that we have best practice and best management.

The Victoria State Emergency Service (SES) plays a vital role in protecting the state, and this bill strengthens the statutory powers of the SES. The SES does a magnificent job in protecting life and property, responding to floods, earthquakes and storms, and providing rescue services — and just about anything else that comes along. I will talk about some of those issues, particularly in relation to the floods of 2011, when Mildura received its annual rainfall in one night. That caused considerable issues around the place. The SES quickly moved into an emergency management structure, and this saw additional resources and expertise brought to bear. That brought into play both bush practicality and the structure of a good emergency plan. A number of the players sat around on the emergency management committee and worked together to create a response. Through a very difficult period the SES, local government and numerous other bodies, including water authorities, worked very well together.

This also raises the issue of levees. Being able to enter, construct, take down, repair or do work on a levee during a time of flood is valuable. During the last few years that has certainly been a priority in many areas,

particularly along the Murray River and its tributaries. A working party was established during the term of the last government to sort out some of the issues relating to levee banks. It was chaired by Sharon Peart. I pay tribute to Sharon's work in this area, because the best thing to do is to have a levee sorted out before you have a flood. Some of the recommendations of that group, which I understand are being implemented, are extremely important. Being able to sort out who is the responsible authority, and without knowing all the detail of the particular inquiry that has been conducted, it appears that in constructing preventive levees, local government will now sit as the responsible authority, with a whole lot of other referral and advice authorities.

In the past we have found that these levees get tied up between whoever owns the land — it is often Crown land — and Parks Victoria, which often administers it. You then have to work out native title and vegetation issues. It becomes extremely difficult. To have a process in place that will see a levee bank constructed, upgraded or repaired before a flood takes place is definitely the best way to do it. I have filled a few sandbags and driven some bulldozers in my time, and working in the wet, with the water rising, is certainly not the way to go about it. It has been necessary to do things that way because we have had to wait until there has been an emergency to take the required action. To do anything prior was not possible under the system. The work that has been done by Sharon Peart and her colleagues is of vital importance.

I would also like to talk about fires. The backbone of the Mallee is the Country Fire Authority (CFA). We have a large number of brigades, and I was very pleased in the last term of government to see an upgrade of an enormous number of fire sheds within my electorate. This is very important, because those fire sheds are often all that is left of a community, and they are therefore the backbone of that community. To have included even a small meeting room with a kitchen within that facility has reinvigorated those communities. I am certainly very proud of the work that was done under the previous government.

The no. 1 topic of discussion around the barbecue or the beer fridge at CFA stations in my electorate at the moment is concern over the fire services review. The short time frames are the main topic of discussion. It is feeding the fears of volunteers that a framework is being laid to push them out or, if they cannot be pushed out, to sideline them in response. This is a concern; I know it has been raised, and I am concerned about it too. There were short time frames for these Mallee communities to get themselves organised and to give

their response, and because of those short time frames, fears are growing by the day.

I pay tribute to all those volunteers in my electorate who turn out when they are required to protect their community. They do an absolutely outstanding job, whether it be in relation to fires, floods or any other emergency that occurs. They are ordinary people looking after their fellow citizens in a time of crisis. I take my hat off to every one of them. When the pager goes off or the phone rings, they stop what they are doing and go and help in the best way they can. That is a truly marvellous achievement and shows how strong our communities are.

Ms THOMAS (Macedon) — It is my pleasure to speak today on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. Of course it is vitally important that Victoria has a world-leading emergency management response. I am very pleased that this bill seeks to strengthen that response through explicit statutory requirements for agencies with a role under the *State Emergency Response Plan*, by strengthening the powers of the State Emergency Service (SES) to better respond to floods and storms, and by refining the functions and powers of the inspector-general for emergency management to include the function of monitoring recommendations arising from reviews and reports, thus empowering the inspector-general to better gather and access information from emergency management agencies.

I congratulate the minister for bringing this bill to the house, and for the way in which she operates within her role — not only at the strategic level but in her grassroots engagement with the women and men, volunteer and career emergency service workers across the state. It was fabulous to have the minister in my electorate recently to officially open new Country Fire Authority (CFA) stations at Heskett and Cherokee and to present service and National Emergency Medals to volunteers in my community. The minister was very warmly welcomed by the volunteer CFA members across my electorate, and I received some excellent feedback about her visit. ‘Warm’ and ‘natural’ were the words used to describe the minister. I very much enjoy working with her, and she is welcome in my electorate at any time, where she will be very warmly received by volunteer and career emergency services workers alike.

When we are discussing emergency management in this state it is vital that we are cognisant of the challenges we face. While the member for Mildura has given Dorothea Mackellar as a reference for the impacts of climate, I thought I would quote the Bureau

of Meteorology. Climate change is without a doubt a significant challenge that we face in this state, and we need to be aware of the impacts it will have, because it will shape the way our emergency services develop, train and respond now and into the future. To those climate change deniers on the other side of the chamber I say that they need to get with the science in order to ensure that we are prepared for the challenges we face in the not-too-distant future.

I quote from the Bureau of Meteorology’s *State of the Climate* report of 2014. In the section headed ‘Future climate scenarios for Australia’, it says we need to be aware that:

Australian temperatures are projected to continue to warm, rising by 0.6 to 1.5 degrees Celsius by 2030 compared with the climate of 1980 to 1999; noting that 1910 to 1990 warmed by 0.6 degrees Celsius. Warming by 2070, compared to 1980 to 1999, is projected to be 1.0 to 2.5 degrees Celsius for low greenhouse gas emissions and 2.2 to 5.0 degrees Celsius for high emissions.

Further it states:

These projected changes in temperature will be felt through an increase in the number of hot days and warm nights and a decline in cool days and cold nights.

Further decreases in average rainfall are expected over southern Australia compared with the climate of 1980 to 1999 ...

We can expect an increase in the number and intensity of extreme rainfall events projected for most regions across Victoria. Importantly, the number of extreme fire weather days is projected to grow in southern and eastern Australia by 10 per cent up to 50 per cent, if we are able to contain emissions to low emissions, and by 100 per cent up to 300 per cent for high emissions by 2050, compared with the climate of 1980 to 1999.

I draw the attention of the house to the work of the Bureau of Meteorology. I am certain that the Minister for Emergency Services and Andrews Labor government cabinet members make themselves aware of these projections by the Bureau of Meteorology and are thinking about emergency management planning now and into the future.

It was fantastic to attend, representing the minister, the CFA and SES 5th Annual Community Engagement State Forum a couple of weekends ago at Creswick. It was fantastic to hear Craig Lapsley, the emergency management commissioner, speak about the challenges that are facing our emergency management services and response, and in doing so to understand how this bill supports us to have the type of emergency management system and framework in place that we

need in order to face the challenges we have in Victoria.

In speaking about those challenges, I have talked about climate change and the effect it has, which we all feel and are all cognisant of, on fire and flood danger. The commissioner noted that while bushfire and flood are our two highest priority emergency risks, we also need to be aware that insect pest incursions, pandemic influenza, transport infrastructure emergencies, mine failure, marine pollution, electricity supply disruption, heatwave, emergency animal disease, plant disease epidemic, major hazardous material incidents, liquid fuel shortage, severe storm and earthquake have all been identified in the Victorian emergency management strategic action plan as the 15 highest priority emergency risks for our state. I am pleased that the minister has brought this bill to the house, and I note that it is part of a broader reform agenda that the Minister for Emergency Services has.

In relation to the CFA and the SES working closely together, it was fantastic to see over 500 CFA and SES workers gathered for the weekend workshop in Creswick. While that was something the CFA had done previously, it was fabulous to see that the SES volunteers were invited to this fifth year of the conference. We need to see more of that, and under this government we will, because, unlike those opposite, we are not interested in fuelling an artificial divide between the career and volunteer emergency services workers in the state.

We recognise and value the contribution made by both our volunteer and career emergency services workers and we will continue to do so. We are not interested in driving an artificial wedge between our career and volunteer workers. Those who do, like the member for Gembrook, who seeks to divide career and volunteer workers, are detrimentally affecting the best interests of emergency management in this state. The member for Gembrook abuses his role as the shadow Minister for Emergency Services when he does that, and I call on him to be careful and cautious with the words he uses.

On this side of the house we value both the paid career emergency services workers and our volunteers, and we will stand up for both. We will continue to do that throughout the time we are in government because we want what is best for Victoria. We also recognise the extent of the challenges we face and we want contemporary emergency services and a contemporary emergency management framework. This bill is all part and parcel of that. I am delighted that the SES is being recognised and will have new powers to better protect

Victorians; it is vital that it does. This is a great bill and I commend it to the house.

Ms McLEISH (Eildon) — I am pleased that I have the opportunity to contribute to the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. The bill works on the back of a great piece of legislation that was put in place by the coalition government in 2013 when it introduced the Emergency Management Act 2013 into Parliament. I make that point because there are many new members on the government side of the chamber who are unaware of this fact and believe this bill is a new piece of legislation that this government has put together, but it comes on the back of the great work that was done by the coalition to strengthen our emergency management response.

The purpose of the bill is to implement a number of reforms relating to emergency management arrangements in Victoria. The Labor government, as with all reforms it puts in place, is looking at practical and effective measures. More specifically, the bill makes amendments that aim to strengthen and enhance the powers of the State Emergency Service (SES) to respond to emergencies, and there is an element that amends and boosts its powers so that it is better equipped to respond to floods, storms and earthquakes.

The third important element of the bill is the refinements it makes to the functions and powers of the inspector-general for emergency management. All members would agree that the emergency services are here to protect our communities, and they do a great job. All members of Parliament from across the state, whether they represent rural, regional or metropolitan areas, value the efforts of our emergency services and recognise that they protect lives in many instances. They certainly protect properties, and they protect livelihoods.

I will start by focusing on the State Emergency Service, the powers of which are boosted by this bill. That is particularly in relation to entering property to undertake important functions, such as the removal of debris or levees. At the moment the SES does not have the power to go into somebody's property; it relies on people allowing its officers to come in to do whatever they need to do. Whilst that would usually happen, on occasion the people there may not be the owners of the house, or there may not be anyone there at all. The SES officers may need to go into those properties to remove debris or alter levees — they may need to add to or remove levees. Under this bill those officers will now have the power to do that. You would expect that in situations like this our communities are being protected.

I have six branches of the State Emergency Service in my electorate — Mansfield, Alexandra, Kinglake, Upper Yarra, Marysville and Healesville. Those branches all have very different roles. We may think that all branches of the SES would have the same role, but Mansfield, for instance, has the high country, the Alpine National Park and the forests surrounding it, but it also has Lake Eildon. Not only does that branch have trucks but it also has boats. It has quite a different role in emergency services than some of the other branches. We saw an example of that during the Easter break, when Luke Shambrook went missing at Fraser National Park. The Mansfield SES was instrumental in finding him through the use of its boats. It was able to do a particular task that others could not do.

We had some pretty devastating cyclones not so long ago in specific areas, including Buxton. In early January trees fell over in sequence on the Black Spur, and it was extremely lucky that no cars were damaged. Cars were travelling in each direction and the trees fell between them. It is the role of the SES, among other emergency services, to help clear debris in situations like that. In those instances we have the Marysville unit on one side of the Black Spur and the Healesville unit on the other. The road accident rescue role that a number of SES branches play is absolutely welcome. There have been some horrendous accidents in my electorate, and certainly on the Melba Highway we have had incidents, including one fatal accident involving a horse float and horses. The SES is often first on the scene, and I know that was a horrendous accident that was attended by the Healesville SES volunteers. I know that what the SES officers do is greatly appreciated by the community.

I want to comment on the coalition's record in this area. As I said at the outset, the coalition brought forward the Emergency Management Act 2013. I spoke on that bill, and I was very proud of the efforts we went to. The bill made significant reforms, and many lessons were learnt from the fires and floods. We had significant floods in 2010–11 and the Black Saturday bushfires, but we had a number of bad bushfires following that as well. From all of those incidents lessons were learnt. It is important that we were able to put Victoria in a better position to respond to emergency situations. It is not just a matter of being able to respond to those emergency situations but also one of being able to help Victoria recover from them. A whole-of-government response was required. We had the all-hazards, all-agencies approach, which was to address floods and fires in particular, but it was certainly not limited to those, because there might also be earthquakes, tremors, cyclones and security and terrorism threats to contend with. The Emergency Management Act 2013 brought about the integration of

the emergency services and helped to establish a clearer line of response.

The member for Macedon told the member for Gembrook that he should be 'careful and cautious' with his words. The member for Macedon talked about a divide between the Country Fire Authority (CFA) volunteers and career firefighters. I believe the new emergency management model used for the Mickleham-Kilmore fires worked very well. The career firefighters were able to learn from the volunteer firefighters because they did not have particular skills that the volunteers had and vice versa. One of the key elements was that volunteer firefighters know how to fight bushfires and follow a moving fire as it goes through gullies. They understand the ways of the wind and the valleys and how it all moves. The career firefighters are excellent at dealing with structures, but when they saw that the fires were moving, they found that difficult to respond to, and they were able to learn quite a lot from the CFA volunteers.

Something we all need to be mindful of is not creating a divide, but I draw to the attention of the house, particularly the attention of the government, a story I heard last week, which I found most disturbing, regarding the Craigieburn training centre. At that centre the volunteer firefighters are not allowed to use the toilets of the career firefighters. If there is a divide there, it needs to be broken down. I found it extremely distressing to hear that story. We heard a lot of rhetoric from the government benches about the importance of not having a divide, but if situations like that are allowed to occur, there is a long way to go.

As I said, my electorate is extremely diverse. We have a lot of small towns; we have the high country; we have the Central Highlands ranges, Lake Eildon, the Goulburn River and the Yarra River; and we have very windy roads. Within that area there are 51 rural and regional urban CFA branches. I am not going to list all 51 of them; that is a little beyond my ability at the moment because I do not have a list in front of me. I have the names of the six SES branches in my electorate written down, and I applaud the work that they do, which is sometimes not acknowledged.

On one evening the Alexandra SES had to undertake a rescue in the Cathedral Ranges. It was dark, and it took the SES officers an hour or two to hike in and hike out. The teacher in charge of the school group said, 'You're okay. You're on overtime'. They said, 'No, actually. We're volunteers'. The people from that city school had no understanding that those SES officers in the country areas, who were supporting and looking out for them, were actually volunteers. I know there are opportunities

for the government to support the Mansfield SES and look at a new site and new facilities, and equally there are opportunities for the Healesville CFA, which desperately needs a new site and new facilities. These are an excellent SES unit and an excellent CFA brigade, and I appeal to the government to look at the commitments the coalition made to them when it was in government. Those commitments were made because they needed to be; they were not made for political gain. I hope the government will look at those.

The ACTING SPEAKER (Mr McCurdy) — I call the member for Eltham.

Ms WARD (Eltham) — Thank you, Acting Speaker. It is a delight to see you in the chair this afternoon. I rise to speak about the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. I rise firstly to talk about the contribution of those opposite, much of which has been useful and has spoken of a bipartisan approach towards this bill, which is of course incredibly important. I do not think there is anybody in this place who does not stand behind our volunteers, who does not want to support them and who does not recognise the amazing, incredible and important contribution they make to our state. That is why it is incredibly disappointing that members opposite have tried to politicise this bill and have talked about the divisions that can be created within communities by talking up these divisions and by creating wedges. Creating divisions does not actually achieve anything; it does not achieve a productive community, and it does not achieve a cohesive community. All it does is create division.

What is especially disappointing is that we have seen this enacted with great ferocity and great zeal by our Prime Minister. He has waged a campaign of division ever since he became opposition leader and then became Prime Minister. He does this by pitting groups against each other. In fact we have seen it with members of his own frontbench, who are pitting themselves against each other on the issue of marriage equality.

Ms McLeish — On a point of order, Acting Speaker, the member has strayed a long way from the bill. She is talking about the federal government, not the Victorian government, and I ask you to bring her back to the bill.

Mr Edbrooke — On the point of order, Acting Speaker, we afforded the member over in that area a fair and very wide berth. The member for Eildon was talking about toilets at one stage, and we are still talking about politics if it is federal.

Mr Walsh — On the point of order, Acting Speaker, I would have thought that in an emergency a toilet is a very important place, but the member for Eildon was talking about toilet facilities for emergency services workers. That is not what the member for Frankston was trying to infer, so I reinforce the point of order raised by the member for Eildon asking the member to come back to talking about the bill before the house.

Mr McGuire — On the point of order, Acting Speaker, there is no more emergency management required right now, after the Prime Minister's self-declared near-death political situation.

The ACTING SPEAKER (Mr McCurdy) — Order! The point of order of the member for Broadmeadows was quite frivolous. There is nothing further to add on the point of order. I will not uphold the point of order at this stage, but I will remind the member that it is early in her contribution and she should get back to the bill very shortly. It has been a wide-ranging debate, but we can only go so wide.

Ms WARD — Thank you, Acting Speaker, I appreciate your guidance and support. What I have also found to be useful is talking about the support this government is giving to our emergency services personnel. That includes the nearly half a million dollars that has gone to the seat of Eildon and the over \$300 000 that has gone to the seat of Ripon, all supporting our State Emergency Service (SES) volunteers and helping them with their equipment and service provision. It is an excellent result for those communities, and I commend the minister for her support.

This bill builds on previous legislation by increasing Victoria's preparedness and response to emergency situations to make that response as strong and as efficient as possible, which is to be commended. I am glad that members on the other side of the house support this bill. It is true that it builds on a long history of support for our volunteer services from both sides. Legislation has been created by both sides to help these services.

Living where I do in Eltham, the emergency services play a very important role in my community. In fact we could not function as well as we do without them. This extends not only to the services they offer in terms of emergency support, but it also refers to the community building that services such as the SES and Country Fire Authority (CFA) are able to offer. They help to build communities, and I have spoken about the Research CFA in the past. Research is a very small suburb, and it relies on its services. It relies on its footy club, its

cricket club and its CFA to help build community cohesion and help community members to connect with each other.

The SES plays a very important role in my community in Eltham and in communities across the state, as many people in this place have already acknowledged today and I am sure will continue to do. The Eltham SES is the grateful recipient of \$100 000 from the Andrews government's Volunteer Emergency Services Equipment Program to help refurbish its building, which is the very same grant program from which the member for Eildon's community derived a benefit of nearly \$500 000. This is a great recognition of the work undertaken by these volunteers, allowing them to operate from a building that reflects the importance of their work. It shows how much their work is respected by the Andrews government.

A lot of work goes in at a local level in planning how to manage emergencies. These volunteers really contribute a lot of hours to their communities. I know the Eltham SES has been working hard to identify flood markers and relay stations throughout the community. It has been recording the actual coordinates and physical locations against the symbols and available maps. This kind of work not only ensures that information is up to date, but it also helps to develop map reading, navigation and search techniques along with location plotting and communication skills. These volunteers take the work they do incredibly seriously, and we need to do what we can to support them in the work they undertake in their support of our communities.

Earlier this year members of the Eltham SES visited local households to raise awareness of the risk of flood, which included doorknocking around 200 houses in targeted areas of Nillumbik to talk to residents about how to be prepared for flooding and answer any questions. This is another example of the time our SES volunteers take to go out into our community to reduce the potential damage of floods and storms in our community. This is work that should never be taken for granted or forgotten.

Floods cause more damage in dollar terms and lives lost per year than any other natural hazard in Australia. When people think of Diamond Valley, they think of hills, trees, canopies and mudbrick houses. They often forget about Diamond Creek, which runs through my community, and the damage that creek can do when it floods. A few years ago we had a flood that, while considered technically minor, got to about 5.5 metres. It is amazing how much damage that flood did. The valleys that are in my electorate were also flooded. My

car got dimpled — everybody's car got damaged — and houses were damaged. The damage that was done in my area and in the member for Yan Yean's area was phenomenal. It was through the work of our SES and CFA volunteers that people were able to work through that and start to restore their community, their homes, their kindergartens, the Eltham Retirement Centre and the footy clubs. A whole variety of things were affected.

Legislation that helps SES volunteers get out and go to homes, go to residences and start to put things in place as quickly as they can to try to mitigate and prevent any further damage is very important. That is exactly what this bill allows to happen. The bill allows SES volunteers to enter land and premises; construct, alter or remove a levee; and remove debris. These actions can be undertaken without consent, and in certain circumstances I can see how this would be necessary. People may not be home and people may be afraid of what is going to happen, but if you are going to take preventive measures and you are going to act as quickly as possible, then sometimes you need to make split-second decisions. I am very glad that this legislation allows our SES volunteers to be able to do that.

Mr THOMPSON (Sandringham) — I am pleased to contribute to the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. I want to focus specifically on new section 32AB inserted in the Victoria State Emergency Service Act 2005 by clause 27 of the bill, which has the heading 'Power of entry'. Following the Comrie review of the 2010–11 flood warnings and response, and following another inquiry, it was established that the government did not have sufficient powers to deal with certain emergency situations. The new section states:

- (1) A person to whom this section applies may enter any land or premises —
 - (a) with the written or oral consent of the occupier of the land or premises; or
 - (b) without the consent —

and this is the important point —

of the occupier of the land or premises if a service member reasonably believes that entry to the land or premises is urgently required to protect life or property in the course of —

- (i) responding to, or preparing for, a flood, earthquake or storm; or
- (ii) providing a rescue service.

A number of years ago extensive flooding occurred in the Mallee-Wimmera area. There was a slow seepage of waters north from the Grampians catchment area up towards the Murray River precinct, leading to significant flooding in remote locations. One can anticipate the value of the power of entry in certain circumstances if levee banks are better able to redirect the flow of water in order to better protect property or stock areas.

In the Sandringham electorate we have active people in the State Emergency Service (SES), and they have worked in conjunction with local government to facilitate the development of emergency responses. During my time as the local member there have been significant floods following the 1-in-100-year storm, which took place in 1993–94, or thereabouts. It was extraordinary to comprehend the natural contours of the electorate and where the floodwaters would otherwise go. Houses and factories were flooded, and that led to a response from Melbourne Water to better protect infrastructure. It prescribed minimum height levels above the flood plain for the construction of houses to avert potential concerns later on. Along the Sandringham coastline a number of storm events have imperilled community safety through storms undercutting the cliff base on the foreshore. Constructive responses were required to protect people because people have been killed during incidents where the cliff face has collapsed.

In the 1930s a massive storm took place across Port Phillip Bay. It wiped out infrastructure, including jetties, piers, boathouses and bathing boxes, and it removed beaches in their entirety. In such events local response plans are important to ensure the safety of local residents. The Beaumaris area has many large and established trees. In the event of wind speeds of 100 kilometres an hour and above blowing across the electorate, tree limbs have been blown off half way up trees. When the occasion demands it, SES response teams get out and protect property. When trees are lying across roads they present an imminent danger to people who are driving vehicles under storm conditions when the street lights may have been blown out. SES staff protect property with the placement of tarpaulins and they provide other emergency responses at a basic level.

In the context of emergency management, I acknowledge the important contribution of SES workers across Victoria. I have an immediate family member who has been an active member of the SES in regional Victoria and there are civic-minded contributors in my local area. One such person is Elizabeth Hardie, who, in her early eighties, was

helping convene emergency response meetings to ensure that the bayside area was well equipped and well prepared to deal with contingencies in emergency situations. Another issue in the Sandringham electorate is the flight paths of planes coming into Moorabbin Airport. In a regional sense we also need to make sure the local community is well equipped for possible disasters, with response plans developed to enable matters to be widely coordinated.

A number of years ago a Victorian parliamentary committee was in New York just after the events of 9/11 had taken place. Members of that committee had an opportunity to meet with a number of law enforcement and tactical response agencies. Firefighters were sent out to buildings at a time when there were major risks, including when six floors of a building were compressed into six feet, and in retrospect the response to 9/11 raised concerns as to what the appropriate nature of the response might otherwise have been. Even the collection of DNA evidence was not appropriately managed, as after the event DNA samples were gained from relatives of victims, but they had not established whether there was a biological link between the person giving the sample and the missing person. It took another effort to more appropriately collate the DNA so that it was more likely to align with the people who were missing. Wisdom and hindsight do provide the opportunity to better manage events.

Returning to the bill before the house, the opposition does not oppose the bill. The Emergency Management (Control of Response Activities and Other Matters) Bill 2015 provides some measured responses to parliamentary inquiries and reports, and certainly to the Comrie report, in better delineating the roles and responsibilities of emergency response workers. As I noted at the beginning of my contribution, new section 32AB of the bill, which has the heading ‘Power of entry’, provides an opportunity for emergency services to enter any land or premises:

... if a service member reasonably believes that entry to the land or premises is urgently required to protect life or property in the course of

- (i) responding to, or preparing for, a flood, earthquake or storm; or
- (ii) providing a rescue service.

Mr RICHARDSON (Mordialloc) — It is a pleasure to rise today to speak on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. I am particularly interested in how the bill will bolster the efforts of our State Emergency Service (SES) and assist its staff to better protect our community and property. Reflecting on some of the

comments made by members so far in the Parliament about the tussle between volunteer and career staff of the SES and the Country Fire Authority (CFA), I bring the debate back to the point that this bill applies to all the emergency services agencies. The bill also talks about right of entry, but I will firstly quickly touch on some other elements.

The bill aims to strengthen the work of our SES. There are two key elements to the bill we are debating today. Currently there are limitations on the statutory powers of the State Emergency Service, which are expressed in general terms. The current legislation does not provide the right for the SES to enter property to undertake important works without the requisite consent of a landowner, which is quite restrictive. In the event of an emergency on unoccupied farm land, this situation is simply not practical. The current legislation restricts SES staff in their ability to remove debris, build levee banks, and better protect our community in the event of storms and floods.

The bill's important amendments address these challenges by adopting a more practical approach and giving the SES the power and authority to enter properties, land and premises in instances where the need to protect life and property is urgent. While attempts to seek approvals will be sought in all possible instances, the provisions in the bill acknowledge the unpredictability of emergencies and the need to act quickly and decisively.

These reforms are sensible and they apply to volunteers and staffers across the board at the frontline of our emergency services. They include reforms reflecting instances that were reported during the floods of 2010, 2011 and 2012 — and some members who were in the 57th Parliament have reflected on those challenges today — during which lives were put at risk and during which the Victoria State Emergency Service and property owners unfortunately clashed at times when critical mitigation was denied.

We have to consider the work performed by the SES and by our emergency services more generally. It goes without saying that the emergency services do an outstanding job of protecting and supporting communities throughout Victoria. Our police, our firefighters, our paramedics and the SES are there at the worst times of natural disaster and emergency incident. They are selfless people who are placed under significant pressures, and they see significant challenges and horrors on a regular basis. They were there during the devastating bushfires of Black Saturday, which claimed the lives of 173 Victorians, which injured more than 400 people and which

destroyed over 2000 homes. The estimated cost to our state of that disaster alone was in the vicinity of \$4 billion.

The SES was there a few years ago during the 2010 floods and throughout the floods of 2012, when a drought in our regional areas of more than 14 years duration broke and was followed by some of the worst floods in Victoria's history. Incredibly over 1500 flood warnings and notifications were issued during the period from September 2010 to February 2011. For much of that period the dedicated and tireless volunteers of the State Emergency Service were in regional communities doing all they could to mitigate further damage to property and livestock, while doing all they could to protect the community.

It is also important to consider the report tabled in the 57th Parliament entitled *Review of the 2010–11 Flood Warnings and Response*, which estimated that the average costs of floods per annum in Victoria, including the direct damage to property and infrastructure and wider economic and social disruptions, is around \$350 million. Bushfires and floods have a severe impact on people's lives, on their livelihoods and more broadly on our economy. They are a hallmark and a stark reality of our wonderful state and the challenges we face year on year.

These challenges will only be exacerbated by our growing population. Current growth projections suggest that our population will be 10 million by the middle of the century, with 2.2 million in our regional communities. This will create significant challenges for the SES and CFA. As a result we need to ensure that our emergency services are well resourced and better prepared to deal with these challenges into the future. As a community we need to learn from the response of our emergency agencies during Black Saturday and the floods of 2011 and from the recommendations of associated inquiries. Government needs to continue to respond to the recommendations and ensure that it is implementing them to the best of its abilities. That is another key focus of the inspector-general for emergency management as provided for in this bill — to better understand and to audit whether or not government is achieving those outcomes.

Responses to these challenges occur in a number of ways. The *Victorian Emergency Management Strategic Action Plan 2015–2018* is the Victorian government's driving force in leading that vision, the necessary strategic planning, and the investment and principles for the emergency management sector. It offers a detailed three-year rolling plan that outlines statewide strategic priorities with required action across the state to make

our communities more resilient. It is through this prism that practical solutions, such as the sensible amendments put forward in this bill, will be planned and recommended to government for implementation across the emergency services agencies.

The elements of this bill relate heavily to the State Emergency Service. It is worth considering that the SES has been a proud institution of our state for over 60 years. It has been formally recognised as a general emergency agency for well over 30 years. Today there are around 5000 volunteers from all walks of life and a range of different ages, professions and backgrounds serving in both operational and administrative roles across Victoria. These volunteers give up their time throughout the year to maintain the necessary level of training and skills and to practice and prepare for emergency circumstances that might arise. I have had the opportunity to spend quite a bit of time with the Chelsea SES branch members. That service has had a fantastic history, being one of the oldest continuous serving units in the Victorian jurisdiction.

I take this opportunity to acknowledge the stewardship of the Chelsea SES over many years by unit controller Ron Fitch and communications manager Phil Wall. They are pillars of our local community and real examples of the service you can provide to your local community's emergency services and the rewarding contribution you can make. Dozens of volunteers continue to serve the city of Kingston region, and they go far beyond the boundaries of the Chelsea district. They were there on Black Saturday; they were there during the floods of 2010–11. Most recently they went up into the Hunter region of New South Wales to support their interstate counterparts during that state's floods.

The diversity of the work undertaken by the Chelsea SES and by all SES units is broad and substantial. Generally we associate the SES with responses to storm or flood events, and those are certainly the predominant elements of the organisation's work. However, I remember about a year ago seeing that a plane that had left Moorabbin Airport en route to a flight over the beach ran into significant trouble and came down in Chelsea, narrowly missing the Chelsea Woolworths. The SES was there for that critical incident response. SES units are stationed along our stretch of coast, which runs from Frankston through my area and all around Port Phillip Bay. They are there teaming up with our lifesaving organisations during times when people go missing on the coast. They are there during those tragedies. They are there servicing their communities. They are there also in the pursuit of evidence gathering in support of Victoria Police.

It is interesting how SES volunteers fit into the snapshot of volunteerism across our state. Around one in three people volunteer in their local community. It is incredible that an estimate of the contribution of emergency services to our economy is in the range of \$110 million, which is a truly remarkable contribution. The SES teams up with our Edithvale CFA locally, and the hours worked by SES volunteers are part of more than 700 million hours provided by volunteering efforts across the sector. It is a truly amazing contribution.

I will now touch on a final point about the inspector-general for emergency management, who has been operating and making recommendations to the government on assessment and overarching powers. This bill extends the relevant powers, allowing for greater ease of obtaining information to better inform the inspector-general's reviews and investigations as to whether the government is getting it right in responding to the recommendations made in reports such as that of the 2009 Victorian Bushfires Royal Commission, which is such a critical report. The bill also supports the important work of the inspector-general in making regular recommendations to government.

In concluding, I note that we need to be mindful of the ongoing risks we face as a community and as a state. For decades we have confronted the effects of natural disasters, whether they be the impacts of flood, the bushfires on our hot days or the droughts in our regional communities, and we will confront more over the decades to come. Our emergency services are diverse, and we need to give them our support. This bill assists emergency services in their efforts and their work where there is a life-and-death situation and the need to protect property.

Ms KEALY (Lwan) — It is a great pleasure to be speaking on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. The key features of the bill are to introduce an explicit requirement for agencies with a role or responsibility under the *State Emergency Response Plan* to act in accordance with that plan, to refine the powers and functions of the inspector-general for emergency management and to amend the powers of the Victoria State Emergency Service (SES) so that it is better equipped to respond to floods, storms and earthquakes.

I will refer to that third point a little later on in my contribution to this debate, but I wanted to pick up on one item that has been raised a number of times by those opposite and that is in reference to the coalition's commitment and contribution to support emergency services, particularly our volunteers, over the four years that the coalition was in government. The key thing the

other side has neglected to mention is that we are looking to amend the Emergency Management Act 2013, which was a significant reform and perhaps the most significant reform in emergency services for over 30 years. It was a coalition government that delivered that act, and it has certainly been the framework for the bill that is before us today. I find it quite astonishing that those opposite could have neglected to mention that point.

The previous Liberal-Nationals coalition government delivered on all the recommendations from the report of the 2009 Victorian Bushfires Royal Commission into the Black Saturday bushfires. That commitment was made by the Liberal-Nationals coalition government, but it was not made by the Labor government prior to the 2010 election.

We can also look at the actions the coalition has taken in rural and regional areas. I have been to over 20 Country Fire Authority (CFA) shed openings across the region, and in rural areas they are such important facilities. An earlier speaker in the debate remarked that the CFA sheds are not just places where the tankers might be stored; these days they are surrogate town halls. They are fitted out with a kitchenette, and they are very important meeting places for the community. It is important to support the volunteers in those key areas.

The coalition also delivered many new tankers, protective equipment and other items to support our volunteers. While we talk about 97 per cent of CFA members being volunteers, in most areas in my electorate 100 per cent of the CFA members are volunteers. They contribute their time and energy and often put their own lives on the line for the sake of protecting property, people and of course each other.

As I said, across the region I have had the pleasure of attending many CFA shed openings. A few of them were quite notable. I really enjoyed the CFA shed opening at Pigeon Ponds, which also received a new tanker; at Lawloit at Hensley Park outside of Hamilton; and at Tarrayoukyan. Recently I attended the opening of a joint CFA and SES shed at Edenhope, my home town. The joint shed is a fantastic model that we should utilise going forward. Obviously the CFA and the SES work very closely together during emergencies, and there should be more joint sheds built in the future. If we are to believe the Labor rhetoric we have heard today, perhaps we will see a lot of funding going towards them. I will believe it when I see it, but I hope I have many more CFA-SES sheds to open in the near future.

Lowan is an enormous electorate of nearly 40 000 square kilometres and we get the whole range of emergencies in our area. We had the big floods in 2011, which the member for Sandringham referred to earlier, and this is when we rely heavily on our SES volunteers. A part of the bill that we are debating today is around the power of the SES to enter land. I know there are some landholders who are concerned about this, but I think when it comes down to it, if there are SES volunteers who are willing to volunteer their time to build a levee which might save a house, a shed, valuable farm equipment or other infrastructure, then they should be given the opportunity to do that. I realise it is contentious but the overall outcome should be of benefit to those landholders at the end of the day.

Our region not only has floods but it also has fires. Back in 2011 we had the great floods, and we also had fires in that year through the Brimpaen area. We had plagues, with a locust plague in the north and a slug plague in the south, and a couple of years later we had the famine, so we covered off nearly everything in the region.

Earlier this year we saw an amazing display of how a community pulls together in a time of difficulty during the Moyston fires and, most notably, how CFA volunteers make a real difference, can save an enormous amount of property and support each other not only during the fires but afterwards. I am still meeting regularly with the local CFA and community members. They are still going through the recovery period and it will take some time for many of those landholders to recover and get back to full capacity.

I make special mention of some of the CFA volunteers: Ararat CFA group officer Max McLean, Moyston CFA captain Bill Taylor and Moyston CFA first lieutenant David Coad, who did an enormous amount of work in battling that Moyston fire. Everybody involved in the CFA made an extraordinary commitment, but I want to particularly note the efforts of David Coad, who lost an enormous number of sheep and thousands of kilometres of fencing while he was on one of the trucks fighting the fire. He lost so much property. He is still recovering at this time, and it is going to take a long time for him to get back on his feet. And Max McLean is absolutely fantastic. They all acknowledge that one of the reasons that Moyston was saved was due to the large air tankers which were commissioned by the Liberal-Nationals coalition government late last year for the first time.

The air support really helped stop the front of the fire moving through Moyston. I hope the Labor government sees the value of those air tankers and provides more funding to commission them again for the coming fire

season. I guess we need to look at air support in a very special way, because our volunteers are ageing. Often CFA members are doing the mop-up rather than the frontline work. We really need to see some funding to progress stage 2 of the Hamilton CFA airbase. Stage 1 was developed under the coalition government. It is certainly worthwhile developing it because it provides coverage of the Grampians from the southern end. At Stawell there is an extensive airbase which covers the northern end. I would like the Minister for Emergency Services to look very carefully at that funding and to make sure it is delivered sooner rather than later.

The other matter in relation to which I have recently had a lot to do with the CFA volunteers is the fire services review. There is no doubt that there is enormous concern among our local brigades about how the services review will turn out. Being given only four weeks to provide input has been a real slap in the face for volunteers, who commit so much time and energy to protect people and property. You can compare that time with the 12 months given to the review into gaming that was announced recently. It is astonishing to think that for something as important as a review into fire services and emergency services people have been given only a couple of weeks to provide input.

Again I refer to the fact that our volunteers are ageing. Often they work during the day and they may not even have had a meeting during those four weeks, so they do not have a fair period of time in which to provide input into the review. It burns our younger members out when they have to provide these sorts of responses.

We need to support our volunteers in every way. There is no way that the volunteers in our small rural fire brigades can be replaced by paid CFA members. It is simply not feasible. When you consider the head of a fire, you realise that we need all hands on deck immediately. We cannot afford to have paid personnel just sitting around in quite remote rural areas, ready to pick up and fight a fire whenever needed.

I would like to make quick reference to the number of reviews that have been undertaken in the area of emergency services and question the reason behind the current fire services review. We have recently had the royal commission that looked into Black Saturday, and we have had the Jones inquiry. I ask: when do the reviews stop? I think in eight months we are up to nearly 100 reviews that have been commissioned by this Labor government. We are spending a lot of money in that area; we need to see more money spent in Lowan.

I would like to finish by saying that the coalition will not oppose the bill.

Ms HALFPENNY (Thomastown) — I rise to speak in the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. As previous speakers have said, the bill is part of a broad agenda of reform of emergency services, and reviews and inquiries are going on as well. They include the inquiry into Fiskville, which is not looking at emergency service responses but at actions taken by emergency service agencies.

It is very important to review matters and to conduct inquiries to ensure that we have the best possible systems in place. When there are gaps and there is room for improvement we must implement improvements, but that cannot be done without a review being undertaken. We must look at what is going on and consider what we need to do to improve things. It is a very old-fashioned attitude to consider that nothing should change, that everything should be left as it is, that no review should be undertaken of anything and that we should just hope for the best. The fact is that things can always be improved. I am proud of the people who work in our emergency services because they constantly want to do better and make the services better. That is the sign of a very good emergency response service.

In considering emergency services, I refer to the Country Fire Authority (CFA). Earlier this year I was in Ballarat at the memorial service commemorating those CFA volunteers who have made the ultimate sacrifice and given their lives to protect others. We can do nothing but admire the courage and selflessness of those volunteers. It was a very sad day. On the other hand, later this year I will be attending the United Firefighters Union gala ball, which is held every year and is a happier occasion. One aspect of our duties as members of state Parliament is to support our emergency services without favouring any of the various agencies or organisations. They are all there to protect and support us, and we have a responsibility to support them.

The bill has a number of aspects. It makes changes to and improvements in various areas. I will refer to just a few of the legislative changes made by the bill. One change is that in future all agencies when responding to an emergency situation — whether it is a flood, a bushfire or another fire — will have a statutory obligation to work together. Under the *State Emergency Response Plan*, they will have to coordinate their work. In an emergency or crisis it is crucial that there is communication between all the people, agencies and

organisations involved so that the response is coordinated and each of them knows what the others are doing. We owe that to the men and women on the front line. We need to make sure that when we tackle an emergency or crisis, all the organisations are on the same page, the communication lines are there and the safety of those responding to the emergency as well as that of the general public is protected as much as possible. It is crucial that there is communication and coordination between agencies to ensure that there is the best response to an emergency or a crisis.

Following on from this aspect of the bill is the provision that, if necessary, the emergency management commissioner can adjust the *State Emergency Response Plan*. This is absolutely necessary because not all emergency situations are the same. Various unexpected or unintended threats emerge. They cannot all be anticipated and planned for, and therefore the overall emergency plan may need to be adapted or may need to incorporate other agencies or other responses to ensure the best possible protection for the public.

The member for Frankston raised the example of what happened with the Hazelwood fires. The people living in the surrounding areas experienced the threat of not just the fire but also the noxious and toxic fumes and gases that were released by the fire. Had this legislation been in place at that time, we could have ensured a total response to not just the fire but also the other health aspects that were threatening the safety of people living in the surrounding areas.

The next issue relates to the powers of the Victoria State Emergency Service (SES). As others have mentioned, the legislation provides that SES workers, who are in the main those who respond to flood situations, can enter private premises and property to make or dismantle levees to ensure that the public is protected from floods. That was not provided for in the previous legislation; it was seen to be a gap that needed to be filled. These are the sorts of things that this legislation does. It is about making sure that our emergency services run as well as they possibly can in terms of response times, in terms of leadership and in terms of working in a cooperative way.

When it comes to tackling an emergency, crisis or threat that may jeopardise lives, I believe that all organisations and the people working within them want to do the right thing. They want to work together. It is unfortunate that the opposition is continually trying to divide emergency services workers — for example, pitting volunteer firefighters against career firefighters. I find it incredibly frustrating and disappointing because

we should be encouraging everybody to work together. We know that firefighters, whether volunteer or career, are there for selfless and courageous reasons. They want to make sure that all the rest of us are safe and that our property and lives are protected. It should be seen as a natural thing for them to work together rather than there being this constant harping on and complaining about the divide and differences between volunteer and career firefighters, which is really only fired up and fuelled by the constant talk from the other side.

I see no difference between a volunteer and a career firefighter. They are doing the same great job in organisations that are there to respond to emergencies and to support Victorians in whatever way they can. We should support them and encourage people to work together as well as they can. In talking about the CFA volunteers, I wish to mention that in Epping there is a CFA station as well as a Metropolitan Fire Brigade station which are not very far from each other. I have been to the CFA station on many occasions, and the CFA brigade is doing a great job.

Mr KATOS (South Barwon) — I am pleased to rise this afternoon to make a contribution on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. The bill amends the Emergency Management Act 2013, as well as the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958. One of the main amendments came out of a parliamentary inquiry and the Comrie review with regard to emergency services — emergency services personnel having the ability to enter private property.

I believe during the floods of 2011 there was a situation where construction of a levee was required and the emergency services personnel had to seek permission to enter private property. The amendments made by the bill are common-sense amendments. The bill provides that if there is a situation where an emergency services member believes there is urgent attention required with regard to protecting life or property, or even in the event of conducting a rescue, they are permitted to enter private property in order to do that. This will apply in the building of a levee bank, or when someone is trapped by floodwaters and going onto private property would help effect a rescue. That is quite a common-sense change. However, if there is no emergency situation, they are still required to give seven days notification in writing before going onto a property.

As I said, the bill amends the Country Fire Authority Act and the Metropolitan Fire Brigades Act. These changes are about tidying up the fact that the previous fire services levy insurance scheme is no longer in

operation, and the Governor in Council no longer needs to sign off on the total funds that are collected for the Metropolitan Fire Brigade and the Country Fire Authority (CFA). That is obviously because the coalition government introduced a required reform which people had been asking for for years. The former government introduced the property-based fire services levy (FSL). That has been very well received, although I note that this year there are quite significant rises in the FSL — an average rise of 7.2 per cent across the state. The city of Greater Geelong has seen a rise of 9.6 per cent, and the Surf Coast shire has seen a rise of 2.1 per cent.

There are quite significant rises this year. I can only speculate as to where that money is going, but more than likely Peter Marshall and his union will be the beneficiaries of that money somewhere down the track for services rendered during the last election campaign. A rise of 12.1 per cent to the fire services property levy is significant, particularly in the Surf Coast shire, where there are a lot of farmers. It is a significant rise when you have a high capital value property such as a farm, as the Acting Speaker would know, given that there are many farms in the district he represents. An issue that has been raised in regard to this is that there are provisions to appoint a state response controller, but there is no mechanism to effectively remove the state response controller in a situation where, say, they were to become incapacitated or ill. I would appreciate it if a government member could clarify that, or I think we might be back here making another amendment somewhere along the line.

I also want to talk about the CFA, the State Emergency Service (SES) and the surf lifesaving clubs in my electorate. I have many branches of those organisations in my electorate, and all the volunteers do a terrific job. As far as the CFA goes, there are Modewarre, Torquay, Grovedale, Connewarre, Barrabool, Gnarwarre, Freshwater Creek, Highton and Bellbrae brigades. Bellbrae is a new brigade that came into being during the term of the coalition government, with an almost \$500 000 commitment made to build the new station. It has been warmly welcomed in the local community of Bellbrae. There are no integrated stations in the South Barwon district, but they are backed up by Belmont.

In relation to some of the things that have been said about the career firefighters versus volunteers, what volunteers have been telling me is that it really is pot luck. It depends on which service you get. There are some career firefighters who work very well with volunteers, and the volunteers have said that they are very helpful and work well. However, there are some career firefighters who make no effort to work with the

volunteers at all and try to exclude them at every opportunity, which is very unfortunate.

Obviously the volunteers have been expressing some concerns about the review that has been taking place. I have fielded calls from volunteers in the CFA stations in my electorate of South Barwon. The two main concerns are the time frame around the review being only four weeks. The volunteers are very concerned about that and would like to see an extension of time. More alarmingly, most of the volunteers are feeling like the review is a foregone conclusion. They feel there is a list that the government has ready and waiting which will be implemented irrespective of what the review does, so there are some genuine concerns among the volunteers in the South Barwon district.

I also have a couple of the SES stations in my electorate, and it is interesting to note that in the previous term of government both were given new buildings. The Torquay SES was relocated — an \$850 000 commitment — and in 2010 we made a commitment to the South Barwon SES, which for 11 years had been asking the previous Labor government for new facilities. It is now part of an integrated facility at the Waurn Ponds police station and SES complex in Rossack Drive. That SES has now doubled its capacity and is located geographically in an area which is much more central to the electorate. It was in Belmont, which is now in the Geelong electorate but was at the time in the South Barwon electorate, and its members found it very difficult to meet their response times because of that geographic location. They had to go through the High Street shopping centre and back through Highton. As the electorate has grown, the action has moved further west than south so the SES has moved there.

I also complement the shadow Minister for Emergency Services, the member for Gembrook, who has visited the South Barwon electorate and met with members of CFA brigades, surf lifesaving clubs, SES units and Landcare groups, although Landcare is not pertinent to the discussion today. The shadow minister has been out there meeting with local groups and listening to what they have to say, and many concerns about the review were expressed to him. There are some genuine concerns among volunteers. But as I said earlier, as far as the interaction with career firefighters is concerned, it really depends on which one they get to work with. As I said, some are quite good and things work really well.

The great fear of a lot of the volunteers is that a lot more integrated stations will be built and they will be pushed out. They volunteer, they want to serve their

community and they enjoy doing what they are doing. They like to go to fight a fire, and they are serving the community at the same time. A lot of the volunteers have expressed that thought. If they are constantly missing out on attending calls because the career firefighters are getting there first or they are missing out when they turn up because they are told, 'You just stand on the side there and watch us do the job' they will slowly be demoralised and unfortunately I think we will see some volunteers leave. They are volunteering to serve their community and to fight fires, and now they may not get the opportunity to do that. As I said, many volunteers have expressed their concern about that.

This is a fairly simple bill which makes commonsense changes, particularly with regard to the ability of the emergency services personnel to enter private property. The opposition will not be opposing the bill.

Mr PEARSON (Essendon) — I am delighted to join the debate. I have listened with interest to the comments across the table today about volunteer versus career firefighters, and I want the record to note that there are no Country Fire Authority (CFA) stations in the state seat of Essendon. However, where I grew up in Wantirna in the 1970s and the 1980s we were serviced by a very good brigade at Boronia. I am showing my age, but I remember in February 1983 the huge dust cloud that seemed to envelop all of Melbourne as the topsoil from the Mallee blew over and shrouded the city. I remember being at school and seeing the dark haze that was followed by the catastrophic events of Ash Wednesday. I remember the incredible dry heat and seeing all the ash that seemed to blanket Wantirna on that terrible day.

The thing to note is that when you look at how terrible those events were and the resulting loss of life, particularly for the Upper Beaconsfield brigade, and you compare that event with the horrors of Black Saturday, you realise how fortunate in many respects we were as a society that no career or volunteer firefighters lost their lives on Black Saturday, despite the fact that it was a horrendous event.

Bills like this are about trying to strengthen and enhance the state's emergency response arrangements. I listened to the contribution of the member for South Barwon about the fears and anxieties related to the displacement of volunteer firefighters, what that might mean and whether they might miss out on being called out, and it struck me that what we should be focusing on is not so much the process but the outcome. Surely it is about making sure that communities are safe from

major catastrophic events such as fires or other natural disasters.

Melbourne and Victoria in 2015 are very different to Victoria in 1983. For starters we have had massive population growth and areas that were previously very well serviced by volunteer brigades are now established urbanised areas. Given the massive level of population growth we must make sure that people are properly protected in their homes and communities. We also have to recognise that we are not the sort of society we were in the 1970s and 1980s when we had a 38-hour week, we did not have Saturday afternoon or Sunday shopping and people tended to stick around their communities out of hours. Instead we are now looking at a society which is rapidly evolving into a 24/7 society, where people do not necessarily have the time or the capacity to say, 'I will definitely be available from 1 o'clock on a Saturday to midnight on a Sunday for call-outs as required'.

I hear the concerns of the member for South Barwon and those opposite, but I think we have to recognise that this is a rapidly growing society and community and we need to make sure people are protected in their homes and communities. We must ensure that we have the very best service that people can get, and by definition that means we have to make sure we have career firefighters available to service those communities. That is the very straightforward sort of proposition that is before us.

The bill also looks at strengthening the statutory powers of the State Emergency Service (SES). Like the CFA, the SES plays a fantastic role as a first responder to natural disasters such as floods, storms and earthquakes, and it provides that essential service where it is required.

In preparing for the debate on this bill I did some research into how the SES was formed. Originally the Victoria Civil Defence Organisation was established in 1950. It was a civil defence agency to be activated in the event of war, based on the notion that if Melbourne was being bombed, there would need to be a service to come out and repair the damage or provide that level support. To support the development of the SES, the government looked at setting up the Civil Defence School at Mount Macedon in 1956. By 1961 there was a civil defence office in the Victorian Premier's department, and efforts were being made to form a civil defence unit in every municipality around the state.

I should just note that it has been pointed out to me that we did actually lose one volunteer firefighter in the Black Saturday bushfires, Joe Shepherd, who was a

volunteer from the Arthurs Creek and Strathewen brigade. The member for Yan Yean pointed that out to me. I want my contribution to reflect that fact, which had escaped my attention. I acknowledge that, and I apologise for that oversight.

We are looking at the evolution of a response around this. In 1962 disastrous fires caused substantial damage in the Dandenongs, and that led to Premier Bolte directing that a state plan be created to manage peacetime disasters. It took a while but the plan was finalised in 1968, and we have seen that sort of development and evolution occurring since then. By 1972 there were 100 voluntary civil defence units in municipalities across Victoria. The volunteers in the SES do a fantastic job. The government is to be commended for acting on the results of the inquiry by Neil Comrie in relation to the 2010–11 flood warnings and response. This is a really important step that we have now taken to try to address these issues.

It is important to note that we are now in a position where members of the SES basically have the capacity and power to make the call at the time they see fit in relation to undertaking important functions at a property. It is a very sensible step. It is very important that the SES has that degree of operational independence to be able to respond to these issues as they arise. This will make the lives of SES members easier. It will give members of the SES the power to enter land or premises in urgent circumstances where necessary for the protection of life and property. This might be used, for example, in relation to the construction or removal of a levee. It is entirely sensible that we provide the power for the SES to get in there and do its job as it sees fit rather than trying to seek formal approval. That is quite an important initiative.

The final proposal in the bill relates to the inspector-general for emergency management, and this is about trying to improve the level of service and the standards that are applied across the agencies. It is about that sort of continuous improvement and the attempt to find the best practice we can apply and roll that out across the state.

Information is quite important. The bill expands the inspector-general's existing power to gather information to allow the inspector-general to observe the operation of a system, procedure, thing or activity at an agency's presence, which again is about trying to get that level of improvement in knowledge and information sharing. The ability to roll out and improve these practices is important. Finally, the bill clarifies the expectation that the inspector-general will work collaboratively and cooperatively with agencies and

that agencies should provide the inspector-general with reasonable assistance if requested.

I welcome the fact that the bill is supported by the opposition. I hear the concerns of opposition members about volunteer brigades, but the reality is that the CFA does a fantastic job. The objective is to make sure people are safe in their homes and communities. Because Melbourne and Victoria are growing at such a rapid rate and because there is a massive level of growth in regional Victoria as well, we need to make sure people are safe. This bill is about making sure we get the outcome right. The outcome we want is for people to be safe. The process by which we get that is by making sure there are sufficient career firefighters in place to respond as and when required and that they work in well with the volunteers throughout the state.

We are blessed by the level of support we get from the CFA and the SES. It is for that reason that this bill is really important. It is about improving their ability to do their work and discharge their duties, and it is for those reasons that I commend the bill to the house.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. I support the position that has been put by the member for Gembrook on behalf of the coalition with respect to the bill.

The bill involves some important changes, the need for which has been identified through the work of a parliamentary inquiry and also the Comrie review of 2010–11, which identified deficiencies, particularly regarding the State Emergency Service (SES) powers, with respect to the SES's ability to enter properties to construct a levee without the requirement to obtain consent from the property owner. One would logically think that in a significant flood event or bushfire, obtaining permission from the relevant landowner — given that it might be an absentee landlord if it is on a farm or in a rural setting — would be unworkable. Therefore it is appropriate that this provision be included in the legislation.

The Country Fire Authority (CFA) and the SES are very important, not only in the electorate that I represent but also across the whole state of Victoria. I place on the record my support for those agencies, and I offer my congratulations on the work they do. I am thinking particularly of the Knox SES in my electorate and the work it does out of its facilities at Wantirna South. It is involved in a range of different activities. It is heartening to see the work of the CFA and the SES. It is imperative that we provide them with adequate

service equipment and vehicles to ensure that they can do their work properly. I want to place on the record, on behalf of the Knox community, my congratulations to them on their work.

On the weekend I had the opportunity to meet with representatives of Southern Cross Search Dogs and visit its facility in Wantirna South. They do a fantastic job teaching dogs how to search for victims, particularly in rubble. The way the facility is set up there is amazing. I was speaking to the owner of a dog that we got to see operating. That dog served for 10 days in the aftermath of the horrific earthquake in Christchurch. It helped to retrieve the bodies of 10 deceased members of that community. Unfortunately it was unable to identify or track anyone who was still alive, but I was told that one child said they thanked the dog because it was able to find their mother and ensure that she was afforded an appropriate burial. I pay tribute to the work of that organisation and its volunteers.

I now turn to the CFA in my local community. I pay tribute to the work of the Rowville CFA, which was located in the electorate of Ferntree Gully before the electoral boundaries redistribution. I was very pleased to work with that community, along with the then captain John Farrer and his team, to help deliver a new CFA station. That was also the work of the then Minister for Police and Emergency Services, the member for Rowville. We were very pleased to work together to ensure that we provided Rowville with a new station. It was clear that that community wanted a station on a major road, and we managed to identify a suitable site — the former home of Barry Wells on Wellington Road. The construction of a significant new station has set up the Rowville CFA and will ensure that the community is well represented over the years.

I also pay tribute to the work of the Scoresby CFA, the Boronia CFA and my local brigade, the Ferntree Gully volunteers, ably led by captain Seamus Smith. He is a great volunteer with a young family who gives up his time to service our community. Like so many volunteers in Knox and across this state, the CFA volunteers do a great job, and I want to place that on the record. There are many great individuals within that brigade. I recognise Bill Watson, who has not only served as a volunteer for many years, in both Ferntree Gully and Wonthaggi, but also stands up as a proud and passionate advocate for volunteers in the CFA movement. It is imperative that the views of and issues pertaining to volunteers are heard loud and clear by the government.

The previous government, in which I was very proud to serve as a member, was a strong and passionate

advocate for volunteers. In opposition we had agreed to abide by all the terms of the recommendations from the 2009 Victorian Bushfires Royal Commission, something that the Labor government was not willing to do, and as the incoming government we worked very hard for those recommendations to see the light of day. We helped to implement the volunteer charter. In fact I was there at that event, which was held at the Upper Ferntree Gully CFA station. From memory, the then Premier and Deputy Premier were in attendance, as was captain Pete Smith, commonly known as Mudguts in his local community. He is an outstanding volunteer.

Some may recall that during a bushfire in Upwey a few years ago a truck containing volunteers was burnt out. Pete Smith and members of his crew were inside at the time. I place my thanks on the record on behalf of the Knox community. They put themselves in danger. You could not face any greater danger than being in a vehicle that is run over by a bushfire. People like Pete Smith do not do it for money; they do not do it for glory; and they do not do it for recognition. They do it to serve their local community. I will stand with my volunteers because I know they have given their time to serve and protect us, whether it is with the SES, the CFA, St John Ambulance Australia crews or the search dogs. They deserve our respect and support. It is imperative the government commit to doing everything in its power to continue that level of support.

I am pleased to see that the bill will likely proceed through this house. I again place on the record my thanks and congratulations to everyone across the state who gives up their time for our emergency services. I pay tribute to them. I am sure everyone in this house would expect to see continue a culture in which volunteers are able to actively serve their local community.

Ms WILLIAMS (Dandenong) — It is a pleasure to rise in support of the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. The primary objective of this bill, as we have heard, is to strengthen the state's emergency response arrangements. I start by saying it has been disappointing to hear some of those opposite use this bill to continue their bashing of United Firefighters Union of Australia members — firefighters who have worked hard to protect all communities across electorates held by all sides of politics, people who have put their lives at risk to keep us safe. All they get from those opposite are spiteful claims labelling them fake firefighters and criticising their decision — a decision, I might add, that is their right — to call out the former government for treating them with contempt. It is offensive and disrespectful behaviour by those

opposite, and for some in this chamber the insult is personal. I think the member for Frankston would agree with that. It is similarly disappointing to hear the opposition play politics and wax lyrical with divisive rhetoric about career versus voluntary firefighters. In my view it highlights a lack of substance on the opposition benches.

I now turn to the bill. As Australians we have become accustomed to some pretty wild natural events, whether it be flood, fire, storm or cyclone. As a society we are very dependent on our emergency services and reliant on the implementation of good systems to ensure our safety in warm and cool periods alike. It is the reality of where we live. Building good systems, effective frameworks, is what this bill is about. The amendments contained in this bill will, broadly speaking, do three things: bolster the statutory powers of the Victoria State Emergency Service (SES) to respond to floods, storms and other emergencies; refine the functions and powers of the inspector-general for emergency management; and bolster the *State Emergency Response Plan* so that the arrangements are made more clear.

To address the final point first, up to this point it has been implied that agencies will fulfil their roles and responsibilities under the plan. The bill will provide clarity by making this obligation express. In order to respond to the unpredictable nature of emergencies, it is important that any regime allow for some level of flexibility, which is why the bill also empowers the emergency management commissioner to change the plan in urgent circumstances if it is necessary to protect life or property.

Turning to the provisions relating to the SES powers, as I mentioned previously, the bill strengthens the statutory powers of the Victoria State Emergency Service. As most of us in this place know, the SES plays a hugely important role in responding to floods, storms and earthquakes and in providing rescue services. Some shortcomings in SES powers have been identified, and this bill rectifies those shortcomings by providing powers to enter properties where it is necessary to do so in order to protect life or property. As it currently stands, the SES is required to gain consent as a prerequisite to entering a property or premises. Under these changes it will still seek consent where possible but will not be hampered when consent cannot be obtained.

In particular the bill amends the Victoria State Emergency Service Act 2005 to provide the SES with the power to enter land and premises, to construct, alter or remove a levee and to remove debris. As we have heard in the contribution by the member for Frankston,

the Country Fire Authority and the Metropolitan Fire Brigade already have similar measures in place, and they have been essential in allowing firefighters to carry out their jobs and essential for the protection of people and property. This measure is just as important for the SES and will enable its members to act quickly and decisively when they need to. We all know that when emergency strikes there is often little time to waste and very little time in which to make a decision.

I think I speak for most members in this place, and hopefully all, when I say how grateful I am for the work of the SES in my community and how much trust our communities have in our local SES units in times of emergency. There is a wonderful local SES unit in my electorate led by Paul Daniel, a great guy who is 100 per cent dedicated to the role he plays in protecting my community. The Greater Dandenong SES unit has responded to many local incidents in recent years. One incident I remember was a storm event that took place in mid-2014, and I believe on that occasion the unit responded to about 75 requests for help. I am proud that under the Andrews Labor government we have been able to support the efforts of the Greater Dandenong SES by providing a \$100 000 grant under the Victorian emergency services equipment program, which will go towards the purchase of a much-needed new truck. That has been received with delight at my local SES unit.

As Parliamentary Secretary for Carers and Volunteers, I cannot talk about the SES without paying tribute to the many volunteers who spend countless hours not only responding to requests for help but also in training to learn and maintain the skills that enable them to help when help is most needed. They are a truly amazing group of people, and their dedication is both selfless and inspiring.

The final amendment I wish to discuss refines the powers and functions of the inspector-general for emergency management. The inspector-general was established for the purpose of fostering the continuous improvement of the emergency management sector, and to that end the inspector-general has identified three main changes that would assist him in his role. Those include the expansion of the inspector-general's function to include monitoring the implementation of recommendations in reviews and reports; improving the inspector-general's power to gather information by enabling the inspector-general to access the agency's premises to observe a system, process or thing; and a requirement for agencies to provide reasonable assistance to the inspector-general if requested.

The measures contained in this bill are sensible and progressive. I commend the minister for her work in

bringing the bill to this place. The minister has proven to be a passionate advocate for our emergency services workers and for the important work they do. Unlike the previous government, the minister has treated our emergency services workers with the respect they deserve and with the respect the broader community expects from us. We have heard a lot in this place directed at turning this debate into a political argument, which I do not think it needs to be. We can all get on board with the importance of our emergency services and the importance of our role as legislators in being able to streamline, as far as possible, the legislation to enable emergency services workers to do their jobs to the best of their abilities and to keep our community safe, which is why those organisations exist in the first place.

I am very proud to be part of a Victorian community that has such a strong and proud emergency services sector. I am also very proud to be part of a government that has introduced this legislation and is contributing to bolstering the great work that these organisations already do. On that note, I commend the bill to the house.

Mr SOUTHWICK (Caulfield) — It is my pleasure to rise to contribute to the debate on the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. At the outset I pay a compliment to emergency management workers and volunteers in Victoria for the great work they do. In the former government I had the privilege of being Parliamentary Secretary for Police and Emergency Services. I had the opportunity to see firsthand some of the great work that our emergency management workers do. We have heard in this debate much from both government members and members on this side.

I find it interesting that the government is trying to create a wedge by saying that this side of the house does not support emergency management workers. The sort of work that the coalition did over the years, particularly in its last four years in government, in absolutely reforming the emergency management sector with the new Emergency Management Act 2013, was probably the biggest reform in this area in 30 years.

As I said, I had the opportunity to see the reform firsthand when working with the former Minister for State and Emergency Services, the member for Scoresby, in creating the reforms. I had the opportunity to visit a number of the emergency management services workers and many of the volunteers who do such a fantastic job. In particular I pay tribute to the emergency management volunteers, whether they be the Country Fire Authority (CFA) volunteers or the

5000 State Emergency Service (SES) volunteers across the state.

This bill specifically deals with giving volunteers additional powers to do their job and to do it as effectively as they do. We have 50 000-odd CFA volunteers around Victoria. We also have Life Saving Victoria, the Australian Red Cross, the Salvation Army, St John Ambulance, the Victorian Council of Churches, Ambulance Victoria and so many other organisations that are all involved in one way or another in emergency management.

One of the things the previous government did was create a volunteer consultative forum, which brought all of these volunteers together. I had the opportunity of co-chairing that forum with Craig Lapsley, the current emergency management commissioner. I saw how a number of these organisations work, how they share information, how they ensure that their volunteers can contribute more to ensure that we are the best — we are certainly the leaders in the country. But not only are we the leaders in the country, we are also the leaders in the world in what we do in emergency management. The reason why we are so good is that we have people who put their hands up and volunteer regardless of any reason other than they want to do the best for their communities, they want to take part in their communities and they want to contribute.

If members visit an SES or a CFA branch, or one of our lifesaving groups, and if they meet the volunteers and talk to them, they will see why they do what they do. With our Volunteer Emergency Services Equipment Program grants, we are providing these organisations with equipment to ensure that they have the best equipment possible to do their jobs. Much of that equipment is paid for by a grant, but the remainder is fundraised by these groups. I recall visiting a country CFA branch that raised about \$40 000 by making its own wine. It packaged up that wine and sold it in its community. Those funds went to the organisation to ensure that it could pay for — —

Ms Garrett interjected.

Mr SOUTHWICK — It was wine — red wine, in fact. It was a good drop too! The great thing about that is that group did its own fundraising to ensure that it could buy the truck that it could ultimately utilise in its community. You will never replace that. Volunteering in Victoria is one of the things that makes this state such a great place. Certainly in the emergency services area, we absolutely lead the way in volunteering.

A study was done on volunteering and the dollars that volunteers can raise, and it indicated that the actual amount of money that is saved by governments by having volunteers equates to more than our health budget and more than our education budget. When we have the argument about whether we replace volunteers, I would like this Parliament to consider the question of whether governments of the future will have a budget that would equate to our education or health budget to pay for emergency services workers. That is the sort of thing we are talking about. There are 50 000-odd volunteers in the CFA alone. We will never be able to replace those volunteers with workers, as has been suggested by the current government; we will never be able to afford to do that. More importantly, we will not get the same passion that we see at the moment from those people who do what they do. It works so well: we have career firefighters — career workers — working with the volunteers. The volunteers are able to share their knowledge with the career firefighters.

We have seen many examples where volunteers have decided to move into a career down the track, and vice versa. At the moment it works really well. The system has been reformed. On looking at the review that the government has put forward, I would urge caution if volunteers are not supported and encouraged in this state. Volunteers have made the difference, and it is the reason why we have people from all around the world coming to look at what we do here in Victoria, to share the knowledge and the skills. It is something we should not lose sight of. We should not lose that point of difference. If anything, we should be growing our volunteers.

The consultative forum I co-chaired with Craig Lapsley included the likes of Ambulance Victoria, the Australian Volunteer Coast Guard, the Country Fire Authority, Life Saving Victoria, the Australian Red Cross, the Salvation Army, St John Ambulance, Victoria's State Emergency Service, the Victoria Emergency Services Association, the Victorian Council of Churches and Volunteer Fire Brigades Victoria. I will just provide a quick example of what was considered in that forum. Rather than having training for each one of these organisations, the idea was put forward that we could provide some basic training across the organisations to get that shared experience but to also create efficiencies. Having these organisations working together and sharing knowledge and skills is absolutely important.

I will finish with one point. In talking to volunteers in the emergency services sector, and volunteers in other areas, I have asked them why they volunteer. The core reason, something I have been told on many occasions,

is that it is not about what they give but what they get out of it. Many of the volunteers get friendships, they get the experience of learning and training in a skill, they have something to wake up for every morning and they have the knowledge that they are making a difference. It is important for us to remember that. I believe it is absolutely key that in everything we do in this place we support, encourage and champion our volunteers, particularly young people looking for the jobs of the future. I always say that the first thing a young person should do, the first thing that will give them an opportunity of getting a job, is put up their hand and volunteer.

I had basic fire training. I went out onto the fireground, as a Caulfield boy. I got to have a go at cracking the hose and doing all the sorts of things that one does. I did okay. It was a lot of fun, but it was also a great opportunity to understand the sort of training that is needed to be a firefighter and what a tough job it is that our emergency services workers do. As I say, we should continue to do what we do. We should not be trying to wedge or engage in any political pointscoring on this issue. If anything, we should look at how we can encourage more volunteers to take up emergency management here in Victoria.

Mr HOWARD (Buninyong) — I am also pleased to add my comments in support of the Emergency Management (Control of Response Activities and Other Matters) Bill 2015. The bill deserves full bipartisan support from this house in its progression through the house. It is a very sensible bill. It is all about making appropriate reviews of how our emergency management can work and responding appropriately. It is about making changes based on things we pick up from emergency situations where the response might not have worked as well as it should have and adjusting our legislation appropriately.

I am pleased to follow on from the member for Caulfield, who spoke so passionately about the great work that our volunteers do, whether it be Country Fire Authority (CFA) volunteers, State Emergency Service (SES) volunteers or volunteers in a range of other services across the community who help in emergency situations and other situations in our community. I am very pleased that the member for Caulfield, unlike some members on the other side of the house in speaking on this debate, was bipartisan. He did not play this bill for political one-upmanship, as other members opposite did. He recognised simply that the issue of emergency services management is one that needs good, sound management and good support from both sides of the house.

The bill does a number of things. While many of us think immediately of bushfires when we talk about emergencies — and clearly we have had some pretty horrendous situations over the years with bushfires, where we have needed to get our emergency management up to scratch — we have also had floods to contend with. Certainly in my own electorate, and on my property just outside of Ballarat, I have experienced both. In 2006 I had a fire go through my property. It burnt out half of the property.

On that occasion I was very pleased to have both the local farmers and the CFA come to support my wife, who was there at the time, and then me a little bit later when I came away from a function I had been attending. When I arrived, the CFA were there, and then over the next few days they continued to visit my property to look at issues of potential smouldering and to put out the fires that were continuing to burn on my property.

That was great, but after replacing my fencing over the following couple of years in 2009 and 2010 I then had two major floods through my place. At the same time we had floods further on in my electorate through Creswick, where of course there were serious situations. We know they are clearly major events that can affect us, and how fantastic it is that we know we are supported in these events by organisations such as the SES, the CFA, the police, councils and a range of other volunteer and professional organisations, which all have a role to play.

This bill also looks at issues such as pandemics, exotic animal disease threats and other essential services disruptions that can all occur and that we need to be prepared for. In doing so we need to ensure that all of the organisations understand their obligations and responsibilities and how they need to work with the other relevant organisations at a time of emergency. It was felt that in the previous bills, while those responsibilities had been implicitly outlined, this legislation should go a little further to ensure that those organisations involved understand their obligations and that they are obliged to follow through on their roles. We have got to have clear lines of responsibility and ensure that the cooperation that is required between organisations takes place. I am pleased to see that this bill recognises that that will be the case.

We also recognise in this bill, when we are looking at the SES and issues associated with flooding, that in the past there have been problems where there has been a need to access properties to remove levee banks, put levee banks in place, change levee banks or remove refuse that might be causing problems and cause further

damage to property or perhaps to life. In the past the SES has needed the agreement of landholders before it could go onto property. Sometimes that has not been easy to get or has not been agreed to and the situation has been made worse. We have now made it clear that the SES does not need the agreement of landholders to go onto properties to undertake works that it believes to be necessary to protect property and to protect life. Clearly the SES will continue to seek advice from landholders and where possible to work with landholders, but if that is not possible, then the issue would be dealt with at a later time.

This clearly gives opportunities to SES units. I want to recognise the great SES units in my electorate. The Ballarat SES is the main one there now, but I have certainly worked in support of the Daylesford SES unit when it got its new facilities in the town. It was able to provide a great facility to and support for people in Daylesford. I was pleased that it was able to be supported as it was. In terms of the Country Fire Authority, there are something like 20 CFA brigades situated across my electorate.

I was pleased earlier on today to be able to speak in support of the volunteer emergency services equipment program (VSEP) funding. In the latest round that has just been approved, the government has provided funding to five brigades in my electorate to the value of \$98 000. This sees the brigades of Elaine, Meredith, Ballarat, Smythesdale and Maude all obtain funding out of this round to help them gain new facilities and equipment.

As was mentioned by the member for Caulfield, the other issue that is amazing with these CFA units is that they do much of their own fundraising. Not only do they get out and support their communities by fighting fires when necessary and are prepared to go off when necessary to support other communities across the state or at times interstate, but they also have a history of great fundraising. They have found a range of ways they can raise funds for their own brigades to put towards equipment. The VSEP funding has been a great addition. I am glad that the Bracks government initiated the VSEP funding that gives those brigades additional 2-to-1 funding to support their own fundraising efforts. If they can get some money to go towards the equipment they think is necessary, then they gain further support from the government. That has been great, and I am very pleased for the five brigades in my electorate that have just gained additional funding.

I also note that this legislation deals with the role of the inspector-general for emergency management. The inspector-general must oversee issues associated with

collecting information after we have had emergencies and planning for emergency management. This bill also helps to improve the powers of the inspector-general, and that is great too. However, I was a bit sad when I heard what the member for Ripon had to say. I mentioned that I was disappointed with some of the speeches made earlier, and she tried to imply that the Andrews government is not supportive of our volunteers and only wants to support the United Firefighters Union (UFU). Clearly that is not the case. It was terrific to be out there with the Minister for Emergency Services when she went to Smythesdale recently to attend a function to hand over the keys to a new pumper for that brigade. I have been there with our volunteer CFA brigades on so many occasions, as have so many members on this side of the house. We recognise what a fantastic job they do.

We want to keep seeing them supported. We want to see them work with the UFU and the career firefighters. We want to see all our fire services supported in a strategic way so that they feel good about the work they do and know that this government supports them whether they are career firefighters or volunteers. I do not like to hear members such as the member for Ripon try to scaremonger and create a situation that does not exist. The Andrews Labor government continues to be very supportive of our volunteers in a range of ways, whether they be CFA or SES.

Debate adjourned on motion of Ms SPENCE (Yuroke).

Debate adjourned until later this day.

CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015

Second reading

Debate resumed from 5 August; motion of Mr PAKULA (Attorney-General).

Mr PESUTTO (Hawthorn) — I am pleased to be able to rise tonight and speak in the debate on the Crimes Amendment (Child Pornography and Other Matters) Bill 2015. The coalition supports this bill for a couple of reasons. Advances in technology mean that we need to respond to the opportunities that are emerging for those who are of a mind to commit the despicable and heinous crimes of child pornography. The internet and other advances in smart phone technology and the like provide enormous opportunities — sadly, I think we would all agree — for people of that mind to commit these sorts of

offences. But the advances in technology we are seeing also provide opportunities for those who commit these offences to conceal their tracks, and it is therefore necessary that laws respond to those opportunities.

It is also worth noting that the increase in maximum sentences, which are part of the bill — a matter to which I will turn in a few moments — are necessary as part of the general objective of deterring these sorts of crimes. I note that in his second-reading speech the Attorney-General said:

Increasing the maximum penalty for this offence —

that is, possessing child pornography —

will better reflect the potential seriousness of this conduct. It will send a clear message to the community, and anyone considering committing this offence, that possession of child pornography is a serious offence.

The opposition not only agrees with those words; it agrees with the purpose of those words, which is to remind all Victorians that the increase in maximum sentences is a very important part of the exercise of deterring wrongdoing in our community. To those who say that increasing penalties for despicable and heinous conduct, such as that which is addressed in this bill, is not a deterrent for more serious sanctions, I say that today we have the Parliament debating a bill in bipartisan fashion, sending a message to all and sundry that, at least in this house, we are united in pursuing the objective of stronger sanctions for serious wrongdoing, such as that which is dealt with in this bill.

This bill is also important because it engages a deep philosophical question about the role of Parliament and the role of the courts. I have always believed, and my colleagues believe, that it is within the purview of Parliament to establish the sentencing regime which courts are bound to apply. Members of Parliament have every right, on behalf of the people of Victoria, to express our desire on their behalf to see, for example, strong sentencing outcomes for people who commit serious crimes, such as serious violent offences or serious sexual offences. That is Parliament's job, that is our responsibility. That is our prerogative as parliamentarians, and I do not shirk from that. To those who say that Parliament has no role in establishing a sentencing framework, I say, with all due respect, they are wrong. The people expect us to do so, and they rely on us to do so.

None of this means that courts have no role; of course they play a very important role in sentencing. Judicial discretion is a hallmark of our judicial system, and in particular of our criminal justice system. The judicial discretion allows courts to apply the laws that

Parliament enacts, having regard to the particular circumstances of each case. It is a very important prerogative, and it is something which this Parliament has always been careful to protect. But for those who say that the judicial discretion is compromised or in any way undermined when Parliament intervenes to tell the courts what the public desires by way of sentencing outcomes at the general level, again I say, with all due respect, that such criticism is misconceived and misunderstands not only the role but the responsibility of Parliament. In recent years Parliament has found it necessary to intervene in our sentencing framework, because we want to make sure that sentencing outcomes reflect the community's expectations. We have seen Parliament intervene in terms of increased maximum sentences. We have seen mandatory minimum sentences, and, as I will discuss in a few moments, we have seen the introduction of baseline sentencing.

I will deal first with maximum sentences. This bill increases the maximum sentence for possession of child pornography, and the opposition supports that. It introduces three new offences with maximum sentences of 10 years, which I will talk about in a moment, and we support that. I should point out that one of the reasons why this Parliament enacted baseline sentencing laws in the last Parliament was because it was clear that, despite Parliament's intention to see higher overall sentences, particularly for serious sexual and violent offences, we were not seeing that reflected in sentencing outcomes. The member for Box Hill, as the former Attorney-General, clearly referred in his second-reading speech on the Sentencing Amendment (Baseline Sentences) Bill 2014, to two particular types of offences. He said:

Child sex offences are considered to be amongst the worst kinds of offences and this is reflected in the maximum penalties. Sexual penetration of a child under 12 and persistent sexual abuse of a child under 16 are both punishable by a maximum penalty of 25 years. Despite the high maximum penalties, between 2006–07 and 2009–10, the median sentence for the offence of sexual penetration of a child under 12 was three and a half years in jail. The median sentence for persistent sexual abuse of a child under 16 was six years imprisonment. These figures are unacceptable.

There is the point: Parliament expresses its desire to see longer overall sentences, and historically it has used the instrument of maximum sentences to try to direct courts to adopt that policy objective in their sentencing practices and in sentencing outcomes overall, but we have not seen that. In fact, we have seen the contrary; likewise with statutory or minimum sentences. In relation to the criticism that mandatory minimum sentences are an interference with judicial discretion, it is necessary to point out to such critics that the High

Court has made it clear that mandatory minimum sentences do not interfere with judicial discretion in that way any more than maximum sentences do.

I turn to baseline sentences. As I have said in my remarks today, baseline sentencing was at its heart a response of this Parliament to the disparity between the maximum sentences that Parliament had provided for and the actual sentencing outcomes for serious sexual and violence offences. It was a policy designed to encourage courts to lift the overall range of sentences for certain categories of serious offending. It was necessary to intervene because the objective of having maximum sentences had not been achieved. That is what baseline sentencing was designed to do; it was to ensure that the sentencing outcomes for given baseline offences would over time, in an overall sense, lift.

In recent weeks we have had the first decision of the Supreme Court handed down on a baseline offence. I have to say that I respect the court and I respect the decision of the court, but I respectfully disagree with the outcome. I will explain why. As I have said, baseline sentencing was about seeing an overall increase over time in sentencing outcomes for certain categories of serious offending, subject always to the ability of judges in particular cases to impose sanctions at the higher or lower ends of the range of acceptable sentencing outcomes. That discretion was preserved. As I said in my opening remarks, however, it is well within the purview of this Parliament to tell courts and our judiciary generally, on behalf of the Victorian people, what the sentencing framework ought to be.

I say with all due respect in terms of the decision handed down recently in *The Queen v. I R T* [2015] VSC 372 — the name of the accused in that case was suppressed — that the problem is that the decision risks undermining baseline sentencing by reducing it to a mathematical exercise which avoids giving effect to the community's demand for stronger overall sentences in very serious cases of offending. Our concern is that it will see sentences that would have been lower than the current average remain unchanged and those sentences in very serious cases that would attract the heavier types of penalties increase only marginally. It risks defeating the very purpose of baseline sentencing. It will see many baseline offence sentences — at least half — remain unchanged, when Parliament clearly enunciated in the passage of the baseline reforms through this house and through the other place that it wanted to see sentencing outcomes increase overall.

I will quote from paragraph 141 of the judgement in *The Queen v. I R T*, which I think brings us to the kernel of the problem:

It must be accepted as a matter of mathematics, that so long as half of all sentences are at or above, and half of all sentences are at or below a particular figure, the distribution of sentences above and below that point do not affect the median. Therefore sentencing in a manner compatible with Parliament's intention does not require that sentences below the median are scaled in proportion to the baseline sentence. As defence counsel rightly pointed out, whether a sentence of one year or nine years is imposed does not change the median.

There you have it. More clearly than any other, that passage in the judgement tells us why we have an issue now. I do not think this Parliament could have been any clearer, when the baseline reforms were passed, in indicating that this was not to happen — that the very thing that happened in *The Queen v. I R T* was, if I can say this, contrary to the intention of this Parliament when those baseline reforms were passed. With all due respect, I think that outcome is wrong because it is so directly contrary to the intention of this Parliament.

It is now incumbent on the government to look at how we can address this situation. I do not think there was anything inevitable about that Supreme Court decision. That was not the inexorable outcome of the intellectual exercise that the court had undertaken in arriving at that outcome. Every decision of every judge of every court is the culmination of a series of assumptions and conclusions that form part of a range of potential outcomes and solutions. I cannot understand how someone could reconcile the passage I spoke about with this Parliament's clearly enunciated intention.

I have spent a bit of time talking about this because it is an underlying policy question for this Parliament and for parliaments around the world in relation to how you reconcile the role of the Parliament with the role of our courts. Judicial discretion is an integral part of our system, but that does not mean, and it can never mean that Parliament has no place in establishing the sentencing framework. Whilst I think this bill, by increasing maximum sentences for the crime of possessing child pornography, is welcome — it is one we support for the reasons I have explained — it misses an opportunity to ensure that actual sentencing outcomes will reflect what is Parliament's clear desire to see overall sentences increase for very serious and, in this case, highly despicable offences.

We support the bill. Although it is not the ideal outcome, it is still worth supporting. I turn to the bill itself. It does seven things in principle. The first is that it doubles the maximum sentence for the serious crime of possession of child pornography. It introduces three new offences. The first is the offence of administering a child pornography website, which carries a maximum sentence of 10 years imprisonment; the second is the

offence of encouraging others to use a website to deal with child pornography; and the third is the offence of assisting a person to avoid apprehension. It introduces random sample evidence, and it further empowers police through the warrant process in the Magistrates Court to be able to direct people who have knowledge of computer passwords and computer networks to assist police and investigators to uncover necessary evidence for the purposes of prosecuting offences against this section.

The bill also proposes to limit the ability of the accused to inspect exhibits that contain child pornographic material and generally to obtain and inspect information, documents or things that would place child pornography in the possession of an accused person. These changes are worthy of our support, and as I said, we will support them.

Turning to the offence of administering a child pornography website, it applies where somebody intends that a website be used by another person to deal with child pornography and that that person administers or assists in the administration of the website. Importantly, the bill makes it clear that the definition of 'administer' does not incorporate hosting websites, which is an appropriate safeguard. There are defences to this offence — namely and principally, if the accused took all reasonable steps in the circumstances to prevent any person from being able to use a website to deal with child pornography, that would be a defence to the charge. New section 70AAAB(5) sets out how that might be demonstrated — namely, a person might have notified police that the website was being used for an unlawful purpose the accused may have notified a relevant regulatory authority, may have shut the website down or may have modified the operation of the website so that it could not be used to deal with child pornography. That defence is appropriate.

There are also a number of exceptions to this offence. The difference between an exception and a defence is that the exception will mean that the actions simply cannot be prosecuted, and that will be the case where a person has engaged in conduct in good faith in the course of official duties as an employee of the Department of Justice and Regulation or for a genuine medical, scientific or educational purpose. A further exception is that which relates to dealings with a film, publication or computer game that at the time of being dealt with was classified other than RC or X18+ or would, if classified, have been classified as other than refused classification or X18+ under the classification legislation. Again those exceptions are appropriate.

There is no great need for me to deal in depth with the offence of encouraging use of a website or assisting a person to avoid apprehension. We believe these are dealt with appropriately, for the reasons I have stated.

I will spend a moment talking about the use of random sample evidence. It is important to note that investigators in particular will often have to view thousands of images of child pornography. Not only will that be unnecessary in many cases but even more troubling is that it risks traumatising those who have to wade through the material in preparation of a prosecution brief and then submit to the process of trial. If that can be avoided, it is an appropriate change.

It is also appropriate that those who have access to computer passwords to websites that may contain child pornography can be subject to a warrant to assist police to access that material. It is important to note, and it is one of the reasons the opposition is prepared to support this legislation, that a magistrate in issuing a warrant under the proposed provisions needs to be satisfied of a number of matters such as there being reasonable grounds for suspecting that the data held in or accessible from a computer or data storage device will afford evidence as to the commission of an indictable offence and that the specified person on the warrant is reasonably suspected of having committed an indictable offence in relation to which the warrant is issued or is the owner or lessee of the computer or device, is an employee or owner of that lessee or is engaged under a contract for services by the owner or lessee of that computer or device and other similar circumstances.

We are satisfied that there are sufficient safeguards around the issuing of such warrants and that these would be subject to the review processes if an accused or his or her legal counsel believed there were grounds to do so. It is also appropriate that an accused has more restricted access to pornographic material than may be contained in exhibits or evidence in prosecutions. Again there are safeguards in the bill. First of all, the accused can instruct his or her legal representative to view all the material, and the bill proposes that in those circumstances the legal representative will be able to do so. In exceptional circumstances the accused can apply for access, but we are satisfied that the threshold of that will be high enough to ensure that the purpose behind these provisions is not defeated at all.

Suffice it for me to say that we support this bill. As I said, for the reasons that I explained at some length it is not ideal because there is no guarantee that with higher maximum sentences you will see an increase in sanctions across the sentencing range. That said, we still support the bill. I should say in terms of the

baseline reforms that passed this Parliament in the last term, they were passed effectively with bipartisan support.

I take this opportunity to urge the government, particularly in light of the Supreme Court decision I referred to, to consider whether it should bring in clarifying legislation to make it clearer to our courts what we want out of those baseline reforms. There should not be a need to do that. The legislation on baseline reforms that was passed in the last Parliament was clear. I do not think anyone could reasonably misapprehend the purposes of those reforms.

Given that the first decision handed down based on those reforms will undoubtedly create a precedent, we need to respond. If something were brought before this Parliament which clarifies for the courts what we meant — although there should not be a need to do that — I think I can say, subject to talking to my colleagues, that we would participate in that enterprise in good faith. It is important that we do so because that legislation was passed with bipartisan support, effectively. We would not want to see those reforms defeated by interpretations which do not give effect to the clear desire of the Victorian people.

On that, I conclude by saying that we on this side support the bill and I wish it a speedy passage through the Parliament.

Mr CARROLL (Niddrie) — It is my pleasure to rise to speak in the debate on the Crimes Amendment (Child Pornography and Other Matters) Bill 2015. For a minute there, I thought I had gone back to four years ago when we were debating baseline sentencing legislation. I will get to the heart of what the member for Hawthorn was talking about. It is nice to have the member for Box Hill in here as well. If those opposite want to get to the heart of the test case, given what has been said by everyone from those in the Office of Public Prosecutions and the Law Institute of Victoria to the judges in the courts, they — including the members for Box Hill and Hawthorn — should look in the mirror, because those opposite created the legislation. They designed the act and now, given the test case and where it has taken us, they are asking the current Attorney-General to fix up their mess.

Honourable members interjecting.

Mr CARROLL — We will get to fixing up your mess, as we always have had to in the justice system.

Honourable members interjecting.

Mr CARROLL — Don't you worry. We will get to fixing up your mess. This bill targets pornography, but you want to spend all your time on baseline sentencing. In the *Age* — —

Mr Southwick — On a point of order, Acting Speaker, I ask you to get the member to address his comments through the Chair and not to refer to members on this side as 'you'.

The ACTING SPEAKER (Ms Edwards) — Order! The member for Niddrie should address his comments through the Chair.

Mr CARROLL — I will. Thank you for that powerful point of order. An article in the *Age* of 6 August states — —

Ms Ryall interjected.

The ACTING SPEAKER (Ms Edwards) — Order! If the member for Mitcham wishes to make comments, she should be in her place.

Mr CARROLL — The *Age* article states:

Law Institute of Victoria criminal law section co-chair Tim Freeman said the complexity of the judgement demonstrated the legislation was 'unworkable', eroded judicial discretion and was dependent on unrelated cases concerning unrelated offending.

'The justification for the introduction of baseline was in part to provide greater transparency in the sentencing process ...

'We believe it has the opposite effect'.

I want to get what the government's bill is about. Members might have seen the recent *Law Institute Journal*. It has a quite good looking front cover; it has the current Attorney-General on it. I know the member for Box Hill is currently reviewing *Catch and Kill* — *The Politics of Power*, Joel Deane's book, but he should also have a good read of this journal. Apart from the cover, it also has a section acknowledging — —

Mr Burgess — On a point of order, Acting Speaker, the member on his feet at the moment knows he is not supposed to be using such items while he is making a contribution. I ask that you either remove it from him or remove him from the house.

The ACTING SPEAKER (Ms Edwards) — Order! Does the member for Niddrie have a prop?

Mr CARROLL — No. It is actually — —

Honourable members interjecting.

The ACTING SPEAKER (Ms Edwards) — Order! Does the member have documentation relevant to this bill?

Mr CARROLL — I do, Acting Speaker, and I have actually got it tabbed. I will get to the heart of it, if I can open the cover of it.

The ACTING SPEAKER (Ms Edwards) — Order! I am happy with that.

Mr Burgess — On a point of order, Acting Speaker, how the face on the cover of the particular item that the member is holding has anything to do with this bill is beyond me. If that is not a prop, then I have not seen one in this house.

The ACTING SPEAKER (Ms Edwards) — Order! Does the member for Niddrie wish to refer to something in that document?

Mr CARROLL — I do, Acting Speaker.

The ACTING SPEAKER (Ms Edwards) — Order! I am happy with that.

Mr CARROLL — We are debating the Crimes Amendment (Child Pornography and Other Matters) Bill 2015. This edition of the *Law Institute Journal* is a special issue on technology and the law. We on this side like to have research and evidence on issues, so if I can get on with it, I will. An article headed 'Effective justice' states:

For Victoria's 53rd Attorney-General, Martin Pakula, bringing down the rate of offending and reoffending is the way to make the community safer.

There is a whole section on baseline sentencing, which I will not go to. I want to get to the section on technology because the statistics on which I was doing research before I got to my feet are incredible.

Recently the member for Hawthorn joined me at the biennial conference of district and County Court judges, which was focused on embracing technology and the way forward in the 21st century. I want to place the following statistics on the record. They are incredible, when you look at the proliferation of websites and the internet. Back in 1993 there was about one website created every hour. Now we are getting about 50 websites created every minute. It took radio 38 years to reach 50 million users, television 13 years to have 50 million users, Facebook just 1 year to have 50 million users, and Twitter only nine months to have 50 million users.

When you see the proliferation of data and websites on the World Wide Web, you can see one of the reasons why the Andrews government has seen fit to introduce legislation to combat child pornography. The bill sends a clear message to anyone considering committing any offences against children that the internet can no longer be seen as an anonymous domain for those abhorrent crimes. The proliferation of child pornography is a significant issue confronting law enforcement agencies worldwide. This bill makes it easier to investigate and prosecute online child pornography offences in Victoria. The bill also increases the maximum penalty for child pornography to 10 years imprisonment.

A second set of reforms is currently being considered. It includes changes to existing child pornography offences to cover a broader spectrum of child abuse material and new offences to address new ways of distributing and accessing such material.

I want to highlight the work of the Sentencing Advisory Council. The parliamentary library had a fairly dated report available for members who wanted to consider it. This snapshot of sentencing for knowingly possessing child pornography goes back to June 2008. It provides a breakdown of the offences and the sorts of individuals who committed the offences. Looking through it, it can be seen that over the three-year period analysed — that is, from 2005 to 2007 — the 197 people sentenced for child pornography offences were all men. The age of people sentenced for knowingly possessing child pornography ranged from 18 years to 73 years, so the median age was 39 years — meaning that half of the people were aged 39 years or younger and half were 39 years or older.

Members can see that the research has been done by the Sentencing Advisory Council and the Department of Justice. There has been an enormous amount of consultation to get this bill right, and we on this side certainly want the legislation to have a speedy passage. We certainly do not want it to be like the baseline sentencing legislation — the special project of those opposite — that we will have to fix up. We expect that this legislation, which has been welcomed by the community, will have a speedy passage.

The bill has three tranches or introduces three new offences. They are: administering a child pornography website, encouraging use of a website to deal with child pornography and providing assistance to another person about avoiding apprehension for a child pornography offence. The bill also amends the Crimes Act 1958 to increase the maximum penalty for possessing child pornography and to provide for the use of random sample evidence in proceedings for a child

pornography offence. As members would be aware, when a child pornography offence goes to court, the material can be quite prolific and sourced worldwide. Recently there was a case involving a young person in South Morang but also using material based in Russia. It is a complex set. To make the evidence-gathering procedures more transparent and more easily accessible is a good thing for justice in this state.

One area that I considered very important — again I thank the parliamentary library — is covered in a really interesting article dated 13 August 2015 and written by Marg Liddell, the senior lecturer in justice and legal studies in the school of global, urban and social studies at RMIT University. She has put together a really good paper headed ‘What’s in a name? Online child abuse material is not “pornography”’.

Marg goes through a whole range of scenarios about why viewing child pornography is above and beyond just viewing; it is essentially child abuse and child exploitation. She argues that research suggests:

... that there is an overlap between those who view child abuse material and those who engage in contact sexual offences, but the viewing of the material also contributes to the demand for its production.

...

Second, it potentially mislabels the material as a legally acceptable form of pornography. Using the term ‘pornography’ likens online child abuse material to an acceptable subgenre of mainstream, adult, consensual pornography. Online child abuse material represents the photographic or video evidence of a criminal act against infants, children and young people.

...

Figures released in early July by the Australian Communications and Media Authority (ACMA) showed a 550 per cent increase in investigations into online child abuse material.

While we will pass this legislation, one thing is clear: we are going to need follow-up with a public awareness campaign on what the legislation is intended to do and how it relates to accessing the internet, including accessing it using tablets or iPhones. The new laws to combat child pornography offences are 21st-century law reform that is required. This new legislation at the bottom line will send a clear message to anyone considering committing child pornography offences that the internet is no longer an anonymous domain for abhorrent crimes. I wish this bill a speedy passage through the Parliament.

Mr D. O'BRIEN (Gippsland South) — I am going to start with a quote:

It is disgusting material ... there are no words to describe it.

That is a quote from a West Australian police officer, who was speaking after eight men, including the father of a 13-year-old girl, were charged, over a period of horrific abuse of that girl. One of the men charged was found to possess 200 000 videos and 4 million images of child pornography. I wish to repeat that quote:

It is disgusting material ... there are no words to describe it.

As we rise to speak in this place, we generally say, 'It gives me great pleasure to rise to speak', but I must say that in this case it gives me no pleasure at all because in researching this bill today, I found the subject matter we are talking about actually makes me feel sick. What we are talking about is the most serious abuse of children that could be imagined.

I might say that I was very disappointed that the member for Niddrie chose to make political commentary at the start of his contribution on such an important bill. I appreciate that the member for Hawthorn made some commentary about baseline sentencing, but his contribution was calm and measured, and I thought it was entirely appropriate. For the member for Niddrie to come out and start a slugging match on this bill was very inappropriate, particularly given that the legislation quite rightly has bipartisan support.

As parliamentarians we have many roles, but I do not think there could be anything more important than the role of protecting our children. There is absolutely nothing that could be more important than that, and this bill goes a long way to addressing some of the concerns we have in relation to child pornography. Indeed there is not really a question of whether we should support this bill — we must support this bill.

A story I wish to go back to captured the nation's attention for all the wrong reasons a few weeks ago. It was the story of eight men being charged, including the father, with the abuse of a 13-year-old girl. The charges themselves, even those in the public domain, are just too distressing to read. It is too hard to comprehend the pain and suffering that victim must have gone through for the gratification of those sick men. To learn further that the abuse was filmed, photographed and shared amongst many of them only makes it worse.

It is absolutely right that this bill increases penalties. I appreciate that the case I referred to is in another jurisdiction, but this bill certainly needs to address the penalties that apply to child pornography. Unfortunately there are many other horrific examples around our country and indeed around the world. Perhaps the worst was a couple of years ago when a pair of men from Queensland were charged, convicted

and indeed sentenced over the abuse of a boy they had adopted from a Russian surrogate. The understanding of the police was that these men had adopted the boy for the sole purpose of abusing him and offering him to others around the world. They uploaded to and shared images and footage with a global syndicate called the Boy Lovers Network. Again, it is this sort of disgusting and absolutely inhuman treatment of human beings that we must address.

I share some of the concerns that were outlined by the member for Hawthorn in relation to sentencing. At the time this bill was introduced, the media outlined some facts in relation to it. The *Herald Sun* highlighted that four out of five people appearing in the Magistrates Court in relation to viewing child pornography had either been fined or given a suspended jail term — in other words, they had not been given a custodial sentence. I support the concerns of the member for Hawthorn. I do not have his expertise or his experience in legal matters, but I know what the community wants. The community wants stronger responses to these sorts of crimes.

I certainly support the aims of this bill. It creates three additional offences relating to child pornography: one is to target the administrators who create, regulate membership or monitor websites purveying child pornography; a second offence is to criminalise those who encourage others to use websites showing child pornography, whether by promoting or advertising them; and the third is to criminalise anyone who teaches others how to evade authorities — in effect teaches them how they can anonymously view internet material, in this case child photography. The most important aspect, as I see it, is the increase in the maximum penalty for the offence of possession of child pornography from 5 years to 10 years. The Attorney-General pointed out in the second-reading speech that currently Victoria has the lowest maximum penalty for such offences, and I think it is absolutely appropriate that we are catching up with other jurisdictions around the country and ensuring that the maximum sentence is commensurate with the crime.

There are other important elements of the bill such as the ability to use a random sample in providing evidence to the courts of child pornography offences. This cannot be understated. I mentioned earlier the perfect example of one man who was found with 200 000 videos and 4 million images. The mind boggles. The strain on police, prosecutors, court staff and others who have to wade through that material is incomprehensible. As the Attorney-General pointed out, it impacts their welfare and their state of mind, and therefore the ability to provide for using random

evidence to convict, with the appropriate safeguards that are in the bill, is a good thing.

There is also a clause in the bill which provides for the giving of direction, which is effectively to ensure that police can compel a person to provide a password or other information that is important to them in uncovering internet-related crime. As I said, it must be extremely difficult for our law enforcement agencies here, in other jurisdictions around Australia and indeed around the world to track, monitor and find the people who are perpetrating these heinous crimes. I say more power to their arm from this Parliament's perspective. They have our full support in everything they do.

The bill makes other minor amendments to the act and also makes an amendment to the Criminal Procedure Act 2009 which restricts the inspection by an accused of evidence that is child pornography. Again, this is a small but important amendment to ensure that those who are accused of child pornography offences cannot get any sort of sexual or other gratification they may well achieve from being able to look at the material they are accused of either possessing or purveying. That is also a sensible amendment.

As I said, I support the concerns of the member for Hawthorn about sentencing. I think the community clearly sees this as a very serious issue and one that is at the highest end of the heinous crimes that are committed. It is hard to comprehend what motivates people to produce child pornography and to commit acts against children. As a father, as an Australian and as a human being, simply researching this bill made me sick. It is absolutely appropriate that this Parliament increases the maximum penalty and I support increasing it to 10 years. I think there should also be consideration of circumstances where those penalties are increased, but that may be for another time.

I conclude by saying again that one of the most important roles this Parliament has is in the protection of children and this bill certainly moves towards addressing that, giving the police and the courts the appropriate tools to pursue those who commit these heinous crimes. I support this bill, I think the Parliament must support it and I commend it to the house.

Ms RICHARDSON (Minister for Women) — This is a very important bill that is before the house and, as the member for Gippsland South highlighted, it is a bill that unites members of Parliament across the chamber. The reason is that we have in our society some monstrous people engaged in monstrous activities who are prepared to exploit children who are incredibly

vulnerable. This bill makes it clear that we are toughening up and enabling easier investigation and prosecution of the low-life individuals who engage in the hideous practice of child pornography. The bill is designed to make it easier for law enforcement officers and our courts to deal with this particularly repulsive activity. These are important reforms, which form part of a range of sexual offence reforms that the Attorney-General is planning to introduce into the Parliament. This is an important and significant first step for our Parliament and for our government.

The bill introduces three new child pornography offences to close the loopholes that have been exploited by individuals who have sought to exploit children. Specifically, if you administer a child pornography website, if you encourage the use of a website to deal with child pornography or if you help someone avoid a sanction of any kind for engaging in child pornography, under this bill you will be committing a new offence that will be included under the Crimes Act 1958. This will add to the existing four offences of production, procurement, possession and publication or transmission of child pornography. Importantly, the bill also increases the maximum penalty for possessing child pornography to 10 years imprisonment. This picks up on some of the concerns that have been raised by members about the light touch that perhaps has been applied to some individuals who have been engaged in this despicable activity.

The bill restricts someone accused of a child pornography offence from personally inspecting all the evidence that has been collected against them, and I think the less said about that, the better. The bill also allows a sample of child pornography material to be provided as evidence rather than those involved in the case having to plough through each and every image that has been put together by the accused.

The bill gives the courts the power to direct a person via a search warrant to provide access to data. They must give up passwords or provide a pathway through to material on their computers and the like. That is particularly important given the level of sneakiness that has at times been used by perpetrators. With the availability of new IT mechanisms and new ways of operating personal computers and the like, clearly we need our law enforcement officers to have the power to direct someone to give up information in order to get to the bottom of what is taking place.

Offensive material of this kind is, by its very nature, usually hidden. I understand that applications have even been developed which look somewhat like a calculator but which are in fact portals for grooming children.

With this level of sophistication being adopted for the exploitation of children, clearly we need to have powers at our disposal to ensure that we can uncover all that is happening with respect to a particular incident.

The more one researches the kinds of activities that are taking place out there among this class of fairly sick individuals, the more one is struck by the degree and level of malevolence involved in pursuing their endeavours in child exploitation. The degree to which they are prepared to seek to exploit our children is quite breathtaking at times. That is why we need this bill.

We also need to send a very clear message to those engaged in this kind of disgusting behaviour that not for one moment will we tolerate it. We will come down very hard on those involved. We will use the government, we will use the Parliament and we will use the courts to ensure that we do all we can to keep our children safe. Let us be clear: child pornography is a form of child abuse. As the Premier has said on many occasions, these reforms are designed to crack down on what is pure evil. There are monsters, sadly, in our society who somehow view a child as some sort of commodity for them to exploit. We have to have a very firm response with respect to these individuals.

I think every member of this house and clearly the overwhelming majority of our community struggle to come to terms with the level of evil that is involved in the child pornography racket. The community clearly wants a stronger response from our Parliament, and it clearly wants a stronger response from our courts. It is up to each and every one of us as members of this Parliament to take every step such as this to ensure that we do not allow the continuation of the exploitation of Victorian children. Because of the IT challenges and because the global IT network progresses at such a tremendous pace, we need to keep ahead, wherever we can, of the kinds of initiatives that enable this kind of practice to continue. I commend the bill to the house.

Mr HIBBINS (Prahran) — I rise to speak on the Crimes Amendment (Child Pornography and Other Matters) Bill 2015. The Greens certainly support this bill, which will make it easier to prosecute and investigate online child pornography offences in Victoria. All child pornography offences are of the utmost seriousness. They result in perpetual harm to children and act to validate and normalise the sexual exploitation of children. It is incredibly regrettable that child pornography is one of the fastest growing illegal businesses online. These offences, whereby images are transmitted across the world to offenders who redistribute them, are international crimes. And as we

all know, once an image is on the internet it is incredibly difficult for it to be deleted.

The harm to victims is lifelong, and for some offenders child pornography is also a risk factor in other sex offending against minors. I note, as has been raised previously, that research shows that the people involved in child pornography offences are predominantly male. Furthermore, a snapshot of sentencing trends in the Magistrates Court of Victoria over a three-year period during which 197 people were sentenced for knowingly possessing child pornography showed that all of the offenders were men.

Whilst we have laws that effectively deal with child pornography and the technology used to distribute it, it is important that we address what makes someone commit sexual offences against children and that we address their attraction to child pornography. This means working closely with experts in psychology and psychiatry and other experts who work with victims and perpetrators, and it includes researching the role of gender as a risk factor for offending, since the majority of perpetrators are male.

It is also imperative that children who have been abused receive support and help early by undergoing extensive counselling, since we know that the trauma of abuse can lead to depression, post-traumatic stress disorder and a range of other mental illnesses and disorders early in life and later as an adult. We also know that the trauma of abuse can lead to further tragedy, such as suicide.

The bill amends the Crimes Act 1958 to create three new offences concerning child pornography: administering a child pornography site, which attracts a maximum penalty of 10 years imprisonment; encouraging the use of a website to deal with child pornography, also with a maximum penalty of 10 years imprisonment; and providing assistance to another person in relation to avoiding apprehension for a child pornography offence, with a maximum 10 years imprisonment. It also increases the maximum penalty for the offence of possession of child pornography from 5 years to 10 years imprisonment.

The bill provides for the use of random sample evidence in proceedings for child pornography offences so that the people involved in investigation and prosecution do not have to view high volumes of child pornography evidence, which can be traumatic. It also provides for the giving of a direction under a warrant requiring assistance from a person with knowledge of a computer or computer network. This means that where evidence is held on a computer and it is password

protected, police will be able to direct the owner of the computer to give them the password.

The bill amends the Criminal Procedure Act 2009 to restrict the inspection by an accused of evidence that is child pornography so that they do not obtain sexual gratification from viewing it. It also makes minor amendments to certain other acts.

The Greens support this bill, particularly considering the utmost importance of protecting children from sexual exploitation and also considering our obligations under the United Nations Convention on the Rights of the Child. Furthermore, we urge the government to provide a government-funded professional support service for defence lawyers to debrief after viewing child pornography, given that many of these lawyers are on modest incomes and most of this work is covered by legal aid.

Whilst the minister's second-reading speech says that websites are the easiest and most visible way of accessing child pornography, research shows that peer-to-peer file-sharing networks are a major source of online child pornography. We urge the government to ensure that all peer-to-peer sharing of child pornography is addressed by our laws and to work closely with Victoria Police to make sure it has the latest technological tools to track pornography content.

That said, the Greens strongly support this bill.

Ms KNIGHT (Wendouree) — I rise to speak on the Crimes Amendment (Child Pornography and Other Matters) Bill 2015. This bill has a number of purposes. It amends the Crimes Act 1958 to create three new offences concerning child pornography; to increase the penalty for the offence of possession of child pornography; to provide for the use of random sample evidence in proceedings for child pornography offences; and to provide for the giving of a direction under a warrant requiring assistance from a person with knowledge of a computer or computer network. It also amends the Criminal Procedure Act 2009 to restrict the inspection of evidence that is child pornography by an accused person and makes some minor amendments to some other acts.

In my contribution today I will be addressing each of the main components of this bill in turn, but first I would like to talk about the importance of having the right response to matters of child harm and child exploitation. The current Royal Commission into Institutional Responses to Child Sexual Abuse has come about through the terrible treatment of children. This royal commission is necessary because

institutions — both government and non-government, secular and religious — failed victims and acted in ways that caused those victims terrible harm. In the last Parliament a Victorian parliamentary committee held an inquiry into the handling of child abuse by religious and other organisations. Many of us have read the report, and it is really a very important piece of work. I am pleased that the Andrews Labor government is committed to implementing all the recommendations outlined in the committee's report, as we should be.

I doubt whether any part of Victoria has been immune from the institutional failings outlined in the *Betrayal of Trust* report, but I know that the effect of those failings in Ballarat has been terrible and long lasting. I often speak with survivors of abuse who were failed by institutions they trusted and that were meant to protect them. As I speak today I am conscious that this Parliament, as the holder of Victoria's ultimate institutional power, has to look for the best response to matters related to child pornography.

In the limited time available to me I will address a number of the important changes that are put forward in this bill. The elimination of child pornography depends on stopping this material at three stages: production, distribution and possession. This bill strengthens the law by creating new offences that go to the distribution of child pornography. It also doubles the penalty for possession of such material. The bill introduces three new child pornography offences, and I will speak briefly on each of those.

If this bill passes, it will be an offence to administer a child pornography website — that is, to build, develop or maintain a website for the purpose of viewing, uploading or downloading child pornography. A person who becomes aware that a website they administer is in some way being used for dealing in child pornography has a defence if they have taken all reasonable steps to stop the site being used for this purpose — that is, if they have as soon as practicable notified the police or the relevant industry regulator, shut down the site or modified the site so it cannot be used to deal in child pornography.

A second new offence of encouraging a person to access a website for the purpose of viewing, uploading or downloading child pornography is included in the bill. If someone is in effect advertising or encouraging the viewing, possession or sharing of child pornography, then they will be committing a criminal offence. It is an offence with a serious penalty, carrying a maximum of 10 years in jail. This goes to the heart of the distribution of this material. If people are not made aware of where child pornography can be obtained, it is

more difficult for them to get and more difficult for them to subsequently provide to others. Those who distribute or possess child pornography know it is illegal and know it is wrong. Through anonymously using websites that deal in child pornography and decrypting files that contain this material, these people try to avoid detection. But no person is born with the technical knowledge to avoid detection for dealing in child pornography. This knowledge is something that needs to be provided to them. This bill criminalises the provision of assistance to another person so they can avoid detection and apprehension for a child pornography offence.

This bill doubles the penalty for possessing child pornography. This offence will have a very serious maximum penalty of 10 years in prison, the same penalty as for producing child pornography and procuring a minor for child pornography. As I said earlier, putting an end to this terrible exploitation of children needs to be approached by attacking the production, distribution and possession of child pornography. Bringing the maximum penalty for possession of child pornography into line with other offences I believe recognises the harm that is done to children through the possession of child pornography and the seriousness of the offence.

The bill proposes amendments to the Crimes Act 1958 that would empower a magistrate to issue a warrant that would allow police to direct a person with knowledge of a computer or network to assist the police in executing the warrant. Failure to comply with the direction to assist police made in executing a warrant would carry a maximum penalty of two years in jail. Again, this provision is designed to assist police to investigate the distribution or possession of child pornography.

As the Attorney-General outlined in the second-reading speech, cases involving the possession of child pornography can involve reviewing tens of thousands of items of child pornography. This is of course traumatic for the police, lawyers and judges involved in a case, but it also broadens the harm done to the original victims of a crime — the children. This bill provides for a process of random sampling of the seized material to determine for the purposes of a trial the nature of the material as a whole. The accused's lawyer will need to be provided with an opportunity to view all the material for this system of random sampling to be used.

While nobody wishes this kind of material to be viewed any more than necessary, I think it is important that each item of seized child pornography be viewed by the

police. All victims need to be identified where possible. These are children who may still be in danger, and their identification may lead to them being located and made safe. They are also children who have suffered terrible harm, and they of course may require counselling and psychological help for them to live the fullest lives they can. I am advised that currently a computer program is used that identifies new material and that it will still be used, along with random samples, so those victims may be able to be identified and then provided with counselling and assistance. That is a critically important point.

Part 3 of the bill amends the Criminal Procedure Act 2009 to restrict personal access by an accused of evidence that is child pornography. An accused person's lawyer will still be able to inspect the evidence but the accused person will be required to have a court order for them to be able to view the material. If a person is charged with possessing child pornography or dealing with child pornography in some way, it seems reasonable they should be restricted from viewing the material as part of the legal process. Each viewing of this kind of material perpetuates the harm done to a child victim of these crimes. That is particularly the case when a person is alleged to have in some way been involved with the material outside of the legal process. The reason is simple. The harm done to children forced to participate in the production of the material absolutely continues with its viewing. When a court orders it, access to the evidence may be granted to the accused, subject to certain conditions.

I support this bill because it will aid police in the investigation and prosecution of child pornography offences. It recognises the harm done by the distribution and possession of child pornography and the importance of providing increased deterrents by increasing maximum penalties. I support this bill because I spent many years working at Victorian centres against sexual assault and seeing the trauma and harm that is done to children who are sexually abused, as is the case in child pornography. This bill deserves the support of the house.

Mr PAYNTER (Bass) — I rise to support the Crimes Amendment (Child Pornography and Other Matters) Bill 2015. The mere fact that we need to have such legislation is a very sad indictment of the society we live in today and a very sad reflection of the more sinister elements of some members lurking in our community. With that in mind, however, it is a privilege to be able to stand here in Parliament to pass legislation that will deal with these despicable and disgusting acts by introducing penalties that go some

way, and arguably not far enough, towards punishing the perpetrators.

I say 'arguably' because there are some amongst us who place these types of crimes in the most severe category. No length of time served in prison will ever reverse the lives that are destroyed through the cultivation of child pornography — the lives not only of the children involved but also of the suffering extended families. Those who generate, encourage others to view or protect those who participate in any way in child pornography are equally responsible and should be dealt with in the harshest terms possible.

We have a responsibility as members of Parliament to introduce legislation which facilitates this happening. Our constituents demand that from us, and our consciences should follow. I am a father of three daughters. Nothing disgusts me more than opening the morning papers to read about yet another case of child pornography. Authorities claim there are more than 7000 people in Victoria viewing sick images of child pornography at any one time.

I applaud the Victoria Police for the work its members are doing in this difficult area. Nothing can fully prepare a person for the task the police perform on a daily basis on behalf of the people of Victoria. The police need support from our court system by applying the harshest sentences available to all cases of child pornography. Too many times the perpetrators are let off with light sentences or walk free in four out of five cases. That needs to change so that our court system better reflects community expectations. I applaud the increase in maximum sentences from 5 to 10 years. As I mentioned earlier, arguably that is not long enough.

I applaud the new offences of administering a child pornography website, encouraging the use of the website to deal with child pornography and assisting a person to avoid apprehension for a child pornography offence. It also enables a magistrate to force suspects to hand over computer passwords to police investigators. Those are all good, responsible changes that go some way to meeting community expectations. I commend this bill to the house. Let us hope that it passes through quickly and its provisions are applied immediately. The legislation reflects the intention of the people and should be respected by the courts.

Ms WILLIAMS (Dandenong) — I am pleased to rise to support the Crimes Amendment (Child Pornography and Other Matters) Bill 2015, but I am also sad and certainly disgusted that there is a need for such legislation in our society. The behaviour we are speaking about in this bill is abhorrent. I will not mince

words on this topic: those who create child pornography and those who view it are engaging in acts of pure evil. I do not think anybody in this place would disagree with the sentiment that the protection of children is one of the most important things we can achieve in this place, which is why this legislation is so important. It also ensures that we adhere to the United Nations Convention on the Rights of the Child. Signatories to the convention agreed that:

The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form.

That is principle 9. Furthermore under article 19 it was agreed that:

States parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

In the past 15 years technology has developed at lightning pace, and the internet has become a tool which many of us could not do without. It has made our lives easier in many ways. It has improved our access to information and expanded our knowledge. It has made day-to-day tasks quicker and easier, but it has also led to the proliferation of extremely unsavoury material that is then easily accessible by anyone inclined to search for it.

The purpose of this bill is to strengthen Victoria's child pornography laws and make them more able to meet the challenges brought about by rapid advances in technology. The creation, promotion or consumption of child pornography is offensive to the great majority of Victorians, and the community expects us as legislators to do all we can to prevent this terrible practice and issue suitably harsh penalties where necessary.

Under the Crimes Act 1958 child pornography means a film, photograph, publication or computer game that describes or depicts a person who is or appears to be a person under 18 years engaging in sexual activity or depicted in an indecent sexual manner or context. Examples of child pornography include depictions of a naked child, a child in a sexual pose, a child's genitals, two children engaging in sexual activity or a child being sexually assaulted. Herbert Ward said that child abuse casts a shadow the length of a lifetime. What that means is that child abuse, including child sexual abuse, has a lifelong impact on its victims. It can impact on an individual's ability to establish and sustain significant emotional attachments throughout their life. We also

know anecdotally, if not statistically, that many victims often experience great conflict in their personal relationships and may even display behaviours that sabotage relationships.

For its victims, sexual abuse increases the chances of a life characterised by chaos and crisis. Victims of child abuse are more likely to suffer from anxiety and depression, addictions, eating disorders, sexual disorders and other psychological disorders. There has also been evidence to suggest that victims of child sexual abuse are more likely to suffer from physical problems. The fact that child abuse causes such extensive damage is why our laws must reflect the severity of the crime.

In response to the growing problem of child pornography, this bill creates three new child pornography offences. It makes it an offence to administer a child pornography website, to encourage use of a website to deal in child pornography and to provide assistance to another person about avoiding apprehension for a child pornography offence.

There has been some discussion about a desire to see some further strengthening of the laws relating to child pornography or child abuse, and on that score it is important to note that this bill constitutes the first stage of reforms for child pornography offences. The second stage of reforms is currently under consideration, and may include other measures, like expanding existing child pornography offences to cover a broader spectrum of child abuse material and new offences to address new ways of distributing and accessing this material.

The first offence within this bill targets the administrators of child pornography websites. This includes those who create these websites, regulate membership or monitor the traffic on such websites. Under this provision, a person commits an offence if he or she administers or assists in administering a website, the website is used by another person to deal with child pornography, and the person either intends that the website be used by another person to deal with child pornography or is aware that the website is being used by another person to deal with child pornography. Current child pornography laws apply to some but not all of the activities of these website administrators. This provision will make the laws more comprehensive, and in doing so it acknowledges that these people contribute to the proliferation of child pornography online and facilitate child pornography by others and should be penalised accordingly.

The second offence in this bill criminalises encouraging others to use a website to deal with child pornography.

This might include situations where someone promotes a child pornography website. The third offence will criminalise the provision of information to another person about ways to evade apprehension for a child pornography offence. This might include situations where someone advises somebody else on how to access child pornography anonymously or how to encrypt files, for example. Each of these offences — —

The DEPUTY SPEAKER — Order! The time has come for me to interrupt the proceedings of the house. The honourable member will have the opportunity to continue her contribution when this matter is next before the house.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Tower Hill Wildlife Reserve

Dr NAPHTHINE (South-West Coast) — The issue I raise is for the Minister for Environment, Climate Change and Water. The action I seek is that the minister ask Parks Victoria to work with VicRoads to improve safety for motorists and for the wildlife on the roads adjoining the Tower Hill Wildlife Reserve.

Tower Hill is a magnificent national park some 14 kilometres west of Warrnambool. It is a relatively small national park, only 612 hectares in size, but it has some magnificent features, including unique volcanic geomorphology, with a large crater rim and magnificent nested maar, or nestled volcanoes, inside it. It has a rich Indigenous history presented through the Worn Gundidj Visitor Centre; the Worn Gundidj community manages this national park. It also has outstanding flora and fauna, walks and activities for local visitors, be they locals or tourists alike. It is genuinely a jewel in the crown of our national parks. It is superbly located on the Princes Highway, halfway between the magnificent Warrnambool and the beautiful Port Fairy.

One of the great challenges facing this national park is the unfortunate interaction between the native wildlife and vehicles on nearby roads. Tower Hill adjoins the busy Princes Highway to the south and Lake View Road to the east. In those circumstances, it creates a very real problem, especially in relation to kangaroos, wallabies and, to a lesser extent, koalas and emus on roads. It causes injury and death to native wildlife and very real road safety issues for motorists, particularly on the very busy Princes Highway.

Ms Thomson — I spend a lot of time in Tower Hill.

Dr NAPHTHINE — I know you do.

Ms Thomson — It is snake infested.

Dr NAPHTHINE — You would be at home among them!

The action I seek from the minister is for her to arrange for Parks Victoria and VicRoads to work together to better protect the wildlife and also protect the motorists on the Princes Highway and Lake View Road. We have had some terrible incidents, which could have led to very serious injury to people, and there has certainly been unfortunate deaths of some wildlife. I know it is a challenging situation, but when you have a wildlife reserve and a national park adjoining a busy highway, these are some of the challenges. I urge the minister to ask Parks Victoria to work with VicRoads to seek a safe solution for the motorists and the wildlife.

Laurie Larmer

Mr PEARSON (Essendon) — I raise a matter for the Minister for Veterans. The action I seek is that the minister attend a function at Parliament House for Laurie Larmer, a recent recipient of the Legion of Honour, to recognise his fantastic contribution and that of his colleagues.

Laurie grew up in Moonee Ponds and was called up when he turned 18. He joined the air force. It seems somewhat strange to say this in 2015, but Laurie learnt to fly a plane before he learnt to drive a car! As I have previously informed the house, Laurie, who is now 91, served as a pilot with Bomber Command, and he flew Halifax bombers on nine combat missions over Germany in 1945. Recently Laurie told the *Moonee Valley Leader*:

I'm not courageous or brave. We were only doing what we trained to do.

After the war Laurie returned home, raised a family and ran a successful pub. I have got to know Laurie over the last few years, and I am proud to call him a friend. I am keen to host a function for Laurie here at Parliament House, and I would appreciate it if the minister could drop in and pass on his own well wishes to Laurie.

Leongatha South landfill site

Mr D. O'BRIEN (Gippsland South) — I raise my adjournment matter for the Minister for Environment, Climate Change and Water. It is in relation to concerns about a proposal for a massive landfill at Leongatha South. In short, I ask the minister to explain whether

this proposal meets the objectives of the *Statewide Waste and Resource Recovery Infrastructure Plan* (SWRRIP). I will speak more on that in a moment — first to the proposal.

The proposal by the international company Veolia is for 200 000 tonnes of waste per annum to come from south-eastern Melbourne — that is about 20 A-double trucks per day through Nyora, Loch, Korumburra, Leongatha and Koonwarra — or 800 tonnes of waste per day, with at least a 15-year life. This proposal has come out of the blue, and it has generated considerable angst in the community in South Gippsland. Last week in Leongatha I crossed the road from my office to another shop across the road — literally about 20 metres — and two people stopped me to raise their concerns. There are petitions in shops, many of them already pages long, and there is certainly a lot of concern.

I appreciate that an exhausted quarry seems like a good place for a tip, and this may well be the case. In Gippsland we understand the need for waste facilities, and we accept the need to deal with our own waste. My concern is the question of why Gippsland should become Melbourne's dumping ground. According to the SWRRIP, Melbourne generates 73 per cent of the state's waste and Gippsland just 4 per cent. Gippsland already takes 52 000 tonnes of Melbourne's waste at Dutson, which also happens to be in my electorate.

The SWRRIP sets out the establishment of regional waste resource recovery infrastructure plans, which repeatedly refer to local and regional solutions. Nowhere is an interregional solution mentioned. That is one of my main concerns. A purpose of the SWRRIP is to achieve an integrated system that reflects the principles of environmental justice to ensure that impacts on the community, environment and public health are not disproportionately felt. It is also one of the four goals for the plan that these impacts of the waste management plan are not disproportionately felt.

The action I seek is for the minister to urgently explain to the people of Leongatha and South Gippsland whether, for a start, the government supports this proposal, how it fits into the SWRRIP and if she believes that sending 200 000 tonnes of Melbourne's waste to the beautiful farming country of South Gippsland will ensure that the impacts of waste disposal are not 'disproportionately felt'?

The DEPUTY SPEAKER — Order! Before I call the honourable member for Geelong, I advise members that the adjournment is to ask for one action. If the honourable member reads his last sentence, he will

realise that he has asked four questions. I have taken it that he has asked the minister to explain whether it meets the plan, but it is not a time to ask four questions or one question. It is about asking for action. I just place that before the house.

Early childhood services

Ms COUZENS (Geelong) — I ask the Minister for Families and Children, who is also the Minister for Youth Affairs, what the Andrews government is doing for early childhood education. I also ask that the minister arrange a visit to meet with relevant community agencies in Geelong. It is important that we support the development, health and wellbeing of our young children. We know that the early years have a great effect on future development. We also know that good health is particularly important during early childhood when a child is growing and developing both physically and emotionally. Children must be given the best head start. In Geelong I know my constituents want the very best, high-quality early childhood services close to where they live.

Regional and rural kindergarten funding

Mr BLACKWOOD (Narracan) — The matter I raise is for the Minister for Families and Children. The action I seek is for funding support to be provided to small regional kindergartens in my electorate of Narracan, including Willow Grove, Erica and Thorpdale, which are currently struggling to cover actual running costs with low student numbers. As the minister would be aware there is currently a mismatch between the operational costs of running a kindergarten and the funding allocated from state and federal governments. Small regional kindergartens are the hardest hit by the disparity between operational costs and the often low number of students who attend a kindergarten.

Last week I met with Willow Grove Kindergarten. This year it has 12 children in its four-year-old program and faces a deficit of more than \$10 000. This is not money being sought to purchase equipment or pay for activities but a shortfall in funding to cover staff wages and basic operational costs such as power, water and maintenance. Currently parents who rely on Willow Grove Kindergarten pay \$1100 to send their child there for the year. They also go on a roster to help undertake cleaning and grounds maintenance duties to keep the operational costs of the kindergarten to a minimum. Parents also attempt to raise \$10 000 a year from a town with a population of less than 300. In addition, the deficit they face has been worsened by a recent pay rise for assistant kindergarten staff. The assistants do an

exceptional job and thoroughly deserve their pay rise; however, the increase in pay was not met with additional funding to help meet the increased cost. This again puts more pressure on an already difficult situation for the kindergarten.

Willow Grove Kindergarten has been an integral part of the local community for 33 years, providing high-quality early years education. The Andrews government constantly talks about Victoria becoming the education state under its watch. It is about time the Labor government matched the spin with funding that will assist these small regional kindergartens.

A huge challenge for small rural kindergartens is the variation in student numbers from year to year. For example, this year there are 12 children, next year 19 children are already enrolled but the following year it is projected that there will be far fewer students, again leaving a difficult deficit to cover. Funding that reflects the true cost of running a kindergarten program in these small rural kindergartens and takes into account the burden that only a small number of parents have to share is essential if these programs are going to continue to be delivered in country Victoria. I ask that the minister review this issue and address the funding shortfall that many regional and small rural kindergartens face.

Kingston level crossings

Mr RICHARDSON (Mordialloc) — I raise a matter for the Minister for Public Transport. The action I seek is for the minister to continue to consult and consider the needs of the City of Kingston in preparing for the removal of seven dangerous railway crossings within the municipality. This Labor government has committed to removing 50 level crossings over the coming eight years, including 20 in the first term. The removal of these railway crossings is the most drastic transformation along the Frankston train line since the line went through to Mentone in the 1880s and eventually reached Chelsea in the early 1900s.

The City of Kingston has also got behind the government's railway crossing policy. In the council's August-September 2015 community newspaper update, which is distributed across the municipality, the council strongly advocates for the project. The front page has a picture of a Frankston train line crossing and runs with the headline 'Push for crossing removals'. On page 3 the newspaper then refers to seven railway crossings in the city of Kingston which the Victorian government has committed to remove over the coming eight years. In the article the council acknowledges the eight-year commitment of the Victorian government and says:

The removal of these level crossings will provide improved safety, reduction in congestion and enable more frequent train services ...

The article continues:

The level crossing removals will help reduce traffic congestion for motorists who have to wait at boom gates and provide further opportunities for urban renewal.

Finally, the council asks the 'Victorian government to continue to fund and progress this project'. The article concludes:

... the removals are not only a critically important piece of infrastructure, they are essential for the community for the next 100 years.

I could not agree more with those sentiments about how vital these crossing removals are to our community. Such projects of 100-year significance do not happen overnight. Importantly the Victorian Transport Fund will carry on these works into the future, regardless of election outcomes. However, it goes without saying that this requires a bipartisan commitment to the ongoing removal of these dangerous crossings and to the funding source.

In conclusion, I seek that the minister consult with and address the needs of the City of Kingston in preparing for the removal of these railway level crossings.

Renewable energy

Ms SANDELL (Melbourne) — I raise a matter for Minister for Energy and Resources. The action I seek is that the minister partner with the Australian Renewable Energy Agency (ARENA) to drive large-scale solar projects in Victoria through its recently announced large-scale solar photovoltaics competitive round. ARENA recently announced that it will spend up to \$100 million to develop up to 200 megawatts of large-scale solar using a scheme similar to the reverse auction used in the Australian Capital Territory (ACT). If the Victorian government worked in partnership with ARENA to deliver this program, it would allow our state to build new solar projects at the lowest possible cost.

Through a reverse auction, solar companies would bid each other down to provide Victorians with the cheapest possible clean energy. The Victorian government would be supporting new, large-scale renewable energy projects, just like the ACT reverse auction was key to the building of the Ararat wind farm. What is more, by partnering with ARENA the government would be securing federal funds to build new renewable energy projects here in Victoria.

Expressions of interest for this program are due to open next month and close in November.

If the Andrews government wants to have a chance of maximising this opportunity for Victoria, the time to act is now. Through partnering with ARENA, we could see some big and innovative solar built here in Victoria. A competitive process would leave the door open to all kinds of projects, perhaps even right here in the heart of Melbourne. For example, could we see a large solar array on the Melbourne Cricket Ground? The Richmond Football Club building on Punt Road has solar panels. What about the home of the AFL? Putting solar on some of our iconic buildings would inspire millions of Victorians and show the rest of the country how it can be done.

The time to act is now, but this opportunity will not be available forever. I look forward to hearing from the minister, and I hope the Andrews government will do all it can to bring the potential of ARENA's support for solar to Victoria.

Niddrie electorate industries

Mr CARROLL (Niddrie) — I raise a matter for the Minister for Small Business, Innovation and Trade. The action I seek is that the minister join me on a tour of the thriving innovative industries in and around the Niddrie electorate, beginning with Ferguson Plarre Bakehouses in Keilor Park. On 18 February I met with staff at this local business, and I had a very productive meeting with the CEO, Steve Plarre, covering a wide range of issues. The meeting focused on the pioneering sustainability practices introduced at the business, as well as the government's plan for the introduction of the grand final public holiday.

My electorate also has the thriving Essendon Airport, which has a rich history. It started off as the Essendon Aerodrome in 1921, when it welcomed the famous aviator Sir Charles Kingsford Smith. Airports are now business destinations in their own right, and they provide a powerful engine room for local communities. I want the minister to see firsthand the innovative businesses that are sprouting up at Essendon Fields. Only last week staff from the Metropolitan Planning Authority met with me at my office to talk about the Essendon technology precinct at Essendon Fields. The plan to link it with the business district at Airport West, combined with the Andrews government's widening of CityLink and the Tullamarine Freeway, means there will be incredible opportunities at Essendon Airport.

One of the success stories at Essendon Airport is the business of the LaManna family, who are taking on the

Coles-Woolworths duopoly. What started out as a fruit store in West Preston is now one of the largest Victorian networks for the wholesale delivery of fruit. In 2010 LaManna Direct opened its Essendon Fields store to great fanfare. It provides a large choice of high-quality fresh Australian produce. It is now one of the biggest supermarkets in the north-western suburbs and quite possibly the jewel in the crown at Essendon Fields.

Another shining beacon in my electorate is the Australian entrepreneurship of logistics company Linfox, which is headquartered in Essendon Fields. Lindsay Fox started the company more than half a century ago in Melbourne with a single pick-up truck. Today he has grown the business to over 5000 vehicles, and the company has an international presence.

My electorate also has the innovative New World Whisky Distillery in Essendon Fields, one of only a few whisky distilleries in the country. It produces a magnificent drop, and I would encourage any minister to experience it firsthand. David Vitale's passion for whisky is shown in his first-class premium malt whisky called Starward. After four years of production the distillery has gone from strength to strength, and it is well regarded around the country.

These booming industries are an exciting opportunity for the people of Melbourne's north-west. Just recently there was news that Australia's first Hyatt Place hotel and events centre will be built at Essendon Airport, and I know the member for Essendon is very proud of this development. The \$60 million, eight-storey hotel will drive economic activity in Melbourne's north-west, creating over 330 jobs during construction and another 70 jobs in ongoing employment. I welcome the opportunity to invite the minister to visit my electorate.

Cardinia Road railway station

Mr PAYNTER (Bass) — My adjournment matter is for the Minister for Public Transport. The action I seek is for the minister to live up to the self-generated hype of the Homesafe slogan by ensuring that the Cardinia Road railway station is adequately manned by protective services officers throughout the government's Homesafe 24-hour public transport trial. I was appalled to learn that Labor's Homesafe 24-hour public transport trial is currently over budget by \$33.6 million simply because the government failed to factor in the cost of extra security, specifically for protective services officers. I was equally alarmed to hear that extra protective services officers will now only be stationed at premium stations, leaving

commuters on non-premium stations with unpatrolled stations.

Cardinia Road station in my electorate of Bass has been categorised as a non-premium station. It will now be unpatrolled on Friday and Saturday nights during this 12-month trial. In practice what this means is that train commuters on the Pakenham railway line will now be at serious risk because the government did not get the numbers right in the budget. It is another display of this government's incompetence. Any commuters who need to get off at Cardinia Road station will be left on their own with no protection. Once again the Pakenham railway line has been put last. Not only have signal upgrades and V/Line services been cut, but now our commuters are being forced to travel without protection. If trains are going to run during the night, then it follows that protective services officers should also be on duty during this time to help keep our commuters safe. Homesafe should mean that all commuters are able to get home safely without fear, not just those who are lucky enough to live next to a premium station. I ask the minister to provide protective service officers at the Cardinia Road station during the Homesafe trial.

Pascoe Vale bus services

Ms BLANDTHORN (Pascoe Vale) — I appreciate the opportunity to raise a matter for the attention of the Minister for Public Transport. The action I seek is that the minister visit the Pascoe Vale district and accompany me on a journey on the new route 560 Pascoe Vale shuttle bus, which was introduced last week. I have previously raised in the house the issue relating to the closure of the old Coles site on the corner of Cumberland Road and Gaffney Street, and the new Coburg North village precinct opening on the corner of Gaffney and Sussex streets. A lot of elderly people and differently abled people were very concerned about how they were going to be able to get to the new shopping precinct. In response to my raising this matter with the Minister for Public Transport, and following consultation with the local community — a true example of Labor listening to and working for the local community — the minister has overseen the introduction of the route 560 interim shuttle bus service throughout Pascoe Vale, which will help people get to the new Coburg North village precinct.

As I have mentioned before in the house, a considerable amount of redevelopment has occurred in the Pascoe Vale and Coburg North areas along Gaffney Street, including this new shopping precinct in Coburg North. There is a need for a permanent bus route that goes the length of Gaffney Street from Pascoe Vale railway

station to Batman railway station. I ask that the Minister for Public Transport accompany me on a visit to the area so she can see how well the new shuttle bus service is doing and how grateful the local community is, and so that we can continue to work towards a permanent bus route that goes the length of Gaffney Street.

Responses

Ms NEVILLE (Minister for Environment, Climate Change and Water) — The member for South-West Coast raised an issue about the Tower Hill Wildlife Reserve and his concerns about the protection of drivers as well as wildlife. As the member pointed out, there is no simple solution. I will ask Parks Victoria to work quickly with VicRoads and the community to see if we can come up with a solution, and I will provide the information to the member.

The member for Gippsland South raised Veolia's proposal for a landfill, and this came out of the blue for me as well. I understand that the company did some letterboxing in the local community and it has given the community the impression that a decision on the landfill's location has been made. That is absolutely not the case. As mentioned by the member, there is a long-term waste road map — for future reference, the *Statewide Waste and Resource Recovery Infrastructure Plan* (SWRRIP) — which was work developed by the previous government. When we came to government we reviewed the plan and had some further consultation, but the plan largely reflects where it was under the previous government. This is about trying to better manage our long-term plan.

Under SWRRIP sits the Gippsland Regional Waste Management Group plans, and so the organisation's waste and recovery group would be required to do an implementation plan, and that then goes to the local council. On top of that, if it was in the implementation plan, it is a responsibility of local government to go through the full process and for the Environment Protection Authority Victoria (EPA) to be involved. At this point Veolia is not in the implementation planning phase; it is not in there at all. There is no proposal before anyone in relation to this issue, which Veolia took to the community. I also share the member's concerns that Veolia has created a whole lot of angst and community concern about this issue, for which there is no process or plan at the moment. If there were, Veolia would be required to go through all those steps, including very extensive community consultation, oversight from the EPA and oversight from the local council.

Other members raised a range of issues, and I will pass those matters on to those ministers, who I am sure will reply in a very timely manner.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 7.25 p.m.