

I know a list of documents was to be tabled today, and the Mildura Cemetery Trust was listed as a report to be tabled. I note that under the Financial Management Act 1994 section 46 sets out the tabling requirements. Section 46(2) states that if the trust is under \$5 million, the annual report does not have to be tabled but merely listed. That leaves us with a problem. Section 46(2)(b) enables me to write to the Speaker to request that the minister table this report so that we can see the impact of this amendment and the bill on the city and residents of Mildura, and I will do that.

Motion agreed to.

ELECTRICITY INDUSTRY AMENDMENT (CRITICAL INFRASTRUCTURE) BILL

Statement of compatibility

Mr BATCHELOR (Minister for Energy and Resources) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Electricity Industry Amendment (Critical Infrastructure) Bill 2009 (bill).

In my opinion, the bill, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill will amend the Electricity Industry Act 2000 (act) to create new offences relating to critical electricity infrastructure. The bill inserts new definitions of 'critical electricity infrastructure' to mean a critical generation facility or a related coal mine, or a substation, terminal station or distribution system or transmission system switchyard. Clause 5 of the bill will insert a new part 4 in the act, creating new offences. New section 79 will make it an offence for a person to be present on land or premises or in an enclosure containing critical electricity infrastructure, knowing that he or she does not have authority to be present. New section 80 will make it an offence to interfere with critical infrastructure plant, equipment or vehicles if unauthorised to do so. The offences are not merely for the protection of private interests but for protection of the electricity supply.

Human rights issues

The bill does not raise any human rights issues because it simply creates new criminal offences and makes associated technical amendments.

Conclusion

I consider that the bill is compatible with the charter because it does not raise any human rights issues.

Peter Batchelor, MP
Minister for Energy and Resources

Second reading

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

That this bill be now read a second time.

Victoria has been a national leader on climate change. It was the first state to set a renewable energy target; it is investing in renewable energy and low emission technologies; and it has introduced a household energy efficiency scheme.

The Brumby government is committed to ensuring affordable, sustainable energy for Victoria's future. Through the climate change green paper, it is seeking input into how Victoria can reduce greenhouse gas emissions, adjust to climate change and make the shift to a carbon-constrained future.

Victoria faces particular challenges, given our current reliance on brown coal to generate electricity, in ensuring our energy supplies remain secure and reliable as they become less carbon intensive.

In recent times, the Latrobe Valley power stations have become a major focus of some protest groups. The actions of some protesters, however, in breaking into power stations and in some instances chaining themselves to equipment such as coal risers, have the potential to disrupt production and threaten supply to the National Electricity Market.

This bill introduces new provisions that are specifically designed to protect protesters, protect workers and protect our power supplies, while not impeding the right of all Victorians to protest peacefully.

Intruders into critical infrastructure sites are putting their lives at risk. Power stations, electricity switchyards and other critical infrastructure sites are not public places. They are industrial sites with significant inherent dangers, and access must be restricted for safety reasons. Simply being in these areas can be very dangerous and lead to serious injury and possible death. If intruders interfere with equipment, they can also injure others — power station workers, police and other emergency response personnel.

Such intruders may also jeopardise the state's energy supplies. We do not want our public transport, our schools and our hospitals to lose power due to the unlawful actions of intruders on critical infrastructure sites. The temporary loss of power can lead to economic losses of many millions of dollars not just in