



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Wednesday 1 May 2024**



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### **60th Parliament**

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Maree Edwards

#### **Deputy Speaker**

Matt Fregon

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**60th Parliament**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel <sup>1</sup>	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren <sup>2</sup>	South Barwon	Ind	O'Keeffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan <sup>5</sup>	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Famham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden <sup>3</sup>	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will <sup>4</sup>	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam	Prahran	Greens	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole <sup>6</sup>	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Wight, Dylan	Tarneit	ALP
Kathage, Lauren	Yan Yean	ALP	Williams, Gabrielle	Dandenong	ALP
Kealy, Emma	Lowan	Nat	Wilson, Belinda	Narre Warren North	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Jess	Kew	Lib

<sup>1</sup> Resigned 27 September 2023

<sup>2</sup> ALP until 29 April 2024

<sup>3</sup> Sworn in 6 February 2024

<sup>4</sup> ALP until 5 August 2023

<sup>5</sup> Resigned 7 July 2023

<sup>6</sup> Sworn in 3 October 2023

**Party abbreviations**

ALP – Australian Labor Party, Greens – Australian Greens,  
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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**Wednesday 1 May 2024**

**The SPEAKER (Maree Edwards) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.**

**The SPEAKER:** I acknowledge in the gallery former minister and member for Bayswater the Honourable Heidi Victoria.

**James Newbury:** On a point of order, Speaker, a number of members both on this side of the chamber and on the other side of the chamber and in the other place have raised with me their concerns about safety and security both in the precinct and more broadly. It is an issue that we have attempted to raise with the government, and I am hoping that we can approach you perhaps to lead a bipartisan opportunity to have a conversation about security both in the precinct and more broadly. A number of recent incidents that have occurred are deeply concerning to members, and I am approaching you in the hope that a bipartisan opportunity can be provided for us to talk about these concerns.

**The SPEAKER:** The Manager of Opposition Business is aware that questions cannot be asked of the Speaker. However, I do take on board your point of order, and I would encourage members from all sides if they wish to raise these matters to do so with me and the President in my office.

**David Southwick:** On the point of order, Speaker, as you would be aware I have written to you particularly about these security issues, and I was referred to speak to the head of security for the Parliament Adam Incher, which I have done, and I have also spoken to Victoria Police. I do want to specifically raise the incident that happened on Monday and the concerns about that particular individual and the threats to our safety. It was very disturbing seeing that footage on Monday. If I could just add, particularly, that that particular individual should be referred to Victoria Police to ensure that our security and the security of this Parliament precinct is maintained. It was very, very concerning to see what happened on Monday. Certainly the head of security and Victoria Police both said that the powers ultimately reside with the Presiding Officers. I think it is really important that we work with the government to do whatever we can to ensure this precinct is safe. I understand the importance of de-escalating and trying not to have something get out of control, but what we have seen is effectively bracket creep from these protesters that would suggest that the Parliament is theirs. It is not theirs, it is for the people of Victoria. I think we should all be very, very mindful of that. It is our duty to ensure that it is for all people of Victoria. Nobody should be on the steps of Parliament suggesting that they own the Parliament of Victoria.

**The SPEAKER:** Member for Caulfield, thank you for raising your point of order. I will reiterate that these matters are to be raised with me and the President outside of the chamber.

### ***Bills***

#### **Sentencing Amendment (Sentencing Practices for Child Sexual Offences) Bill 2024**

##### ***Introduction***

**Michael O'BRIEN (Malvern) (09:37):** I move:

That I introduce a bill for an act to amend the Sentencing Act 1991 in relation to the sentencing of an offender for a child sexual offence and for other purposes.

I think this is one of the most important bills that the Parliament of Victoria can consider this year. This bill is about closing a loophole, a loophole in our law which is being exploited by paedophiles to avoid justice for their crimes. It is adding gross insult to victim-survivors of child sexual abuse, particularly historical child sexual abuse. This is a loophole which has come about because the Parliament voted on a bipartisan basis to abolish suspended sentencing in 2013 and courts have interpreted that to not have retrospective effect. What this means is that when somebody is convicted of a historical child sexual offence they are sentenced under the laws and practices at the time of the

offence, not at the time of the conviction. What this has now meant is that people who are convicted of historical child sexual offences are still able to access suspended sentencing. In the case of Stewart Carter, who is a very brave victim-survivor who has campaigned for this change, he saw his perpetrator sentenced to a three-year term of imprisonment and walk out the court door. He did not serve a day in jail, did not serve an hour of community service, did not pay one dollar in fines despite being a convicted child sex offender. This is an appalling loophole, and we must act as a Parliament to close it.

This was a loophole which was identified by the federal Royal Commission into Institutional Responses to Child Sexual Abuse in 2017. It was a recommendation of the royal commission that there be changes made across the states and territories. The recommendation was:

State and territory governments should introduce legislation to provide that sentences for child sexual abuse offences should be set in accordance with the sentencing standards at the time of sentencing instead of at the time of the offending ...

That was a 2017 recommendation. In July 2018 the Victorian Labor government accepted that recommendation. But since July 2018, since that recommendation was accepted by the government of the day, the continuing government, nothing has happened. That loophole has remained. Every single day that loophole remains open we are denying justice to victim-survivors of historical child sexual abuse. Every day that loophole remains open we are seeing paedophiles exploiting it and walking free from jail when they have been convicted and sentenced to a term of imprisonment. It is not just in Stewart Carter's case, where he was the victim-survivor and had to endure that; we have seen it happen in other recent cases as well. It led to the Office of Public Prosecutions of this state putting out a statement on 14 March 2023 which states in part:

Suspended sentences have since been abolished in Victoria, but are still an available sentencing option for offences committed before their abolition.

There is no doubt that this loophole exists. There is no doubt that this loophole is being exploited. I know it is not the practice of the government to allow private members bills to be considered in this place, but I ask the government to consider this very carefully, because there is only one group in our society who benefits from this loophole remaining open and that is child sexual offenders. This bill simply implements a commitment that the Labor government made back in July 2018.

We used to hear from the member for South Barwon when we would bring up private members bills, and he would say words to the effect of 'You don't have a right to introduce anything; this is the government's chamber.' Well, the government has not acted for six years. Paedophiles are using this loophole that the government has left open for six years. So for goodness sake can we actually act as adults, as a Parliament? We all agree this loophole needs to be closed. Here is a bill – a simple nine-clause bill – to close it, to try to make sure that paedophiles cannot continue to benefit from it and to try to give justice to victim-survivors of historical child sexual abuse. This is one of the most important bills the Parliament, I think, will consider this year. It would mean so much to so many people. I ask the government to do the right thing and allow this bill to be introduced. Let us close this loophole and let us deliver justice for victims of historical child sexual abuse.

**Nina TAYLOR** (Albert Park) (09:42): I will commence the discussion by outlining the fact that of course this is a procedural debate, noting that the matters that have been raised are extremely sensitive. I do not in any way wish to resile from the extreme sensitivity of the matters and the delicacy of the matters and the ramifications when there are any modifications to the laws which pertain to victims that have been referred to of a certain nature in the debate thus far. I do take seriously, and we as a government do take seriously, this subject matter, as we have always done and will continue to do. I do not wish to be patronising in saying this, but of course such matters – and I think this goes without saying – have to be considered very carefully and respectfully, because we are talking about those that have been treated in a very disrespectful or other way, and that could be in a very grave manner. I am speaking very broadly because every such case is individual.

But I will say that we do not simply react to a private members bill. I will take exception to this sense that 'simple' is a manner in which these matters can be handled. I would also like to reiterate on behalf of the government that I do not think it is appropriate to suggest that there is a simple remedy when it comes to addressing matters of this seriousness and delicacy, because anyone with any kind of experience with the law – and I think that includes members of Parliament, who are legislators fundamentally – would know that any kind of modification of any law always has a consequence and a ramification.

Carefully considering and respectfully evaluating the ramifications of any such changes or otherwise, as opposed to simply reacting, is absolutely paramount, bearing in mind the ramifications for the broader community. Within that context I will say the government very much carefully considers and respectfully evaluates the matters which have been brought before this chamber, respecting the fact that this is a procedural debate, and therefore I am not going to elaborate on the further delicacies and nuances of the matters which have been raised.

We do have a government program that has been set out. We have been very transparent and very forthright with the government program, which all members of this chamber would be very aware of, but that does not in any way take away in any sense or any nuance the seriousness of the matters which have been put forward in this procedural debate. On that note, I hope that the opposition will understand that when we are looking at the nature of the matters which are being sought to be transacted, we must be extremely prudent. Using words such as 'simple' when we are looking at the nuances and potential ramifications of modifications to the law can be potentially manipulative when we are looking at those who can be impacted by any such modifications to the law. I would suggest that it is very, very necessary to be careful about the nature of the language that is used with regard to the subject matter that is being debated at this point in time.

On that note, I will say that the government is not seeking to proceed beyond the procedural motion that is here before us in the chamber. There is a government program – we have been transparent about that – but we will say we are not in any way resiling from the seriousness and the nuance and the delicacy of the matters that are being sought to be transacted in this way by the opposition.

**Emma KEALY** (Lowan) (09:47): I rise today to speak in strong support of the member for Malvern's introduction of the Sentencing Amendment (Sentencing Practices for Child Sex Offences) Bill 2024. To respond to the member for Albert Park, who has just said that this is about looking at the consequences and the ramifications of this legislation not being amended, I want to make it very, very clear that the ramifications of this government refusing to allow this bill even to be introduced to this place is that we have a rejection of the royal commission's investigation into these matters and the recommendation that any historical child sex offenders be sentenced in accordance with current sentencing arrangements as opposed to sentencing arrangements when the offences occurred.

I refer back to comments by Stewart Carter; this is a case in point that has been utilised through the media and also by the member for Malvern. Imagine being a 10-year-old child who was sexually abused by your schoolteacher and coming forward decades later, having the courage to tell your story decades later, and then finding out, once you have aired that story to the world, that that person who was just convicted is walking free without spending a single day behind bars. That is the ramification of not even allowing this important change to legislation to be heard in this place. If you have concerns about what the ramifications would be, let us debate them, but the Labor government have had six years to make this legislative change. For six years thousands upon thousands of Victorians who were sexually abused as children have not come forward because they do not think it is worth the public knowing that they were sexually abused when they were young by people of responsibility who are now being protected by legislation that allows them to walk free.

This is nothing more than the Labor government running not just a protection racket for the government's failure to act to close this legislative loophole to make sure that historical child sex offenders – paedophiles – are penalised in the way that they should be but also a protection racket for

those exact paedophiles. I am absolutely disgusted that this legislation will not even be allowed to be introduced by the Allan Labor government. That is something that every backbencher should consider as well. This is what you are allowing to happen in this place – that this bill will not even be debated let alone considered at all.

I would also like to take up comments by the member for Albert Park, who said there is not a simple way to make this legislative change. The member for Malvern has worked very, very closely with the legal fraternity, taking on the recommendations of the royal commission. It is a very simple change. What I would recommend to the government is that you actually allow this bill to be introduced so you can review the legislative changes. Look at the bill. If you are not happy with it, then make an amendment, as we do in this house. It is Westminster tradition to do that. This is far more important than just saying, 'It's not our idea. We didn't do it. It's not our fault that we have done nothing for six long years to support our most vulnerable people in our community and to allow children who were abused decades ago to be able to have their day in court,' knowing the paedophile is the person who has had a critical impact on the outcomes in their life, on their mental health, on their ability to have a relationship, on their ability to hold down a job.

This is such an important legislative change, and to not even allow this bill to be heard and introduced in this place is absolutely disgraceful. This is the worst display of partisanship I have ever seen in this place. The Labor government are willing to sell off their whole pride when they have done nothing for six years and they have protected paedophiles from getting the penalties that they deserve. You are leaving behind sexual victims of the past who have carried this their whole life. It should be heard. Allow this. Please consider. Please caucus amongst yourselves today right here in this chamber. Allow this bill to be introduced. Allow this bill to be introduced so that we can debate it and get the proper penalties in place for paedophiles.

**Paul EDBROOKE** (Frankston) (09:52): I would start by acknowledging that in the chamber today there could actually be victim-survivors, so I will be fairly careful in the way I word my contribution at the moment. I do not support changing the government business program for the introduction of this amendment, as I understand it, to suspended sentences retrospectively. They have been suspended, but the period prior to that suspension is what we are looking to apply to those offenders that were actually sentenced in that period before the sentencing was abolished.

This amendment is new to me. I have not had time to read through it. But I would say, along with the member for Albert Park, I have not had a chance to read this proposed amendment, but sentencing legislation, as I saw and as many other people saw when the Frankston serial killer legislation went through, is rarely simple. It is very difficult and complex, and it requires a lot of advice from lawyers as well. So while I would say that I do not support the government business program being altered to allow this, I will say that we would like to take the time to get things right on this side. If there is this very serious issue which makes a gap, you will see no more strident supporter of victim-survivors than me. You will see no person who draws a harder line on sex and child sex abusers than me. But we must get this right.

If there is action to be taken on this matter, I think from our side of the house there is a conduit to the minister to actually go to the minister. Let us talk about it. Let us get the expert advice. Let us do it right the first time, make the amendment which will not have carryover effects that we have not perceived and make sure that we do it right. While I do not support it this time, I say there is a route going forward, and it is not interrupting the government business program as we sit here today.

As I have said, this is not an argument about supporting paedophiles or not supporting victim-survivors; it is a very tight procedural debate about whether we should be interrupting the government business program with an amendment to come through. Not just this week but there are many weeks we sit in this house when there is much time for the opposition to be able to talk to the government if they would like to do that. I do not support the amendment going through and interrupting the government business program.

**Cindy McLEISH** (Eildon) (09:55): I rise to support the introduction of the private members bill. It makes me wonder, listening to the contributions from the member for Frankston and the member for Albert Park and even the reactions of those opposite, whether they understand what this place is and how it is supposed to operate. For as long as I have been here, on the daily program there has been a section to introduce bills: 'Introduction of bills'. It is on the daily program. This is not interrupting the government business program; this is part of the normal procedure and what happens. If members are going to argue about it, I urge you to have a look at the daily program, which is emailed to you.

**The SPEAKER:** Member for Eildon, through the Chair.

**Cindy McLEISH:** I urge you, Chair, to counsel some of the members on the other side.

**The SPEAKER:** Order! You will not reflect on the Chair, member for Eildon.

**Cindy McLEISH:** We have the introduction of a bill by the member for Malvern, the Shadow Attorney-General, about a particularly important issue that we have: closing a loophole with regard to sentencing for child sexual abusers – for paedophiles – that at the moment are allowed to get away with absolutely abhorrent behaviour. We know that. In my first term in government the coalition introduced an inquiry which led to the *Betrayal of Trust* report. Members from both sides – it was a joint parliamentary committee – sat on that inquiry. When they spoke on that report it tore them apart. Members of Parliament from both sides of the house were in tears talking about what had been presented to them. It was harrowing to listen to the contributions from the committee members about what had happened, because this is such a serious issue. Everybody in this chamber was committed to doing all that they could to bring these people to justice and to make sure that victims had what they should have had all the time.

Now we have got this problem where there is a loophole that needs to be closed. Stewart Carter, as an adult – as the member for Lowan mentioned – had been sitting on his big issue for years and years and years: as a child he was abused. It takes a lot of courage to carry this burden. He came out and said, 'This is what happened to me.' When it went to court the judge acknowledged what had happened, but because it had happened before the changes were made, the perpetrator was able to walk free. This should not happen. Members opposite say they have not had a chance to read it. Of course they have not, because when you introduce a bill you are letting people know that you are planning to introduce a bill and typically the next day the detail is made available.

I know the Premier thinks very strongly about these matters. We had very recently the apology to those that in care had been abused and neglected. We had a very public apology, and it too was heart-wrenching. The Premier also acknowledged, on the inquiry into Beaumaris Primary School – and this is a direct quote:

Carrying these stories is a heavy burden, and while I know it won't undo the pain ...

and it goes on. She understands the pain that people who have been abused suffer. She would understand people like Stewart Carter, who has come forward as an adult, and the pain that he has suffered and the burden that he has carried with him all of his life and into adulthood. He wants to see that change, and I think there are others like him. We need to be responsible. This is not a partisan matter; this is something that everybody in this chamber should be agreeing to.

The *Betrayal of Trust* inquiry that we had led to the federal government having the Royal Commission into Institutional Responses to Child Sexual Abuse. It recommended that state and territory governments introduce legislation to provide for sentences for child abuse offences to be set in accordance with the sentencing standards at the time of sentencing, not the time of offending. That was in 2017; we are now in 2024. It was over six years ago.

This is a simple solution. For the member for Albert Park to suggest otherwise – the bill itself has only nine clauses. It is not complex; it is closing a loop, and it is a simple remedy. The Shadow Attorney-General has done the work. He is diligent, he understands and knows the issues, and he should be allowed to introduce this legislation.

**Mathew HILAKARI** (Point Cook) (10:00): I oppose any changes to the government business program, but I do take on face value that the opposition is genuinely concerned about this. This is not about the politics of the day but about a very serious issue. Of course I want to start by acknowledging survivors and that the impacts of historical child sex abuse should be condemned. They are horrendous crimes of course.

**A member** interjected.

**Mathew HILAKARI**: They are crimes against the most vulnerable people in our community, and I appreciate that people might want to talk across the chamber over this issue, but maybe I think you might reflect on that.

**The SPEAKER**: Through the Chair, member for Point Cook.

**Mathew HILAKARI**: Sentencing legislation is actually difficult and complex. It is one of the most complex things that we do deal with as legislators, because it goes on to have effects on both the survivors and those who are sentenced. There is a balance that is needed between justice for victims and for the community and those obligations that we have under the human rights charter. Removing suspended sentences for historical offences is something that we must consider, but consider carefully. The opposition, around suspended sentences, does note that these are difficult decisions to deal with, given that they considered and kept suspended sentences for historical offences when abolishing suspended sentences in Victoria previously. There are limitations. There are limitations that the opposition recognised previously when they were in government. There are limitations that still exist today. That the period of imprisonment imposed does not exceed three years in the County Court and Supreme Court and two years in the Magistrates' Court is a limitation for the use of suspended sentences currently.

**The SPEAKER**: Member for Point Cook, this is a procedural debate. I ask you not to talk to the bill.

**Mathew HILAKARI**: I will not talk to a bill that I am yet to see. I do not support a change in the government business, an introduction of a bill, to change the agenda of this Parliament this week, to make sure that we get on with the important bills that we have in front of us and give the due time and consideration to those bills. I do not support the bill.

**The SPEAKER**: The member for Prahran, by leave. Is leave granted?

**Leave refused.**

**Assembly divided on motion:**

*Ayes (30)*: Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Sam Groth, Matthew Guy, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

*Noes (51)*: Juliana Addison, Colin Brooks, Josh Bull, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline

Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

**Motion defeated.**

***Business of the house***

**Notices of motion**

**Notice given.**

***Petitions***

**Doncaster Road, North Balwyn, speed limit**

**Jess WILSON** (Kew) presented a petition bearing 446 signatures:

**Issue:**

This petition of residents in Victoria draws to the attention of the Legislative Assembly the urgent need for the installation of a 40km/h zone along Doncaster Road through North Balwyn Village. The current 60-kilometre speed limit is dangerous for shoppers, traders, parishioners and students of St Bede's Primary School which is located just 100 meters off Doncaster Rd.

**Action:**

The petitioners therefore request that the Legislative Assembly of Victoria call on the Government to implement a 40km/h zone along Doncaster Road through North Balwyn Village, to improve the safety of North Balwyn Village, encourage pedestrian activity along this strip and support local small businesses.

**Ordered that petition be considered tomorrow.**

***Documents***

**University of Divinity**

***Report 2023***

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (10:11): I table, by leave, the University of Divinity's report of 2023.

**Leave refused.**

**Ben Carroll gave notice of motion.**

***Committees***

**Economy and Infrastructure Committee**

***Inquiry into the Impact of Road Safety Behaviours on Vulnerable Road Users***

**Alison MERCHANT** (Bellarine) (10:13): I have the honour to present to the house a report from the Economy and Infrastructure Committee on the inquiry into the impact of road safety behaviours on vulnerable road users, together with an appendix and transcripts of the evidence.

**Ordered that report and appendix be published.**

***Documents***

**Documents**

**Incorporated list as follows:**

**DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

Auditor-General:

Follow-up of Management of the Student Resource Package – Ordered to be published

Literacy and Numeracy Achievement Outcomes for Victorian Students – Ordered to be published

Bendigo Kangan Institute – Report 2023

Box Hill Institute – Report 2023

Chisholm Institute – Report 2023

Deakin University – Report 2023

Federation University Australia – Report 2023

*Financial Management Act 1994:*

Report from the Minister for Environment that he had not received the Report 2022–23 of Alpine Resorts Victoria, together with an explanation for the delay

Report from the Minister for Environment that he had received the Report 2022–23 of the Yorta Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Gordon Institute of TAFE – Report 2023

Goulburn Ovens Institute of TAFE (GOTAFE) – Report 2023

Holmesglen Institute – Report 2023

La Trobe University – Report 2023

Melbourne Polytechnic – Report 2023

Monash University – Report 2023

*Professional Standards Act 2003:*

Bar Association of Queensland Professional Standards Scheme

Law Society of Western Australia Professional Standards Scheme

Royal Melbourne Institute of Technology (RMIT University) – Report 2023

South West Institute of TAFE – Report 2023

Statutory Rules under the following Acts:

*Victorian Civil and Administrative Tribunal Act 1998* – SR 27

*Victorian Energy Efficiency Target Act 2007* – SR 26

Sunraysia Institute of TAFE (SuniTAFE) – Report 2023

Swinburne University of Technology – Report 2023

TAFE Gippsland – Report 2023

University of Melbourne – Report 2023

Victoria University – Report 2023

William Angliss Institute of TAFE – Report 2023

Wodonga Institute of TAFE – Report 2023

### ***Bills***

## **Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024**

### ***Council's agreement***

**The DEPUTY SPEAKER** (10:15): I have received a message from the Legislative Council agreeing to the Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024 without amendment.



*Motions***Community safety**

**David SOUTHWICK** (Caulfield) (10:15): I move, by leave:

That this house condemns the presence of a Hamas fighter effigy on the steps of the Victorian Parliament, notes that Hamas is a prescribed terrorist organisation under Australian law and calls on the Parliament of Victoria to expel protesters responsible and refer the matter to the police.

**Leave refused.**

**Community safety**

**David SOUTHWICK** (Caulfield) (10:15): I move, by leave:

That this house condemns the violence shown by some pro-Palestinian protesters towards a CBD pub patron on Sunday, condemns the repeated acts of violence and intimidation by these protesters and calls on Victoria Police to ensure that violence has no place in our state.

**Leave refused.**

**Gendered violence**

**Ellen SANDELL** (Melbourne) (10:16): I move, by leave:

That this house notes the thousands of women marching on the streets of Melbourne on the weekend calling to end men's violence against women, and calls on the Labor state government to increase funding for family violence and housing in the upcoming budget.

**Leave refused.**

**Yoorrook Justice Commission**

**Tim READ** (Brunswick) (10:16): I move, by leave:

That this house:

- (1) acknowledges the historic Yoorrook Justice Commission hearings and the progress in Victoria towards truth-telling;
- (2) commends the Premier for her appearance before the commission this week;
- (3) calls on all members of this house to support the negotiation of treaties; and
- (4) calls on the government to implement recommendations from the Yoorrook Justice Commission.

**Leave refused.**

**Community safety**

**David SOUTHWICK** (Caulfield) (10:17): I move, by leave:

That this house condemns the violent, threatening actions of some pro-Palestinian protesters on the Victorian Parliament steps on Monday, condemns the repeated acts of violence and intimidation by some of these protesters and calls on the Parliament of Victoria to refer the matter to police and expel those responsible from the precinct.

**Leave refused.**

**Middle East conflict**

**Gabrielle DE VIETRI** (Richmond) (10:17): I move, by leave:

That this house:

- (1) notes that since this house resolved on 17 October 2023 to stand with Israel:
  - (a) Israel's military has killed or injured over 140,000 Palestinians; and
  - (b) Israel's siege of Gaza is putting over 1 million Palestinians at risk of famine;

- (2) does not support the state of Israel's continued invasion of Palestine.

**Leave refused.**

*Business of the house*

**Standing and sessional orders**

**Sam HIBBINS** (Pahran) (10:18): I move, by leave:

That so much of standing and sessional orders be suspended to allow general business, notice of motion 15, relating to the reintroduction of non-government business time, to be moved immediately.

**Leave refused.**

*Members statements*

**Colin Sinclair Scholarships**

**Peter WALSH** (Murray Plains) (10:18): I would like to congratulate Cora Wilson, Oakley Tarrant, Matilda Sowter, Billy O'Toole and Layne Trevena on receiving Colin Sinclair Scholarships to track the Kokoda Trail in June. These year 11 students from Swan Hill, Kyabram, Rochester and Echuca–Moama will join other students from around the state on a trip organised by the Nationals, particularly the member for Gippsland East Tim Bull. They are going with the generous financial support of the Moama Bowling Club, the Moama RSL, the Kyabram Club, the Swan Hill RSL and the Freemasons Foundation Victoria.

As I said last week when I was addressing the Swan Hill Anzac Day commemorative service, this is about the next generation taking responsibility to make sure the story of Australia's men and women who have served and who paid the ultimate sacrifice continues to be told and is kept alive. Their journey to Papua New Guinea as representatives of their community is the next chapter, a new chapter in that story which will continue to be told into the future and one that they will share when they come home. I look forward to them fulfilling their role as Kokoda ambassadors, as they tell their community of what they have learned on the Kokoda Trail and the understanding they now have for the sacrifices that Australians made to keep us safe during, in this case, the Second World War.

**Gendered violence**

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (10:19): I want to thank the thousands and thousands of Victorians who came together on Sunday to march, adding their voices and their resolve to end male violence and gender-based violence. Thank you to the rally organisers from not-for-profit What Were You Wearing, who were joined by Victoria's Premier in leading the march. Ending male violence against women is a responsibility of all of us. Every Victorian has the power to make this change. What steps will you take?

**Easter egg hunt**

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (10:20): I want to say a big thankyou to everyone who helped make my annual Easter egg hunt the biggest and best ever. With more than 900 children and over 9000 eggs, it was big and it was fun. Thank you to the Frankston SES volunteers for their traffic management and crowd control, the Carrum Downs fire brigade, the Carrum Downs Junior Football Club, Frankston City Council, Woolworths Carrum Downs and the many, many volunteers without whom I could not run this event. And of course I want to especially thank all the local families for coming out in their hundreds to share in the joy of chocolate and a good old-fashioned Easter egg hunt. I am looking forward to doing it all again next year.

**Rosie Cosentino**

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (10:20): I was delighted to host Rosie Cosentino, a year 10 student from Patterson River Secondary College, for work experience recently. Rosie really inspired me and my electorate office team with her incredible

positivity, her initiative and can-do attitude and her commitment to community. I wish her the very best.

### **Anzac Day**

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (10:21): I wish to acknowledge the fabulous students at Seaford Primary School for their work in organising a pancake playlunch fundraiser to help raise money to buy a special purple wreath for this year's Anzac Day service at the Seaford RSL. Thank you to Elijah, who was super excited to assist, and thank you to the Seaford RSL for another wonderful local Anzac Day service.

### **VicForests**

**Cindy McLEISH** (Eildon) (10:21): VicForests is a government body under the State Owned Enterprises Act 1992. Its staff are all public servants, and they have been treated appallingly by this government, some government departments and organisations and various environmental groups. I am upset and offended that the state Labor government has not stood up publicly to defend these men and women who are only doing their job. They are specialists in their professions in a range of fields, from environmental and forest scientists to ecologists, policy and compliance officers and research and modelling analysts. They have been the subject of vile social media and dreadful slurs and threats. This government has been silent in their defence.

They and the industry are passionate about what they do, and they have been vilified personally and professionally. They have had to bear the brunt of militant protestors when all they have been doing is their job, and they have been doing it under enormous negative pressure for a long period of time. They have not been allowed to respond to the abuse thrown their way by allowing misinformation and a one-sided agenda to be the only voice and opinion heard.

The government has sat back and allowed this vitriol to continue and has done nothing, which is unacceptable. No other public servant has had to cop this level of abuse. VicForests will cease operating at the end of June, and staff have heard nothing from the minister or any other minister. They have not been recognised or thanked for their service of over 20 years. If any other department were treated like this, there would be an outcry.

### **Calder Highway improvements**

**Natalie HUTCHINS** (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (10:22): I rise to share that last week I attended Brimbank City Council's community event to support Fix the Calder. The Calder Freeway upgrade has been a priority of mine since I was elected to Parliament in 2010. It is only the Victorian Labor government that has prioritised advocacy for the Calder, completing a business case and committing \$50 million in funding and investment into key infrastructure programs in the local area, programs such as road maintenance and road resurfacing and the removal of the Calder Park Drive level crossing, which will be gone for good by the end of 2025. This project will also have a direct flow-on effect and is one step closer to a safer and less congested Calder Freeway.

I acknowledge that more work needs to be done and thank all the community members who attended the forum and the councils who are working together to make this a priority: Brimbank council, City of Melton, Buloke shire, City of Greater Bendigo, Hume City, Loddon shire, Macedon Ranges, Mildura Rural City Council and Mount Alexander. I remain committed to making sure that we have accommodation to help support growth and address road safety in the area and will continue to lobby on this very important issue.

### **Ethan Ellis**

**Natalie HUTCHINS** (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (10:24): Can I also thank our work experience student who is in the

office at the moment, Ethan Ellis from Overnewton secondary college, for his great contribution to our office.

### **Housing affordability**

**Brad BATTIN** (Berwick) (10:24): Today I rise in relation to the cost-of-living crisis happening throughout the state of Victoria and particularly through the areas of Casey and Cardinia. One of the things that is coming through our office more and more is we have got a lot of people who are struggling to find affordable rental properties out in Casey and Cardinia, including people who are working. It is no longer just an issue of people who are currently receiving welfare, it is also people who are in the working environment who cannot get access to affordable living and affordable rental properties. The government will try and say this is just an ongoing issue throughout the country; however, in Victoria we are the highest taxed state by far, particularly when it comes to land, and the increase in land tax every time this government puts it on is an increase in rental prices here in our state. How does that impact? Each time these families either are applying for a home or do get a home and the rent goes up 12 months later, they find themselves in a position where it is becoming unaffordable.

It is time the government committed 100 per cent that at this state budget they will start to focus on this cost-of-living crisis so that we work out ways to get more land onto the market through the current Minister for Planning so we can ensure that prices do come down genuinely when it comes to blocks of land. This is the only way we can encourage investors and ensure the private sector stays in that investment market, and that is the only way we will put genuine competition into the rental market throughout Casey–Cardinia and give people an opportunity to live affordably in areas they love.

### **Ian Wenham**

**Jordan CRUGNALE** (Bass) (10:25): Ian George Wenham, born 1936 and passed 2023, was a proud life member of the ALP, a former state secretary of the Printing and Kindred Industries Union Victorian branch, an activist, a leader, a skilled negotiator and a fierce advocate for workers rights, with a passion for justice coursing continuously through his glorious veins. Ian's work life began at the Melbourne Herald and Weekly Times. An apprenticeship undertaken, he became active in the union, moving quickly from chapel official to union organiser to branch secretary. He transformed the landscape. His way with words and actions led to groundbreaking initiatives, including the nine-day fortnight and better work conditions.

He was active at elections, chipping in at every turn and never shy of having a pointed yet respectful conversation on the golf course with Liberal-leaning mates, dot pointing an elongated list of local Labor-funded achievements, programs and builds. His beaming delight at winning the Julia Gillard signed corflute at the Bass 2022 campaign launch, which carried through to retaining the seat against all odds, is in the memorable, beautiful mix of tales recounted around our Wonthaggi Bass branch table. He leaves a legacy of positive change in our movement, an appreciation for a quality drop of whisky, a salutation of those he cherished as 'sweetie' and so much more. My heartfelt condolences to daughters Liz and Melissa and family and all who knew and loved Ian. Vale, comrade.

### **Anzac Day**

**Tim BULL** (Gippsland East) (10:27): Last week I had the opportunity to be at Gallipoli on Anzac Day with your good self, Deputy Speaker. It afforded me the opportunity to visit the graves of a number of men from my electorate who fell, and I would like to read them into *Hansard*. Please note the ages of these young men: Edward Gunning of Bairnsdale, aged 23; Arthur Rawlinson of Bairnsdale, aged 20; Ern Pallot of Heyfield, 24; Edgar Wilson of Bairnsdale, 19; Thomas Bell of Lakes Entrance, 21; Allan Davidson of Bairnsdale, 25; Tommy Haylock of Bairnsdale, 31; William Scott of Omeo and Bruthen, aged 20; Basil Hooper of Orbost, 19; Alexander Robertson of Bundalaguah, 28; Joe Terry of Flaggy Creek, 20; Tommy Dudderidge of Heyfield and Denison, 21; Keith Watt of

Bairnsdale, 21; John Finch of Bairnsdale, 38; John Hancher of Omeo and Ensay, 23; and Vern Brooks, who was a teacher visiting the area.

Many others from my electorate also fell at Gallipoli, with no known graves. It was good to commemorate and be on that sacred ground where they lost their lives, and I also commend other members from both sides of the chamber who took the opportunity to afford their respects to those from their electorates who also lost their lives.

### **Thornbury Primary School**

**Kat THEOPHANOUS** (Northcote) (10:28): Over the last year the Thornbury Primary School community has been hard at work. Together students, parents, carers, educators and staff have been getting together with architects AOA Christopher Peck to develop and endorse their exciting plans for the school's major modernisation. With planning funding provided by the state Labor government in the last budget, they have worked to detail an exciting vision – a new prep and year 1 learning centre, STEM and food tech facilities, upgrades to the main building as well as a community hub to build connections beyond the school. The upgrades are long awaited, reflecting the pressures the school have faced in their centuries-old building with spaces which are not as accessible or inclusive as we expect in a modern education setting. Despite these limitations the school is thriving, with new bathrooms opened in term 1 and a new inclusive playground completed last year thanks to our government's investment.

TPS has also been working to boost its science offering to students, hosting a STEM evening where students tinkered with drones and micro:bits and even made derby cars to test their engineering skills. New facilities would augment programs like this, building on their fantastic reputation for vibrant, engaging and inclusive learning. With planning complete, Thornbury Primary School is now at the stage where further state funding is needed to engage a builder and begin works to acquit our \$17.6 million election commitment. Along with the school community I have been advocating for this funding to be delivered in the next state budget and will continue to advocate for Thornbury Primary to have a bright future in the inner north.

### **Budget 2024–25**

**Roma BRITNELL** (South-West Coast) (10:30): The state budget is upon us, and it is imperative that this government does not forget South-West Coast. Our region needs a budget that goes back to grassroots. We need access to good healthcare services, a solid investment in roads and a roof over our heads. I am talking about keeping Portland District Health service operational, reopening the helipad and giving South West Healthcare the redevelopment funding it needs to provide the scope of redevelopment promised. More and more people are finding themselves homeless or choosing between eating or keeping the heating on just so they can barely afford their rent. We need more social and affordable housing. The much-needed Lookout project drug and alcohol rehabilitation service, which the coalition have been committed to funding since before the last election, needs to be built.

In Warrnambool our local surf lifesaving club need an upgraded facility to continue their good work. Warrnambool College is still waiting on a new multipurpose gymnasium and hall. Western District Food Share, who do vital work tackling food insecurity in our region, also need investment. So many sporting clubs are crying out for facilities that will help them connect our community: an all-access change room at Purnim, basketball courts and stadium upgrades in Portland and Warrnambool, netball facilities in Portland, the promised but never delivered gymnastics centre in Portland – this is just the tip of the iceberg.

The sad thing is that this week's equivalent of money your government is paying to service this state's astronomical debt could fund many of these projects and see them completed. As a region we contribute so much to the Victorian economy, and I call on the Treasurer to ensure this region has what it needs.

### Young Stroke Service

**Emma VULIN** (Pakenham) (10:31): This morning I was pleased to emcee a parliamentary breakfast for the Young Stroke Service. The Young Stroke Service supports adults aged 18 to 45 who are affected by stroke. Eighteen people in this age bracket suffer a stroke in Australia each and every day. The expert team from the Young Stroke Service assist with stroke care and connect stroke survivors, families, clinicians and researchers.

Many of you know that I suffered a significant stroke when I was 36, and I am so proud of the work being done here in Victoria by the Young Stroke Service in collaboration with the Florey. Unfortunately, stroke is often misdiagnosed in young adults, just like I experienced. The Young Stroke Service team and people like the incredible Brooke Parsons, an inspirational woman who has her own story to tell, are finding ways to ensure this group are not overlooked and that health services can cater for their needs. It is important work to further the understanding of the lifelong effects of stroke in people to continue improving our health services.

I have been privileged to visit the Florey at the Austin twice and meet the intelligent and compassionate team that work there, and we are so lucky to have them here in our state. I know that they are one of the world's leaders in brain research. A big thankyou to Florey director Trevor Kilpatrick, Professor Vincent Thijs, Professor Julie Bernhardt, Nerida Larkin, Dana Wong and the entire team, and a big shout-out to the Stroke Foundation, who support so many people of all ages who have been touched by stroke. We sincerely thank you all for the work that you do each and every day.

### Brighton Soccer Club

**James NEWBURY** (Brighton) (10:33): The Brighton Soccer Club celebrates its 100th year this year, and the club recently unveiled a new kit, which has been redesigned to build connection with Indigenous peoples. The Dendy Park based club are the largest soccer club in Victoria. This year they will field 76 teams, with many dedicated girls teams. Congratulations to president Elliot Epstein on the centenary celebrations and his leadership.

### Elwood Sailing Club

**James NEWBURY** (Brighton) (10:33): On 20 May 1924 Elwood Sailing Club was formed as the Elwood Sea Canoe Club. In the late 1920s members started fitting sails to their canoes. The first sailing canoe inspired the Seahorse-class yacht, hence the genesis of the seahorse club logo. The club recently launched a centenary book written by Barbara Lloyd. Congratulations to Commodore Ross Lloyd on his leadership.

### Antonio Cipriano

**James NEWBURY** (Brighton) (10:34): Antonio Cipriano is an outstanding contributor to Bayside through his leadership with the 1st/14th Brighton Sea Scouts. The group is a powerhouse in Australia. Tony was recently awarded Bayside Citizen of the Year for his contribution to the club and for providing leadership, mentoring and life skills to our young people. Over his time he has also mentored 20 leaders. Heartfelt congratulations, Tony.

### Lilly the fairy

**James NEWBURY** (Brighton) (10:34): We are fortunate to have mythical creature Lilly the fairy living in Brighton East. Her home is in a tree in Cluden Street. Children leave little letters for Lilly, which she diligently responds to. Sadly, the Bayside council ogre threatened to evict Lilly, but I hope the ogre has gone back into his cave. We must protect the little magic that we have in this world.

### Anzac Day

**Bronwyn HALFPENNY** (Thomastown) (10:34): Epping RSL organised yet again a beautiful Anzac dawn service, well attended as usual by many locals wanting to pay their respects and commemorate those who gave their lives for their country, sacrificing life and health to protect us all.

Thank you to Kevin Ind, president of the Epping RSL, and all the RSL committee members. Lest we forget.

Earlier in the week I also had the honour of attending a commemorative evening organised by the Turkish sub-branch of the Victorian RSL. As usual, president Mr Ramazan Altintas organised a very moving event remembering the Johnnies and the Mehments. Attended by many community leaders, Ange Kenos from Victorian RSL represented the president of the Victorian RSL Dr Robert Webster. There were also many parliamentary colleagues in attendance from both the state and federal levels, international guests and diplomats.

### **Housing affordability**

**Ellen SANDELL** (Melbourne) (10:35): Last week Anglicare released a report that shows there is not a single property or even a room in a share house across the whole country that is affordable to someone on youth allowance, and only 4 per cent of properties in the whole country are affordable to someone on the full-time minimum wage. Where are the students supposed to live? Where are the cleaners and childcare workers and retail workers and nurses supposed to live? The report found that rental affordability is the worst it has ever been, yet here in Victoria, under a Labor government, unlimited rent rises are still legal. There is a whole generation of people who have completely given up on ever being able to buy their own home, and now they cannot even afford their rent. There are 48,000 whole investment properties on Airbnb right now, homes that people could actually live in, but Labor will not do anything to free those up either.

What is Labor's solution to the housing crisis? Well, in Victoria it is to demolish every single public housing high-rise across the state and rebuild with mostly private housing – because trusting property developers to fix the housing crisis has always been such a good idea! The housing crisis is breaking people. I have a memo for Labor: you can either act now, with the Greens support, when the crisis demands it, or we can fight it out at the next election, when millions of people will be looking and asking 'What did Labor do in a housing crisis?' and you will have to answer 'Nothing.'

### **McClelland Sculpture Park and Gallery**

**Paul MERCURIO** (Hastings) (10:37): I would like to thank the Minister for Creative Industries for coming down to the amazing McClelland Sculpture Park and Gallery in Langwarrin to formally announce a \$100,000 grant as part of last year's election commitment. During the announcement we toured the current exhibition *Visionary*, which features 15 amazing sculptures and was made possible thanks to the grant. It is on until 21 July.

### **Anzac Day**

**Paul MERCURIO** (Hastings) (10:37): On Tuesday I was honoured to attend the first of four Anzac ceremonies for the week at Langwarrin Community Centre. It was a lovely event attended by several local schools, community members and veterans. On Wednesday I attended the Hastings police seniors registered client afternoon tea, which was a great chance to catch up with locals and gossip. On Thursday morning I attended the Somerville dawn service, then in the mid morning I attended the Balnarring service and after that the Crib Point service. I am happy to say they all seemed bigger and better than ever, with lots of kids, locals and veterans in attendance. It was great to see so many local schools attending and students getting involved in the ceremonies by reading out poems, singing the anthems and laying wreaths. I thank all those people that worked so hard to put these services on.

### **Projex J**

**Paul MERCURIO** (Hastings) (10:38): On Sunday I had the honour of being invited to speak at the Get Busy Living Projex J grief support gathering talking about how I dealt with the grief surrounding my brother's suicide. Each individual person deals with grief in their own unique way,

and groups like this one give support and purpose to others on their journey. With purpose comes hope and healing. It was a special day.

### **Anzac Day**

**Nicole WERNER** (Warrandyte) (10:38): I recently had the profound honour of participating in our local Anzac Day services. Thank you to Warrandyte RSL for organising the meaningful annual march and a beautiful service. I would like to thank president David Ryan, treasurer Colin Sharp, secretary Warrick Harvey, committee members Horrie Aldenhoven, Jennifer Bryant, Jim Pollard, Don Hughes along with his right-hand man/dog Zeus, Peter 'Jock' Fallon and the many others behind the scenes.

Doncaster RSL held a moving dawn service, and I would like to thank their president Dennis Clarke, vice-president Nevio Piasek, secretary Dot Haynes OAM, treasurer Martha Clarke and community connections officer Barry Halpern. Thanks also to Kylie Peek for the horse and handler Lexi, the Australian Air League's Thomas Howe for the crosses display, and the local police and Manningham City Rotary for providing the barbecue. Lest we forget.

### **Warrandyte Festival**

**Nicole WERNER** (Warrandyte) (10:39): The recent 48th Warrandyte Festival was yet another resounding success, from the billycart derby to the iconic parade to the live performances. The way Warrandyte is transformed during this weekend every year is a testament to our community's amazing spirit. I would like to pay my tribute to our 2024 monarchs of Warrandyte Don Hughes, Chris 'Chewy' Padgham and Andrew Yen, as well as festival president Dwayne Schuyler and all of the hardworking volunteers who helped to make the festival a great success.

### **Ngarrak nakorang wilam**

**John MULLAHY** (Glen Waverley) (10:40): We have a new name for my community's new park: ngarrak nakorang wilam park. 'Ngarrak nakorang wilam' means 'mountain meeting place' in the Woiwurrung language of our traditional owners, and it is a fitting name for the Allan Labor government's \$10.5 million investment into Forest Hill, Vermont and Vermont South. Stretching from Springvale Road all the way to Boronia Road, the underused paddocks formerly known as the Healesville freeway reserve are about to be transformed into a world-class parkland, more than 18 MCGs worth of park in fact.

It is all about creating and enhancing open space for our growing community, with new car parking, much-needed public toilets, areas of improved lighting and wayfinding signage. It is set to make ngarrak nakorang wilam park much more accessible to visitors, and there are going to be lots with thousands of extra plants and major new landscaping creating habitat areas, a new sensory garden, barbecue and picnic facilities, a BMX pump track and a terrific new playground and nature-based playscapes. We are connecting the park to the east's great network of shared user paths, with a dedicated 3.5-kilometre-long walking and cycling path all the way from Springvale Road to Boronia Road and then on to the Dandenong Creek Trail.

Thanks to all in our community who advocated for this to become a reality. I would like to give a shout-out to the Friends of the Healesville Freeway Reserve – they might need to change their name – and the community reference group and the entire Vermont, Vermont South and Forest Hill communities for getting behind this great project. The tender process is underway, and Parks Victoria is looking to start construction work later this year. It is a huge win for the east.

### **Point Cook electorate multicultural communities**

**Mathew HILAKARI** (Point Cook) (10:42): What a wonderful time of celebration across our community recently, with Holi, Ramadan and Eid al-Fitr and Easter all coinciding. Weren't we egg-cited to join Point Cook Football Club and every community member that made the first Point Cook community Easter egg hunt possible? There were over 600 kids registered. It was an egg-cellent event. The kids were all ears in listening and following instructions. They hopped about and they collected



7000 eggs in about 20 seconds. Could I say they only got a little bit of eggs-ercise? They burrowed their chocolates away in their baskets, and they bounced off for an egg-cellent holiday weekend.

Additionally I was honoured to join the community for Eid celebrations in Point Cook. I would like to thank president Zakir Hussain and Hasan Naim for their hospitality at the United Muslim Residents Association Eid al-Fitr. I would also like to thank the general secretary of Minhaj-ul-Quran Victoria, Syed and Imran Khan as well for their invitation to their annual Eid festival. They do enormous work across the community.

Finally I would like to wish a happy Holi to those who celebrated at Western Gymkhana with Sudhir Juneja, Gaurav Malholtra, Kapil Thaker, Maulshri Agrawal, Nasz Khan, Neha Kolape, Reena Anita Raina and so many others who brought it all together.

### **Anzac Day**

**Alison MARCHANT** (Bellarine) (10:43): In the Geelong, Bellarine and Surf Coast region we are home to approximately 6600 living veterans, yet alongside these courageous individuals countless service men and women from our local communities never returned from their duty. Anzac Day stands as the most significant moment in our calendar. It provides us all with an opportunity to reflect upon and honour the bravery of those who have served and those who continue to serve our nation.

This year to commemorate Anzac Day I attended several events and services across the Bellarine. Firstly I attended the Bellarine Secondary College Anzac Day assembly. Run entirely by the school captains, this is a wonderful way to recognise Anzac Day and teach our next generation about the importance of the day. On the morning of Anzac Day I attended a dawn service organised by the Portarlington and St Leonards RSL sub-branch, a moving service with the sun rising over the water onto the Portarlington township.

At the Leopold service Australian army captain Christopher Worsley gave an inspiring address about how we could all use the Anzac spirit in our everyday lives to honour the fallen that gave us the life that we have today. Special mention to Keith Pettigrew and the Leopold committee for organising yet another fitting tribute.

I then joined a large crowd at the Drysdale march and service, made extra special with a flyover. The Drysdale RSL believe it was the biggest crowd that they have seen for many years. The day concluded with an Anzac Day football match between the Portarlington and Drysdale football clubs, a great game which encompassed the Anzac spirit. Thank you to all the RSLs who have yet again provided wonderful services for the Bellarine community.

### **Harding Miller Education Foundation**

**Steve McGHIE** (Melton) (10:45): Last month I was invited to attend the Harding Miller Education Foundation's awards night for the second time, but this time it was different to previous years because it was the very first year that students from Melton were receiving scholarships. The Harding Miller Education Foundation is an Australian charity that supports high-potential but socio-economically disadvantaged girls across Australia through a \$20,000 scholarship over four years of their high school. Their program gives the girls a laptop in the first year, IT support, high-speed internet, online tutoring, uniforms, textbooks and school excursions, and each scholar has a personal mentor and coach who supports and guides them through the last four years of their high school education.

Melton's three recipients were Aaliyah Berry from Kurunjang Secondary, Charlotte Gauci from Kurunjang Secondary and Holly Carr from Melton Secondary. Each of these students are remarkable in their own way. Aaliyah has shown outstanding academic potential, consistently performing at the top of her class, and has been accepted into the Victorian high-ability program. Charlotte's academic achievements were illustrated through her most recent NAPLAN results, achieving above the national average across all subject areas. Holly also achieved high NAPLAN results, demonstrating incredible academic achievement, and has also participated in the Victorian high-ability program. These three

young women are pioneers for Melton's public education and exemplify the incredible students we have in our schools. It is a credit to not only the girls themselves but Kurunjang Secondary and Melton Secondary colleges' teachers, who are able to get the best out of their students. Well done to them, and I wish them very well throughout their education.

### **Anzac Day**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:46): I rise to pay tribute to the service men and women who have given so much to serve our country, and I thank Ken and the team at the Glenroy RSL, Michael and the team at the Fawkner RSL and Ramazan and team at the Broadmeadows Turkish RSL sub-branch for the work they do to ensure these sacrifices are honoured. I thank the schoolchildren who attended the local dawn services, including St Mark's and Corpus Christi, and I thank Hassan Gul for representing me at Fawkner while I attended Glenroy.

### **Broadmeadows electorate multicultural communities**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:47): The last five weeks have been a great time of celebrations in the electorate. Along with Easter we have had Passover, Holi, Akitu, Newroz and the Nepali, Sinhalese, Tamil and Malayalam new years as well as Ramadan and Eid. I loved going along to the Easter, Ramadan and Akitu celebration hosted by the Broadmeadows Stars soccer club in Coolaroo, and I thank Hani Pito and the team for the important work they do promoting social cohesion. It was incredible to be celebrating the start of Babylonian Chaldean new year 7324 with the Australian Chaldean federation one day and new year 2081 with the Nepalese Association of Victoria and the Far Western Nepalese Society of Victoria the next.

I would also like to thank all the individuals and organisations for the many wonderful iftar and Eid celebrations I have had the pleasure of attending, including Glenroy College, Ilim College, Glenroy Private, Muslim Welfare Trust of Victoria, Hararian Organization, Darulfatwa, Australian Intercultural Society, Victorian Afghan Youth Association, Victorian Arabic Social Services and MUSIAD Melbourne. Knowing how it feels to spend Christmas as a young person traveling in foreign countries I give a big thank you to Sajid Toori and his team from Voice of Australians for bringing 300 international students to break fast together this Ramadan.

### **Casey-South Melbourne Cricket Club**

**Pauline RICHARDS** (Cranbourne) (10:48): I was really pleased to be at the Casey-South Melbourne Cricket Club a few weeks ago to celebrate their presentation evening. It is always an opportunity to congratulate Shaun Petrie on the extraordinary leadership he shows to the club. To be in the brand new rooms was also a highlight, something obviously funded by this government. Cricket is the lifeblood of our community. This very elite sport and these elite-level players celebrated in an inclusive way, and I wish them the best for the season next year.

## ***Statements on parliamentary committee reports***

### **Public Accounts and Estimates Committee**

#### ***Report on the 2023–24 Budget Estimates***

**David SOUTHWICK** (Caulfield) (10:48): I rise make some comments on the Public Accounts and Estimates Committee report on the 2023 budget estimates. For too many years, it is important to note, many projects in my electorate of Caulfield have missed out, and we are hoping certainly in the current budget that things will change. The report itself talks about \$201 million committed in the last state budget towards community sport. The kinds of projects that missed out last time that we are hoping to see this time include Caulfield Grammarians Football Club and North Caulfield Glenhuntly Cricket Club, who use a ground on Booran Reserve. I used to play footy there many years ago, and cricket, and I have got to say the bathrooms have not seen an upgrade since then or even before then. They are not fit for purpose. The toilets are old, and they are horrible. To be able to have basic facilities like that is just so important. They also need lighting on that facility to ensure they get more

participation, particularly with the growing women's participation in sport. We need to ensure that we are using these grounds better, and that will help with all of that as well. It is an important activity with the Caulfield Grammarians Football Club and North Caulfield Glenhuntly Cricket Club, and the funding missed out in the last report. We hope the current budget is about to change.

In the \$201 million in the last budget we did not see anything in regard to the Caulfield Park Sports Club. Again we are hoping in this budget that the Caulfield Park Sports Club will see funding for basic bathrooms. Just like I mentioned with the football club down the road, Caulfield Park Sports Club, a cherished facility running bowls and a whole lot of other sports there, does not have basic toilets to meet the needs of all with accessibility. They are not disability compliant. The club is doing a lot of stuff for all abilities, and this is a perfect opportunity for Caulfield Park Sports Club to upgrade their male and female toilets to become fully accessible for all abilities. I would be hoping that the Treasurer will see fit to be able to support the Caulfield Park Sports Club to ensure that they have facilities for everybody.

Finding 73 of the report highlights the need for community services. One of the areas that is doing some fantastic work is C Care. C Care is a lifeline to so many of those doing it tough in our local community, providing culturally appropriate meals and social support to members of the Jewish community experiencing food insecurity and social isolation. The cost-of-living crisis has seen the demand for these services skyrocket – from 250 people a week in 2019 to over 2000 a week today. It is absolutely huge. Again, in a cost-of-living crisis we are seeing far too many people that are more reliant on the kinds of food support programs from organisations like C Care just to be able to get by. What they need is government support for a fit-for-purpose facility to deliver large-scale high-quality meals for the local community. They are also seeking support for the Jewish Food Festival project to provide 1300 families with the important religious meals they need for Passover and Jewish high holidays. No person should ever be prevented from engaging within their community or with their faith simply because of their socio-economic status. I hope the state government will support this important project.

The report also talks about issues with schools. Page 51 outlines new school infrastructure spending, but again my schools have missed out. I particularly want to refer to Caulfield Junior College, led by the great Chris Chant, the principal there. Caulfield Junior College, an exceptional college doing bilingual – French and English – programs, has not had its facilities upgraded for 15 years. Floors are rotting, access ramps are noncompliant, playground access is compromised and families tell me it is almost impossible for the kids with special mobility requirements to safely get around. The school is under a funding entitlement and after years of making do with less, finally they need to get their fair share. As such, I would hope that the Treasurer will see fit to fund them as well in the upcoming budget.

Caulfield South Primary School did get funding but have not actually seen the funding. I hope they actually see that funding, so they can start their project of \$9 million to get their school upgraded, in the upcoming budget.

### **Legal and Social Issues Committee**

#### *Register and Talk about It: Inquiry into Increasing the Number of Registered Organ and Tissue Donors*

**Sarah CONNOLLY** (Laverton) (10:53): It gives me a great deal of pleasure to rise and speak on the Legislative Assembly Legal and Social Issues Committee report – a very, very important report that I would encourage everyone to go ahead and sit down and have a read of – that is called *Register and Talk about It*. That was tabled in Parliament in I think the last sitting week. It details the committee's inquiry into, importantly, increasing the number of registered organ and tissue donors here in Victoria. I feel like every now and then it is a topic that comes up in the media and is talked about and people are reminded to sit around the family dinner table and have a conversation about the importance of organ and tissue donation and putting their name on the register after that conversation. What we do know is that here in Victoria huge swathes of Victorians, the vast majority of us, are

highly supportive of organ donation – about 81 per cent in fact – but only 23 per cent of Victorians are registered to be donors, which seems incredibly low, with that number dropping to only 10 per cent amongst our young people aged 16 to 25.

In comparison to us, South Australia, of all states, leads the nation with a donor registration rate of 72 per cent. That is huge, isn't it? We know there is a problem when so many Victorians and so many Australians are highly supportive of organ donation and would probably be glad to donate if you asked them, but here in Victoria we have so very few people registered proportionate to this overwhelming support, and indeed, Deputy Speaker, you are looking at one of them. Whilst I support organ and tissue donation and I would be more than happy to donate, I am not currently on the register. It is just one of those things. It is talked about in our family around our dinner table, but the actual act of then going and registering is just not something that I have done. This has helped lead us to the situation where the registration of Victorians sits at only 23 per cent. That is exactly why we have had this inquiry – because of people like me and others, because we need to understand why that is and we need to understand how to change it.

The key issue that this inquiry found was one of awareness and also, importantly, opportunity to register. To put it bluntly, we need to do better at letting especially our young people know how they can register to become a donor, because what we can see is that number drops to 10 per cent amongst young people aged between 16 and 25. One of the key recommendations of this report is for the government to consider reintroducing the option to register as an organ donor when applying for or renewing a drivers licence. This has proven to be really successful in South Australia. Let me remind you again they have a huge uptake of registration – 72 per cent, leading the nation – and that is exactly what they have done in that state to help lift registrations. This is certainly something that in this instance can be a standard that we can aim to emulate here in Victoria. Another recommendation to encourage young people to be donors that the report makes is to have a proper program that targets 15- to 16-year-olds through school, letting them know how they can make that decision to register as a donor.

The committee also looked at the issues surrounding tissue donation and how important it is to make sure that potential donors are aware of the differences between organ donation and tissue donation. Finally, the inquiry identified an alarming awareness gap when it comes to stem cell donation and the vast implications of stem cell research on treating cancers like leukaemia and lymphoma. As the report details, about three-quarters of Australia's stem cell donations come from overseas, would you believe it, because not enough Australians know about this to go ahead and register as a stem cell donor on the Australian Bone Marrow Donor Registry.

I would like to acknowledge the work of the committee in conducting this inquiry, particularly the chair the member for Lara, who is here in the chamber today. I also want to acknowledge the other members of the committee for their really hard work. It goes without saying this is a report I wholeheartedly commend to the house.

### **Environment and Planning Committee**

#### *Employers and Contractors Who Refuse to Pay Their Subcontractors for Completed Works*

**Martin CAMERON** (Morwell) (10:58): I rise to speak on a committee report today, and it is the Environment and Planning Committee report on our inquiry into employers and contractors who refuse to pay their subcontractors for completed works. I was lucky enough to be on this committee, and there are a couple of other committee members in the chamber at the moment. I think the results that we got out of these committee hearings will go towards enlightening a lot of people around the place about what goes on with subcontractors that are working on building and construction sites not only in regional Victoria but also in inner-city Melbourne and the process of subcontracting. I am talking about the carpenters, the plumbers, the electricians and the tile layers that are down the bottom of the payment scheme and the payment plan and how hard it is for them sometimes to be paid by the

overarching, number one builder as the money filters down. It is like a pyramid – people get paid on the way down, and the tradies are at the bottom.

This is something that has gone on for a very long time. I know I have suffered from this myself working for builders at times. It is not that you do not get paid; it is that it is a very slow payment process. What that does is hamstringing these subcontractors into not having the cash flow to be able to pay their bills. They need to be able to put food on the table for their families, but they also need to be able to go and pay for their materials and they get intermittent payments for the works that they have done. They have done a fair day's work; they need to have a fair day's pay for each and every single day's work that they do. A lot of the time we find that contractors are working on the next job and still have not been paid for the previous job. It does get into a little bit of a vortex where you are sucked into having to complete work on future projects when you have not been paid for the work that you have already done.

This happens not only, as I said, in regional Victorian but also on city jobs. As we worked through our committee hearings – and I do wish to thank everyone that put their hand up, from individual tradespeople to the union movement and government corporations, because it is right across the board where this does go on – we had them come in and sit down to let us speak to them and get to the nuts and bolts of why they think this does go on. The payment process is a concern, but hopefully with the 28 recommendations that we did put forward we can move on in future and make sure that especially young tradespeople that are coming into the industry have that little bit of extra protection. As I said, most builders and contractors do put the money out and try and pay, but it is just that long lag process of getting paid that does make it a little bit hard.

We found out that if you are a subcontractor and you are having issues, there is a security of payment law that you can access. A former tradie myself, I did not know that this was a lever that could be activated in my business, but going forward I want to make sure that all other people that are involved in this have that lever to use. It was a great committee to be a part of. We found some hard issues that need to be addressed, and I think we did address these issues in our recommendations that we put forward.

Thank you to our chair the member for Wendouree, who did a fabulous job. We had the member for Bass, the member for Monbulk, the member for Nepean, the member for Ripon, the member for Croydon, the member for Warrandyte and me, being the member for Morwell, on the committee. It was great to be able to work together to get some results. Also a big shout-out to the secretariat that was onboard as well. We are only as good as what they are, and they were fantastic in organising everyone to come in so we could sit down for a chat and then be able to hand over the report. It was a great inquiry; we are moving on to our next one. I commend the committee report to the house.

### **Economy and Infrastructure Committee**

#### *Inquiry into the Impact of Road Safety Behaviours on Vulnerable Road Users*

**Alison MARCHANT** (Bellarine) (11:04): It is a pleasure to rise to speak on the final report that we have tabled today on an inquiry undertaken by the Legislative Assembly Economy and Infrastructure Committee looking at the impact of road safety behaviours on vulnerable road users. The committee investigated how our road safety behaviours changed during and post the COVID pandemic and how these changes have impacted our most vulnerable road users. They included, for this inquiry, road users such as pedestrians, cyclists, motorcyclists, children, older people, those who use mobility devices, horseriders, delivery drivers and roadside workers.

This inquiry started with the really concerning upward trend that we are seeing in serious injuries and fatalities across our state on our roads, and although these statistics raise serious alarm bells, they are not just numbers on a graph – these are lives. I know I speak for my fellow committee members when I express my dismay at the devastating number of lives that have been lost on our roads during and after the pandemic. Each of these lives lost has unjustifiably robbed a person of their potential. They

have left dreams unfilled and created a lasting impact on their family, their friends and their community. We also need to acknowledge that it is not just fatalities though, as there are countless others who have been seriously injured on our roads and that has impacted their lives and the loved ones around them, as they are changed forever. The inquiry did focus on vulnerable road users. In 2023 they made up 36 per cent of lives lost on Victorian roads and in 2022 almost half – incredible statistics there.

As chair, and on behalf of the committee, I would like to take this opportunity to thank and extend our heartfelt gratitude to those individuals who made submissions and courageously shared their personal stories, enriching our understanding as a committee about the human toll that is being caused by road accidents. I would also like to thank the myriad of road safety organisations, research institutions, government departments, councils, peak transport bodies, unions and organisations that represented vulnerable road users and made submissions and attended public hearings for our committee to hear. The evidence that you gave and your openness to us has been instrumental in shaping our deliberations and the recommendations.

We did hear during the inquiry that Victorians felt that drivers and their behaviours had become worse throughout COVID and since. Experts told us that it was hard to definitely say with quantifying data what effect the pandemic had on our road safety, but it was clear that Victorians felt that our roads had become unsafe because of the behaviour that was being demonstrated. We also learned that although the kilometres travelled through the pandemic were lower it did not really correlate, and the road toll did not fall as expected during that time. Building from this we also learned that the lives lost in the last two years is likely to be because of the changing in our road behaviours. The committee heard also about the worsening of behaviours, in particular that drivers are showing more aggression, they are distracted, they are impatient and they are engaging in risky behaviour. Some of that risky behaviour is intentionally running red lights, using a mobile device and, unfathomably, not wearing a seatbelt when driving.

We also learned that it is not really easy to change people's behaviour by simply just educating and urging them to be more responsible. Awareness is absolutely important, but complementary to that we do need some approaches that look at enforcement, infrastructure that separates those vulnerable road users from motor vehicles and guidance to motorists to really slow down in areas where there are high volumes of particularly bike riders and pedestrians. We heard from a lot of school students and parents about school drop-off and pick-up times as well.

We have made some recommendations that address the four pillars of the safe system approach which Victoria and other jurisdictions have adopted. We need to do everything we can to work towards the Victorian road safety strategy goal of zero deaths by 2050. We have 56 recommendations, and we look forward to the government's response. I would like to thank the committee secretariat and the committee members for their work on this as well.

### **Public Accounts and Estimates Committee**

#### *Report on the 2023–24 Budget Estimates*

**Chris CREWHER** (Mornington) (11:09): I rise to speak on the 2023–24 budget estimates report, which is topical given the budget is being delivered next week. Last year's horror budget meant Victorians already facing massive cost-of-living pressures were hit with even more costs. Why? Because the state Labor government cannot manage money. Looking back, Labor cut 25 per cent from the roads budget despite the terrible condition of our roads, ripped \$2.4 billion from the TAC and introduced the schools tax, an increased land tax, the COVID levy and more. On this levy, James, an electrician in my electorate, said, 'For the working people and multiple dwelling owners, regardless of mortgage or circumstances being considered, to cover the shortfall is simply unfair, wrong and to me unacceptable.'

On the schools tax, Labour were especially going to hit parents and students at Balcombe Grammar School in my electorate but backtracked on the threshold after much protest by parents, me and others. On land tax, many mum-and-dad investors, often with only one rental, are now selling such properties, which are not always returning to be rentals. That is then pushing up rental costs.

Labor committed to the white elephant \$216 billion Suburban Rail Loop, expanding rail services to places that already have it, while not supporting the less than \$1 billion Baxter rail project, which would have delivered electrified rail to places that do not have it, including our local uni and hospital. This contributed to the Albanese federal government ripping the \$225 million that I secured in 2018 from this project and from our region altogether. We have no rail services in my electorate, and 82 per cent of the peninsula has no access to public transport.

With Labor's debt meaning taxpayers are paying over \$15 million in interest each day, Labor also did not fund much-needed redevelopments at schools like Mornington Park Primary and Mount Eliza Secondary; community sport redevelopments such as at Emil Madsen Reserve or Mornington baseball, soccer and basketball facilities; and local environmental initiatives like fixing local beach erosion or saving the decommissioned Mount Eliza reservoir. Now Victorians are bracing themselves for another nightmare budget. Labor's Treasurer says:

There will have to be hard decisions in this budget, and there will be ...

This comes as Victoria's debt has blown out to be more than \$126 billion, with ratings agency S&P warning that Victoria is on track to be almost double this number by 2027. This would increase our taxpayer interest bill to more than \$33 million a day.

It has also been speculated that Labor is considering major cuts for arts, sporting groups and government agencies, as well as in the education, major project, health and other spaces. Many local projects risk being scrapped, as we have already seen in the past. For example, many enraged locals approached my office – and I attended a public meeting on this – after Labor withdrew around \$1.7 million for repair and remediation works related to the Mount Martha landslide in September 2020. Storms and heavy rain caused a landslide on a slope above The Esplanade between Ellerina and Bradford roads, dislodging 30 tonnes of material and vegetation. As the landslide occurred over both shire- and state-owned land, both committed to 50 per cent each for repairs, yet following the acceptance of a tender in 2023 the Labor government withdrew their commitment of their 50 per cent share due to funding cutbacks, meaning the project could not go ahead. Ever since, I have been advocating for local residents who were blindsided by this decision, with the landslide disrupting their lives and meaning deteriorated road access, confusing signage, lack of parking, safety concerns, devaluation and more. I call on the state Labor government to reinstate these funds. Unfortunately more local projects like this risk being scrapped in next week's budget because this government does not know how to manage money and wastes money on project blowouts, not having the Comm Games, the white elephant Suburban Rail Loop and more.

Another issue is cost-shifting to councils. Despite the state government being in significant debt, they should not be trying to cost-shift to councils due to their own budget mismanagement. For example, while the taxpayer-paid three- and four-year-old kinder provides a benefit to parents, the state Labor government have not matched that with sufficient funds to upgrade local early childhood facilities to cope with increased demand in enrolments, expecting councils to do so when they do not have sufficient funds themselves. For example, Leslie Moorhead Preschool have written to me about their concerns on this issue in the last week. Cost-shifting is also influencing councils to make detrimental revenue-raising decisions, like with our shire originally putting the Harry Potter light and sound show in the middle of the Briars wildlife sanctuary, which fortunately was moved; introducing their disastrous online-only paid parking trial at Mornington Pier and elsewhere; and now proposing a 3.3 per cent development levy on new builds. These measures are highly detrimental but reflective of the Labor government, who cannot manage a budget.

**Economy and Infrastructure Committee***Inquiry into the Impact of Road Safety Behaviours on Vulnerable Road Users*

**John MULLAHY** (Glen Waverley) (11:14): It is a pleasure to rise and speak for the first time on a committee report on the inquiry into the impact of road safety behaviours on vulnerable road users. It is the first piece of committee work I have been part of as a member of the Legislative Assembly's Economic and Infrastructure Committee. For months our cross-party committee has been working hard to understand the impact of road safety behaviours on vulnerable road users. I would like to take some time to thank my fellow committee members: the members for Bellarine, Shepparton, Narracan, Kew, Pascoe Vale and Tarneit. I thank them for their insights, for their collegiality and for their passion for this important issue.

We spent many weeks hearing from experts across the Victorian community, and I would like to also thank them for their insights they shared with the committee. We received over 300 submissions, with more than two-thirds coming from individuals. I understand for many discussing the road user behaviour and associated trauma can be a very distressing topic, and I want to acknowledge the important evidence we heard about these very human impacts.

The committee heard from organisations like road safety groups, research institutions, motoring organisations and bodies that represented cyclists, pedestrians, motorcyclists and more. It was a very hands-on process focused on bringing the committee's work right into our communities. We did not just have hearings here in the CBD, but we also visited Coburg, the member for Pascoe Vale's area, for hearings in suburban Melbourne and even Shepparton for hearings in Victoria's mighty regions. To make it as accessible as possible we also held some online hearings. Committee members also travelled interstate, with a visit to the 2023 Australasian Road Safety Conference in Queensland. All of our work has culminated in 56 recommendations, which build on the Allan Labor government's existing work in this space. With that, I do want to acknowledge the leadership of the Minister for Roads and Road Safety, the Minister for Public and Active Transport and the Minister for WorkSafe and the TAC, who all have a shared interest in this space. Our committee's work has found perceived road user behaviour has changed since the beginning of the COVID-19 pandemic, with a perception of increased behaviours like aggression, impatience and inattention. While the experts acknowledge it is all too early to understand the full cause and consequence of perceived changes since COVID, we do know that there has not been a significant change in road infrastructure or vehicles to explain the increase in road trauma.

There is a lot the Victorian government is doing in this space, and the committee commends these actions to drive down the road toll. In doing so we encourage government to continue with investments and policies to keep all road users safe, not just motorists but also cyclists, pedestrians, motorcycle riders and more. More specifically, the committee recommends looking into policies like speed-zoning guidelines, road design and vehicle safety and accident reporting processes, so we can continue our work to aim towards a lower and lower road toll. Every tragedy on our roads is one too many, and it is so important to get that number of road user deaths down to zero. There is plenty in this space that we disagree on, but regardless of where we sit on the political spectrum we all share that goal of keeping Victorian road users safe, and this committee report will contribute to that work.

I would also like to point out that none of our committee's work would have been possible without the terrific secretariat, comprised of the people just behind me: Kerryn Riseley, Marianna Stylianou, Alyssa Topy and Adeel Siddiqi. My thanks go to all of them and to our committee chair the member for Bellarine and also the deputy chair the member for Shepparton. I commend the Economic and Infrastructure Committee's report to the house and look forward to the government's response in due course.



**Bills****Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024***Statement of compatibility*

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (11:19): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Victorian Responsible Gambling Foundation Repeal and Advisory Councils Bill 2024:

**Opening paragraphs**

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Gambling Legislation Amendment (Victorian Responsible Gambling Foundation Repeal and Other Matters) Bill 2024.

In my opinion, the Gambling Legislation Amendment (Victorian Responsible Gambling Foundation Repeal and Other Matters) Bill 2024, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

**Overview**

The Bill repeals the *Victorian Responsible Gambling Foundation Act 2011* and abolishes the Victorian Responsible Gambling Foundation.

It amends the *Gambling Regulation Act 2003* to establish the Gambling Harm Response Fund and abolish the Responsible Gambling Ministerial Advisory Council and the Liquor Control Advisory Council.

It also amends the *Victorian Gambling and Casino Control Commission Act 2011* to transfer certain functions to the Victorian Gambling and Casino Control Commission.

Finally, it amends the *Liquor Control Reform Act 1998* to abolish the Liquor Control Advisory Council.

The Bill does not affect the rights of any natural person.

I consider that the amendments do not engage any rights under the Charter.

**The Hon Melissa Horne**  
**Minister for Casino, Gaming and Liquor Regulation**

*Second reading*

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (11:19): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

**Incorporated speech as follows:**

On 16 July 2023, I announced Australia's most significant package of gambling reforms.

The focus of those reforms was on the 'how' and 'when' people gamble, making sure patrons have adequate protections when they sit down at an electronic gaming machine at their local hotel or club.

These reforms include mandatory carded play and pre-commitment, increasing and standardising closing times, reducing load up limits and slowing spin rates.

At the same time, I announced the functions of the current Victorian Responsible Gambling Foundation would be transferred to other parts of government to better enable joined up service delivery and service integration.

These gambling harm prevention reforms are around the 'what' – what we can do as government to prevent and reduce gambling harm across our communities.

Gambling harm prevention and response services need to take a public health approach to ensure people experiencing, or at risk of experiencing gambling harm, are supported.

The focus of these important programs is not on the location or activity of gambling; rather making sure that wherever people are in Victoria, they are aware of the risks and have a place to seek support should they experience gambling harm.

The Victorian Government is committed to maintaining the important functions currently delivered by the Victorian Responsible Gambling Foundation.

However, it has been some years since this model was developed and there is an opportunity to build on these foundations for a more integrated service that is built around how gambling harm is experienced.

This Bill makes important changes that update the gambling harm prevention and response model and will enable better integration and delivery of gambling harm prevention and support in Victoria.

This Bill also dissolves the Responsible Gambling Ministerial Advisory Council and Liquor Control Advisory Council to modernise the governance arrangements for casino, gaming and liquor engagement.

*Gambling Harm is often experienced at the same time as other social or health issues*

Each year, more than half-a-million Victorians experience gambling harm – whether it be related to their own or someone else's gambling.

Gambling harm can present as feelings of regret, shame or guilt; irritability; depression; anxiety; increased use of alcohol and other drugs; and family violence.

Because of these significant comorbidities, gambling harm can fall through the cracks in primary care settings when a person seeks treatment for other co-occurring issues.

A 2017 study commissioned by the Victorian Responsible Gambling Foundation found that up to 30 per cent of people presenting to primary care, alcohol and other drugs and mental health services are experiencing problems with gambling.

The Victorian Government has long focused on improving service integration and referral pathways across our social service system.

This focus is grounded in best practice, as well as findings from major inquiries including the Royal Commission into Victoria's Mental Health System and Royal Commission into Family Violence.

And that is why the Victorian Government has developed a new gambling harm prevention and response model which aims to embed a more holistic approach to addressing gambling harm.

*New Gambling Harm Prevention and Response Model*

In the development of this model, the government consulted widely.

We have met with Gambler's Help providers, gambling harm stakeholders, researchers and academics, government agencies, regulators, people with lived and living experience of gambling harm and the Victorian Responsible Gambling Foundation staff to inform the design of this new model.

Through this consultation, we heard:

- It remains essential that a public health model for addressing gambling harm is maintained.
- there are opportunities to better coordinate services, especially with mental health, community health, alcohol and other drugs, financial counselling, family violence and family services.
- the current clinical governance framework, as well as contracting mechanism, is outdated and needed updating.
- There are opportunities to leverage the Victorian Gambling and Casino Control Commission's enhanced focus on gambling harm and connections with all gambling licensees to improve the reach of prevention and awareness raising campaigns.
- That there were benefits from research and evidence being more closely linked to policy and regulatory development.
- There are opportunities to elevate the insights of people with lived and living experience in a new model.

Drawing on this stakeholder engagement, as well as the evidence regarding how and where gambling harm presents, the Victorian Government has developed a new model for gambling harm prevention and response:

- Prevention and programs functions, including Gambler's Help, will be transferred to the Department of Health to enable better service integration with community health and clinical mental health expertise.

- Gambling harm awareness and prevention functions, including public campaigns, will be transferred to the Victorian Gambling and Casino Control Commission (VGCCC), building on their enhanced focus on gambling harm minimisation.
- Policy, research, and evaluation functions will be transferred to the Department of Justice and Community Safety, including the Lived Experience Consultative Committee, to ensure the function can be performed across the portfolio.

Gambling harm prevention and response activities will continue to be funded through the Community Support Fund which draws from revenue generated from electronic gambling machines – which will be delivered through the newly established Gambling Harm Response Fund at the determination of the Minister.

This legislation enables this model through the dissolution of the *Victorian Responsible Gambling Foundation Act 2011*, the establishment of the Gambling Harm Response Fund, and embedding the awareness and prevention functions into the gambling regulator's legislation.

I am confident the new model of gambling harm prevention and response will make better use of the strengths of other service delivery agencies funded by the government, while building on the experiences and knowledge the Foundation has generated since its establishment.

#### Updating gambling and liquor governance

This Bill removes two historical engagement mechanisms from legislation, the Responsible Gambling Ministerial Advisory Council and Liquor Control Advisory Council.

We are committed to engaging with the wide range of stakeholders across the Casino, Gaming and Liquor portfolio and an updated stakeholder governance model will be established to replace these entities.

This includes embedding the voices of people with lived experience of gambling or alcohol related harm, along with community and industry stakeholders.

As stakeholder engagement mechanisms evolve over time, having historical structures in place in legislation can reduce the opportunities to update and refine them.

For example, the importance of engaging with people with lived and living experience was not considered when the Responsible Gambling Ministerial Advisory Council and Liquor Control Advisory Council were established.

There is a need to be flexible around stakeholder engagement to ensure it is fit for purpose for the times. As such, the replacement governance model will not be legislated.

#### Conclusion

In concluding, I wanted to acknowledge the work of the Victorian Responsible Gambling Foundation staff and Board. The Foundation has changed the way Victorians and Australians understand gambling harm, and this legacy will be built on as we implement the new gambling harm prevention and response model.

I want to thank the former members and Chairs of the Responsible Gambling Ministerial Advisory Council and Liquor Control Advisory Council and look forward for your insights to be provided in an updated way, more reflective of best practice.

I commend the Bill to the house.

**James NEWBURY** (Brighton) (11:20): I move:

That debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 15 May.**

**Local Government Amendment (Governance and Integrity) Bill 2024***Statement of compatibility*

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (11:21): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Local Government Amendment (Governance and Integrity) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Local Government Amendment (Governance and Integrity) Bill 2024.

In my opinion, the Local Government Amendment (Governance and Integrity) Bill 2024, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

**Overview of the Bill**

The Bill amends the *Local Government Act 2020* (LGA 2020) to:

- provide for ongoing mandatory training for councillors and mayors;
- provide for the suspension and disqualification of individual councillors who have been found to have created a serious risk to health and safety at a council or are preventing the council from performing its functions;
- enhance the enforcement powers of the Chief Municipal Inspector, including through the ability to issue infringement notices for certain offences under the LGA 2020;
- make improvements to the councillor conduct framework including by creating a power to introduce a model councillor code of conduct and increasing the severity of sanctions available for councillor misconduct; and
- improve the operation of provisions relating to Ministerial oversight, appointment powers and the councillor conduct framework.

**Human Rights Issues**

The human rights protected by the Charter that are relevant to the Bill are:

- The right to privacy and reputation (section 13);
- The right to freedom of expression (section 15);
- The right to take part in public life (section 18);
- Property rights (section 20);
- The right to a fair hearing (section 24);
- The right to the presumption of innocence (section 25(1));
- The right to protection against self-incrimination (section 25(2)(k)); and
- The right not to be tried or punished more than once (section 26).

***Eligibility, standing down, suspension and disqualification of councillors***

The Bill amends the LGA 2020 to allow for the suspension and disqualification of individual councillors who have been found to have created a serious risk to health and safety at a council or are preventing the council from performing its functions (**Adverse Report**). Specifically:

- Clause 7 inserts new section 34A, which permits the Governor in Council, on the recommendation of the Minister, to disqualify a person from being a councillor for eight years from the date of dismissal if they were dismissed from office and were subject to an Adverse Report;
- Clause 31 inserts new section 229A, which permits the Minister to suspend a councillor for up to one year if they were subject to an Adverse Report, and inserts new section 229B, which provides that a councillor suspended under section 229A is ineligible to hold the office of Mayor or Deputy Mayor or chair a delegated committee of the council for the remainder of the council's term.

Clause 6 further inserts a new eligibility exclusion criterion into section 34 of the LGA 2020, where a person with more than one adverse decision made against them within a period of eight years is not qualified to be a councillor for a period of four years from the making of the second adverse decision. The Bill defines an

adverse decision as a finding of serious misconduct under section 167 or a suspension from office under section 229A of the LGA 2020.

These amendments may engage the right to take part in public life (s 18) which is further discussed below.

Clause 30, which substitutes section 229 of the LGA 2020, provides that if a councillor is charged with an offence that if convicted they would become ineligible to hold office, they are automatically stood down from their office of councillor until proceedings in respect of the charge are finally determined. The principal effect of this amendment is to:

- remove the need for the Chief Municipal Inspector to make an application to VCAT for an order to stand down the councillor;
- remove the requirement for VCAT to consider the nature and circumstances of the charge before a councillor is stood down.

The repeal of a statutory provision does not itself affect a person's rights unless it effects a deprivation of property, and a councillor does not have a vested right to be suspended only in accordance with a specified procedure. Further, as new section 229 operates to automatically suspend a councillor from their office on being charged with a criminal offence, there is no 'civil proceeding' which would engage the fair hearing right in section 24(1). Nevertheless, the nexus between a criminal charge and the suspension of a councillor engages:

- the right not to be punished more than once for the same offence (s 26) and to have a criminal charge decided by a court (s 24);
- the right of presumption of innocence (s 25(1));
- the right to take part in public life (s 18); and
- the right to property (s 20).

*The right not to be punished more than once for the same offence (s 26) and the right to have a criminal charge decided by a court (s 24(1))*

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which they have already been finally convicted or acquitted in accordance with law. Relevant to the concept of punishment, and following recent decisions of the High Court concerning the constitutional validity of schemes involving 'legislated punishment', it may be suggested that the section 24 right to have a criminal charge decided by a court implies a principle that a person may only be punished as a result of a charge being proven in a criminal proceeding.

In my view, new section 229 does not engage these rights as the standing down of a councillor by reference to potential involvement in criminal conduct is not to be characterised as imposing a form of punishment, for the following reasons.

- The mere fact that a law operates to directly impose a detriment on a particular person does not make it punitive. Rather, what the authorities show is that the *criteria* by reference to which the detriment is imposed, and also the *purpose* for which it is imposed, are central to determining whether the imposition of a particular detriment is properly characterised as punitive. The intention of the provision serves a protective purpose, to ensure the integrity and good governance of the council and to safeguard the public trust and confidence in the council and its councillors.
- The effect of being stood down is to prevent a person from performing the functions or duties of, or exercising the powers of, a councillor. It extends to prohibiting a person's attendance at council meetings and premises. It is ultimately aimed at preventing the functions of the council from being influenced by a person whose eligibility has come into question.
- The nature of the detriment being imposed, being 'stood down' from an official position and having allowance withheld, is not of a nature traditionally associated with a criminal sanction. No conviction flows from this outcome nor is a person liable for subsequent sanctions of a criminal nature, such as a fine or imprisonment. While a person's allowance is also withheld, it does not impose any personal liability on a person.
- The suspension is temporary, and a person is restored to their role upon a relevant charge being withdrawn or being determined in a manner that does not result in a conviction.

Accordingly, as the standing down of a councillor charged with a specified offence is not a punishment, it does not amount to double punishment for the purpose of section 26, or engage the determination of a criminal charge pursuant to section 24, and these rights are therefore not limited.

*The right to be presumed innocent (s 25(1))*

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law. The High Court has described this right as incorporating the fundamental requirement that ‘the prosecution in a criminal case has the burden of proving guilt’, that is, that a conviction can follow only where every element of an offence has been proved by the prosecution beyond reasonable doubt.

While the right has been found to only apply to criminal proceedings (and not, by contrast, to other proceedings such as disciplinary proceedings, civil liability or bail applications), it does afford an accused a right to have the benefit of the doubt, and to be treated in accordance with this principle. It is suggested that the right incorporates duties on others to refrain from prejudging the outcome of a trial – including to abstain from actions that affirm the guilt of an accused.

While Victorian case law has yet to consider in more detail the broader application of this right beyond criminal proceedings, there is a reasonable argument that new section 229 of LGA 2020, which provides for the standing down of a councillor by reference to charges laid – but not yet proven, constitutes a limit on the presumption of innocence. This is because the provision could be characterised as effecting an act of pre-judgment of an accused, or at least depriving them of their right to the benefit of the doubt.

Consequently, it is necessary to consider the proportionality or justification of the limitation on this right, by reference to its purpose. Section 7(2) of the Charter provides that Charter rights may be subject under law only to such reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom, taking into account all relevant factors.

It is my view that the automatic standing down of a councillor when charged with an offence in section 229(2) of the LGA 2020, is reasonably justified pursuant to the factors listed in section 7(2) of the Charter.

*The nature of the right*

The right of a person (charged with a criminal offence) to be presumed innocent until proved guilty is considered one of the most fundamental rights in the Charter, and accordingly, will require a sufficiently important objective to justify being limited.

*The importance of the purpose of the limitation*

The purpose of the limitation must relate to ‘pressing and substantial’ social concerns, and be aimed at achieving legitimate values and interests, in order to be sufficiently important to justify limiting a Charter right. The more pressing and substantial the purpose, the greater the limitation it will justify.

The purpose of the limitation on a councillor’s right to be presumed innocent until proved guilty is aimed at safeguarding the appropriate exercise of statutory powers and undertaking of public functions by councillors and maintaining public confidence in the standing and reputation of councillors. There is a strong public interest in this purpose.

*The nature and extent of the limitation*

I consider the nature of the limitation on the right to be limited in that the automatic standing down of a councillor pending the finalisation of the proceedings in respect of the charge, does not involve a determination or prejudgment of guilt, rather, the standing down of the councillor until the court has finalised the proceedings, is on a suspicion of guilt, rather than a finding of factual guilt.

Further, the automatic standing down of a councillor pending the finalisation of the proceedings in respect of the charge is not punitive in its purpose but protective, seeking to ensure the integrity and good governance of the council and to safeguard the public trust and confidence in the council and its councillors. Moreover, the automatic standing down of a councillor is limited to serious offences specified in section 229(2) of the LGA 2020, that reasonably puts into question, the councillor’s suitability (and potential eligibility) to hold the office of councillor.

The period for which a councillor is stood down is limited to the period between the charges are laid against the councillor and the finalisation (or withdrawal) of the proceedings in respect of which the charge laid.

*The relationship between the limitation and its purpose*

There is a clear and direct relationship between the limitation and stated purpose – the automatic standing down of a councillor until proceedings in respect of a charge are finally determined directly correlates to the stated purpose of ensuring that the councillor cannot continue to perform their functions and duties and exercise their powers as councillor where doing so may adversely affect public confidence.

*Any less restrictive means reasonably available to achieve the purpose*

The final factor relates to a consideration of not just the actual limitation that is sought to be justified, but other potential means by which the stated purpose of the limitation could be achieved.

In the current circumstances, it may be said that the current procedure set out in section 229 for the standing down of a councillor – involving an application to VCAT, where the member must have regard to the nature and circumstances of the charge and the fair hearing obligations attached to Tribunal proceedings – is a less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve.

However, the current procedure, involving the Chief Municipal Inspector making an application to VCAT for the standing down of a councillor, is in practice not a reasonably available means because the timeframes associated with VCAT hearings often leads to applications not being determined before the finalisation of the criminal proceedings. This renders the application for the councillor to be stood down in the interim redundant, and ultimately obstructs the legislative intention being achieved.

*The right to take part in public life (s 18)*

Section 18(1) of the Charter provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. Section 18(2)(b) further provides that every *eligible person* has the right, and is to have the opportunity, without discrimination, to have access, on general terms of equality, to the Victorian public service and *public office*.

The scope of section 18 has not yet been thoroughly examined by Victorian courts. It is not clear whether section 18(2)(b) will be engaged by the ‘stand down’ provision (new section 229), the disqualification and suspension of councillors on the basis of an Adverse Report (new sections 34A and 229A), or the amendment rendering councillors ineligible for office on the basis of past adverse decisions (clause 6).

In order for section 18(2)(b) to apply, a person must be an ‘eligible person’. The term ‘eligible person’ is not defined in the Charter. The commentary suggests two possible interpretations: either that persons are ‘eligible’ under section 18(2)(b) if they are eligible under the current law of Victoria, or alternatively that ‘eligibility’ takes on an independent meaning in the context of the Charter that is not confined to the conditions of eligibility under existing law. Under the former construction, section 18(2)(b) would not be engaged where a person has, in accordance with section 229 of the LGA 2020, become ineligible to continue to perform their functions and duties and exercise their powers as councillor until proceedings in respect of the charge are finally determined.

If ‘eligible person’ were to take on an independent meaning in the context of section 18(2) of the Charter, the commentary suggests that it would mean an adult person with the relevant connection to Victoria, such as citizenship or residency. If this interpretation is adopted, the right of a person (councillor) to have access to public office without discrimination would apply irrespective of whether that person (councillor) meets the eligibility criteria in section 34 and new section 229 of the LGA 2020, and section 18(2)(b) may be engaged.

If section 18(2)(b) is engaged, that right will nevertheless only be limited where the eligibility criteria gives rise to ‘discrimination’ on the basis of an attribute within the meaning of the *Equal Opportunity Act 2010* (EO Act). Section 229 automatically standing down a councillor charged with an offence specified in section 229(2) of the LGA 2020, does not discriminate against the councillor as being charged with, or convicted of, a criminal offence, is not a protected attribute within the meaning of the EO Act. Similarly, given that the conduct that is the subject of an ‘adverse decision’ or Adverse Report is not a protected attribute within the meaning of the EO Act, new sections 34(2A), 34A and 229A, which impose a limit on the right to take part in public life on the basis, do not constitute discrimination within the meaning of the EO Act. It follows, in my view, that the right to take part in public life is not limited by the proposed new sections of the LGA 2020.

*The right to property (s 20)*

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. While the Charter does not define ‘property’, case law indicate that the term should be interpreted ‘liberally and beneficially to encompass economic interests’. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. Existing authority also suggests that the laws that permit or require a deprivation of property should not operate arbitrarily. Accordingly, an assessment of compatibility will depend upon the extent to which a deprivation of property does not operate arbitrarily, and is sufficiently clear and certain to be considered ‘in accordance with the law’.

In providing that a councillor charged with an offence in section 229(2) is to be stood down and their allowance withheld until the proceedings in respect of the charge are finally determined (including any appeal) or the charge is withdrawn, clause 30 could be said to authorise the deprivation of the councillor’s property (ie their allowance) and engages the right to property.

Similarly, sections 27B and 33B of the Bill (inserted by clauses 40 and 43 respectively) introduce provisions that respectively mandate the withholding of the allowance of a Mayor, Deputy Mayor or Acting Mayor and councillor if they do not undertake mandatory Mayoral training or professional development training and make a written declaration to this effect. These provisions could also be regarded as engaging the right to property.

That being so, the deprivation of property will be 'in accordance with the law' where the law providing for the legal authorisation for the deprivation is 'publically accessible, clear and certain'. The authorisation to deprive a councillor of their allowance pending the finalisation of the proceedings is conferred by section 229 and thereby is publically accessible. The provision is also drafted in clear and precise terms, authorising the allowance to be withheld in specified circumstances and for specified time periods (either until such time that the proceedings in respect of the charge are finally determined or the charge is withdrawn). The provision further provides that where a conviction is appealed, the allowance will be withheld until the finalisation of such appeal.

As the new provision has no regard to the nature and circumstances of the criminal charge, and makes no provision for natural justice, there could be an argument that the provision may function in an arbitrary manner so as to limit the right. However, to the extent that any limitations result, I consider any limits to be justified, on the basis that it is not in the public interest for a person to continue receiving an allowance while suspended and no longer performing the duties of councillor. Further, the deprivation of property is only temporary, in that an allowance is no longer withheld upon a suspension being lifted and the person resuming their duties. In the event that a person is convicted, they are now ineligible to hold the office and have no continuing entitlement to receive the allowance.

### ***Investigation powers***

#### ***Right to protection against self-incrimination***

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

The Bill promotes the right to protection against self-incrimination in respect of the existing powers of a Commissioner to serve a written notice to a person to appear before the Commission of Inquiry and give evidence or produce specified documents. Clause 24 provides that a person on whom written notice is served under section 206 of the LGA 2020 may make a claim to the Commission of Inquiry that they have a reasonable excuse not to comply with the notice, such as that compliance would tend to incriminate them or make them liable to a penalty in relation to an offence with which the person has been charged and for which a proceeding is on foot, or a proceeding that is on foot for the imposition or recovery of a penalty.

### ***Information sharing and confidentiality provisions***

The Bill amends the LGA 2020 to provide for and clarify information sharing powers of the Principal Councillor Conduct Registrar (**Registrar**), council and other integrity bodies. These amendments are intended to enable councillor conduct matters to be dealt with by the appropriate body and limit the risk of a councillor being subject to separate applications in respect of the same conduct.

Clause 58 amends section 149(3) of the LGA 2020 to enable the sharing of information related to Councillor Conduct Panel processes. Specifically, it permits:

- the Registrar to request information from a council or another person or body that is necessary for determining whether the matter would be more appropriately dealt with by another person or body; and
- the Registrar to disclose information to a Commission of Inquiry or a Municipal Monitor or other body to enable that body to deal with the application.

The Bill further includes reporting provisions to ensure that Councillor Conduct Panel processes can be communicated to the Minister to enable the Minister to determine whether a matter has been dealt with through the councillor conduct framework.

New section 220A of the LGA 2020, inserted by clause 26, permits a Commission of Inquiry to include in a report to the Minister a finding that a councillor is creating a serious risk to the health and safety of other persons or is preventing the council from performing its functions, which may have an impact upon the person's work, their relationships and their reputation generally.

Further, new section 199AA of the LGA 2020, inserted by clause 21, permits the Chief Municipal Inspector to give each House of the Parliament a report on the examination or investigation of any matter relating to a



council's operations or elections, electoral matters, or any possible breach of the LGA 2020, which includes a comment or opinion that is adverse to any person.

Finally, clause 19, which inserts new section 181B, permits a Municipal Monitor to disclose information provided to them and to which client legal privilege applies if the disclosure is made to the Minister or to an integrity body. This amendment may also engage the rights to privacy and reputation under section 13 and to a fair trial under section 24(1).

To the extent that the information disclosed under the above new provisions contains adverse opinions, comments or findings in relation to a councillor, these provisions may also affect the person's privacy, relationships and reputation. Accordingly, these provisions may engage the right to privacy and reputation in section 13 of the Charter.

*Right to privacy and reputation (s 13)*

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

Section 13(b) of the Charter relevantly provides that a person has the right not to have their reputation unlawfully attacked. An 'attack' on reputation will be lawful if it is permitted by a precise and appropriately circumscribed law.

While these amendments are likely to interfere with a councillor's privacy and adversely affect their reputation, I do not consider these interferences to be unlawful or arbitrary for the following reasons.

Firstly, the new information sharing provisions in section 149(3) are necessary to determine which body should deal with a particular misconduct application and enable that body to do so. The reporting powers under sections 181B, 199AA and 220A are for the purpose of strengthening the integrity, accountability and good governance of local government and to enable the above statutory officers to exercise their powers and functions under the LGA. I consider any interference occasioned by these provisions is not arbitrary given that the scope of these powers are appropriately prescribed and proportionate to the legitimate aims of the LGA 2020. For example, section 220A only permits the reporting of a finding that a councillor is creating a serious risk to the health and safety of other persons or is preventing the council from performing its functions. These powers go no further than is necessary to enable the Commission of Inquiry to exercise their investigation functions and to enable the Minister to determine whether or not to suspend that councillor. Further, the reporting powers only authorise the disclosure of matters associated with a councillor's performance of their public duties, rather than their personal affairs, such that a councillor would have a diminished expectation of privacy in relation to these matters.

Accordingly, I consider that these provisions strike an appropriate balance between protecting the privacy of councillors while ensuring that investigation bodies have sufficient information to perform their functions. In my view, the information sharing powers are proportionate to the purpose of the limitation and, therefore, will not be an arbitrary or unlawful interference with privacy.

Secondly, in relation to investigation findings, I consider that the procedural safeguards provided for in the Bill ensure compatibility with the rights to privacy and reputation. New section 181B of the LGA 2020, which permits the Municipal Monitor to report to the Minister investigation findings that are adverse to a person is subject to the following procedural fairness safeguards (which function as an effective mechanism at protecting against arbitrariness):

- new section 181C(1) of the LGA 2020 requires the Municipal Monitor to give a person details of, and an opportunity to respond to, the proposed adverse finding;
- new section 181C(2) of the LGA 2020 requires the Municipal Monitor to consider the person's response before including the proposed finding in a report to the Minister; and
- new section 181C(3) of the LGA 2020 requires the Municipal Monitor to fairly set out any response provided by the person about whom adverse findings are included in a report to the Minister.

Similarly, if including an adverse opinion or comment about a person in a report to Parliament under new section 199AA, the Chief Municipal Inspector must provide the person with a reasonable opportunity to respond to the adverse comment or opinion; and fairly set out each element of the response in the report.

To the extent that new section 181B, which would permit a Municipal Monitor to disclose information to which client legal privilege applies to the Minister or to an integrity body, may interfere with the privacy of persons the subject of the disclosure, the interference will be neither unlawful nor arbitrary. The interference will be prescribed by law, and the Act otherwise prohibits the disclosure of information to which client legal privilege applies by the Municipal Monitor. Therefore, as any interference with privacy and reputation will

be authorised under legislation and is subject to appropriate safeguards, I consider the Bill does not amount to an arbitrary interference with these rights.

Additionally, there are limits on the extent to which information may be disclosed to Parliament. For example, new section 199AA(3) precludes the Chief Municipal Inspector from giving including in such a report any information that would identify a person who is not the subject of an adverse comment or opinion (unless it is in the public interest to do so), or is likely to lead to the identification of a person who has made a disclosure.

#### ***Immunities relating to investigations***

The Bill introduces a number of immunities from liability in relation to conduct investigations. Clause 19 inserts new sections 181A and 181E of the LGA 2020, which respectively provide:

- immunity from any criminal, civil, administrative or disciplinary proceeding to persons who have provided information to a Municipal Monitor on request; and
- immunity for the Municipal Monitor for anything done or omitted to be done in good faith in the exercise of a power or discharge of a duty under the LGA 2020 or in the reasonable belief that the act or omission was in the exercise of such a power or duty.

Clause 24 similarly inserts section 206(1F), which provides immunity from criminal, civil, administrative or disciplinary proceeding to any person who has provided information to a Commission of Inquiry in response to a written notice.

#### ***Right to property (s 20)***

Insofar as a cause of action may be considered ‘property’ within the meaning of section 20 of the Charter, these provisions may engage the right. However, even if these immunity provisions could be considered to deprive a person of property, any such deprivation will be ‘in accordance with law’ and will therefore not limit the Charter right to property. These provisions are drafted in clear and precise terms. In addition, any deprivation of a cause of action is reasonably necessary to achieve the important objective of ensuring that the Municipal Monitor can effectively perform their advisory, monitoring and investigation functions without the threat of significant personal repercussions. It further serves the objectives of the councillor conduct framework by enabling persons to provide information to the Municipal Monitor without fear of legal retribution or exposure to personal liability, which is similar to witness immunity in court proceedings. As such, there are no less restrictive means of achieving the Bill’s objectives of strengthening integrity and councillor conduct. Accordingly, the relevant immunity and protections are, in my view, appropriately granted. They are also limited in scope to good faith actions or omissions.

Further, section 181E does not prevent a person from bringing a claim for liability, as new subsection (2) shifts any liability resulting from an act or omission by a Municipal Monitor to the council. Accordingly, an individual could still initiate legal proceedings against the council for actions of a Municipal Monitor. As such, the right to property is not limited by this provision.

#### ***Publication of personal interests***

##### ***Right to privacy (s 13(a))***

Clause 48 proposes minor amendments to section 135(3)(a), requiring a summary of councillors’ personal interests to be published within 45 days of the returns being lodged. This provision requires the divulging of information that would otherwise be private in nature, thus engaging the right to privacy. However, any impacts on the right to privacy and reputation are not arbitrary or unlawful and can be balanced against the need to ensure the transparent and accountable operation of councils, the integrity of council decision-making and prevention of the misuse of public positions. The role of councillor is a role to which special duties and responsibilities attach, and in this regard, a councillor has a reduced expectation of privacy with regards to this type of information. Further, the provisions are subject to certain safeguards. Interest returns of councillors published under section 135 are only made public in summary form, ensuring more sensitive details about a councillor remain private. As such, to the extent that the publication of the above information will interfere with privacy, any such interference will be lawful and not arbitrary, and will therefore be compatible with the right to privacy.

##### ***Right to participate in public life (s 18)***

The requirement for councillors to disclose their private financial affairs could be seen to have a chilling effect on the freedom to participate in public life. Although the right to take part in public life is a significant right that is fundamental to a democratic system of government, the right is not absolute, and it may be subject to reasonable limitations. In this case, the purpose of the limitation is to ensure the integrity and good governance of the sector and public trust and confidence in those elected or appointed to relevant positions. The provisions do not go any further than is necessary to achieve this purpose. Any limitation on councillors’ rights is appropriately balanced against the strong public interest in preventing corruption and conflicts of interest and

maintaining public confidence in the integrity of impartial decision-making by councillors. I therefore consider that any limitation imposed by these provisions on the right to take part in public life is demonstrably justified in accordance with s 7(2) of the Charter.

#### ***Repeal of review rights***

Clause 70 repeals section 170 of the LGA 2020, which enabled a person affected by the decision made by a Councillor Conduct Panel (CCP) to apply to VCAT for a review of that decision. Clause 46 inserts new section 43A, which prevents a council from indemnifying a councillor, who is a party to an internal arbitration process or CCP process for any legal or other costs connected with these proceedings except in limited circumstances. In depriving affected persons of their review rights, and indemnification, this provision may engage the right to a fair hearing.

#### ***Right to a fair hearing (s 24(1))***

The fair hearing right provides an entitlement to a civil proceeding to be determined by a competent, independent and impartial tribunal established by law. Removing a right of review could be characterised as removing a person's right of access to a tribunal. However, the whole decision-making process needs to be considered, including the conditions under which the original decisions is made, to determine if the right to fair hearing is limited. I consider the CCP model itself affords sufficient independence and fairness at first instance such that there is no need to remedy any perceived lack of independence of the CCP at the VCAT review stage.

However, to the extent that the removal of this entitlement is considered a limit, it serves a legitimate objective.

The purpose of this amendment is to remedy identified abuses of the current framework where persons affected by a decision of a CCP hearing have exercised their right of review and relied on indemnification for legal costs to unduly prolong proceedings. This practice has had the unintended effect of undermining the purpose of the councillor conduct framework, which is to ensure that councillor conduct issues are dealt with quickly and fairly. Therefore, the need to remedy these abuses and provide for an efficient and less litigious councillor conduct resolution process is a reasonable justification for reducing the scope of the fair hearing right.

Finally, despite this amendment, parties affected by a decision of a CCP hearing remain able to seek judicial review of a decision to the Supreme Court, including in relation to grounds that a decision was unlawful, unreasonable or did not afford procedural fairness. Given this, I consider any limitations on the right to fair hearing to be demonstrably justified in accordance with section 7(2) of the Charter.

**The Hon. Melissa Horne**  
**Minister for Local Government**

#### ***Second reading***

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (11:21):  
I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

#### **Incorporated speech as follows:**

It is with great pleasure that I rise to speak in support of this Bill, a Bill which will improve accountability, councillor conduct and governance across the local government sector.

Good governance is critical to ensure councils make sound decisions and deliver the services their communities need.

Since the last council elections in October 2020, there has been an increase in councils that have required governance interventions, including the appointment of municipal monitors to eleven councils (compared to four councils in the previous council term) to guide good governance. One council has also been dismissed following a Commission of Inquiry and one council suspended.

In the same period, the Independent Broad-based Anti-Corruption Commission's (IBAC) *Operation Sandon Special Report* has been released. Also, several examinations of councils have been carried out by the Local Government Inspectorate and the Department of Government Services highlighting areas for improvement in relation to council governance.

If left unaddressed, recurring governance and conduct issues can undermine public trust in the sector, hinder effective decision-making, and impede the delivery of essential services to local communities.

We must set a high standard for the sector. In so doing, councillors must be afforded suitable training that ensures they understand their role and responsibilities and enables them to confidently deliver on their statutory obligations.

For those councillors that choose to engage in misconduct of any kind, intervention should be timely and proportionate, observe procedural fairness, and deliver and enforce an appropriate penalty.

As we head towards the 2024 elections in October, I am committed to delivering reforms that will continue to improve the sector. These reforms will provide confidence and assurance to local communities that their elected representatives are capable and focussed on addressing local priorities.

It is also timely, as we look to the forthcoming local elections, that we ensure our system of local government supports newly elected councillors and provides clarity about their roles and responsibilities.

This Bill will deliver three broad outcomes: strengthened council leadership, capability and councillor conduct; an effective dispute resolution process that provides for early intervention in conduct issues; and additional oversight mechanisms to enable targeted and effective resolutions that support good governance.

The Independent Broad-based Anti-corruption Commission's (IBAC) *Operation Sardon Special Report* made a number of recommendations to improve council governance which the government has accepted in principle. Seven of these recommendations will be implemented through this Bill.

In early 2024 the local government sector had the opportunity to provide feedback on the proposed reforms via the Local Government Reforms Consultation Paper. I am pleased by the many contributions received, the majority of which are supportive of these reforms.

The Bill also provides an extension of the local government electoral process timelines to account for the increased scale and complexity of local government elections. This will support their effective delivery and ensure continued confidence in our local elections.

#### **Strengthened council leadership, training and councillor conduct**

Councillors play an important role in their communities, making local decisions that collectively impact on the day-to-day lives of all Victorians. All councillors must understand their role on council and have regular opportunities during their term to develop their knowledge and understanding.

The Bill will require all councillors to complete mandatory annual professional development training and mayors and deputy mayors will be required to undertake additional training within one month of being elected to these roles, to support effective council leadership.

Poor conduct by a minority of councillors is an ongoing challenge for the local government sector. This Bill will introduce a Model Councillor Code of Conduct that all councillors must observe.

A breach of the Code will be classed as misconduct, and grounds for an application to an internal arbitration process.

A Model Councillor Code of Conduct will provide a consistent approach across all councils and ensure that the expectations of councillors are clear as well as the required responsibilities and obligations of their role.

There is strong support for this reform from the local government sector. During sector consultation on the report, 71 per cent of responses were supportive of this reform. The sector supports a consistent and uniform standard of behaviour, through the establishment of the Model Councillor Code of Conduct, that will increase accountability and raise the professional standards across all councils.

The Model Councillor Code of Conduct will be designed and developed in consultation with the local government sector. Councils will be able to supplement the Model Councillor Code of Conduct by adopting supporting policies that reflect their local circumstances.

#### **Early intervention and effective dispute resolution**

Where intervention into the inappropriate conduct of a councillor is necessary, it is in the best interests of all parties that this is undertaken quickly, procedural fairness is maintained, and an appropriate resolution is achieved.

To address increasing concerns that councillor conduct processes are being unnecessarily drawn out and sanctions delayed due to the multiple appeal avenues, the Bill will remove the process of seeking a review at VCAT for councillors that have had a finding of serious misconduct made against them by a Councillor Conduct Panel. This process has been used to re-litigate the same matters – protracting proceedings and placing an additional burden on all parties.

The removal of the VCAT review process for serious misconduct findings, was supported during consultations and aligns with the internal arbitration process under the *Local Government Act 2020*, where no VCAT review exists. Procedural fairness is maintained as affected parties retain the ability to seek judicial review of a decision at the Victorian Supreme Court.

The majority of sector responses provided through consultation were supportive of this reform, as it will streamline existing dispute resolution processes and ensure that review processes are not politicised.

It is appropriate that those councillors who engage in misconduct and disrupt the business of council are held accountable for their actions.

The Bill will prevent councils from indemnifying a councillor for legal costs relating to internal arbitration processes and Councillor Conduct Panel hearings unless an order has been made granting leave to have legal representation. Importantly, this reform will allow councillors to be indemnified by Council resolution or where an arbiter or councillor conduct panel considers that legal representation is necessary to ensure that a hearing can be conducted fairly. This will address concerns from the sector about the system becoming too legalistic, reduce the resultant delays and minimise costs to councils, and ultimately rate payers.

The sanctions for misconduct have been reviewed and the powers of an arbiter will be enhanced. The Bill will increase the length of time that an arbiter can suspend a councillor for misconduct, from one month to three months.

Two new additional sanctions will also be introduced enabling an arbiter to direct a councillor not to attend or participate in a council meeting, and direct that a councillor is ineligible for the office of Mayor or Deputy Mayor, for a period up to 12 months.

The Bill will make several administrative improvements to the councillor conduct framework to provide procedural clarity and ensure the framework operates effectively.

#### **Oversight mechanisms**

In circumstances where an individual councillor is creating a serious risk to the health and safety of others, or is preventing the council from performing its functions, it is appropriate that their suspension or disqualification be considered.

The Bill will enable the Minister for Local Government to suspend a councillor for up to 12 months. This would apply only when a report from a municipal monitor or Commission of Inquiry make such findings against a councillor.

Further, in instances where a councillor has also been dismissed by an Act of Parliament, the Minister can recommend to the Governor in Council the disqualification of that person from being a councillor for eight years.

Before the suspension or disqualification proceeds, the individual must be notified of the Minister's intention and given an opportunity to respond.

The Chief Municipal Inspector (CMI) reports to the Attorney General in respect to powers derived from the *Local Government Act 2020* (the Act). The Bill will enable the CMI to provide advice, in relation to a council, to any Minister administering a provision of the Act and to table a report in Parliament. This will ensure that, as Minister for Local Government, I can be advised of any governance concerns that the CMI identifies in the course of their investigatory work.

In addition to the CMI's existing investigative and prosecutorial powers, the Bill will provide the CMI with the power to issue infringements to anyone who has committed an offence against the Act.

Currently the CMI can apply to VCAT to stand down a councillor, if charged with an offence that, if convicted, would disqualify them from being a councillor. The Bill will ensure that councillors are now automatically stood down in these instances. This will provide administrative efficiencies and is appropriate given the serious nature of these offences.

Municipal monitors play a fundamental role in supporting good governance in local government. The Bill will strengthen the ability of municipal monitors to perform the functions of their role, including the new functions I have outlined.

#### **Extending the timelines for the local government election process**

Local Government elections will be held on 26 October 2024. In anticipation of this, and in consideration of the increased scale and complexity of local government elections, the Bill will extend the date for the close of the electoral role to ensure the Victorian Electoral Commission (VEC) can effectively carry out its duties.

This change will enable the timelines for the local government elections to be amended through the regulations to support the administration of the election process and ensure that elections are conducted fairly.

**Conclusion**

These reforms will ensure councillors are equipped with the necessary training and skills to effectively perform their roles, and provide assurance to communities that local decision making is being undertaken by competent councillors, who understand their role and responsibilities.

In cases where councillors engage in misconduct, these reforms deliver expedited resolutions and more robust sanctions, ensuring community accountability.

I commend the Bill to the house.

**James NEWBURY** (Brighton) (11:21): I move:

That the debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 15 May.**

**Sustainable Forests (Timber) Repeal Bill 2024**

*Statement of compatibility*

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (11:22): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Sustainable Forests (Timber) Repeal Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this Statement of Compatibility with respect to the Sustainable Forests (Timber) Repeal Bill 2024 (the **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 the Bill**

The Bill supports the Victorian Government's commitment to end commercial native timber harvesting and makes the necessary legislative amendments to repeal the framework that authorised commercial native timber harvesting in Victorian state forests under the *Sustainable Forests (Timber) Act 2004* (**SFT Act**). The Bill will:

- Abolish VicForests and transfer its property, rights and liabilities to the Crown;
- Repeal the SFT Act to remove the framework under that Act that enabled commercial native timber harvesting operations in Victorian state forests;
- Insert an offence provision into the *Forests Act 1958* (**Forests Act**) that prohibits the cut and take of timber in state forests for the primary purpose of sale;
- Insert key compliance and enforcement tools from the SFT Act into the Forests Act to support a graduated enforcement framework for unauthorised native timber harvesting in state forests;
- Align the penalties for various Forests Act offences with the higher penalties for equivalent offences in the SFT Act;
- Insert into the *Conservation, Forests and Lands Act 1987* (**CFL Act**) provisions from the SFT Act that relate to sustainable forest management and are expected to remain relevant after commercial native timber harvesting ends; and
- Insert a regulation-making power into the Forests Act that enables regulations to be made to establish matters that the Minister must consider before deciding to issue licences and permits relating to forest produce.

**Human rights issues**

By repealing the SFT Act and abolishing VicForests, the Bill formally ends commercial native timber harvesting in Victorian state forests under the SFT Act. In so doing, the Bill supports the protection of Victoria's natural environment, including native habitat, flora and fauna.

While the Bill does not directly impact Traditional Owners, they have significant rights and interests in Victorian forests. Accordingly, by protecting state forests from native timber harvesting, the Bill is compatible with the cultural rights of Traditional Owners under s 19(2) of the Charter, which includes the maintenance

of their distinct spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

While the Bill repeals the SFT Act and the framework that enabled commercial harvesting of native forests under that Act, elements of the enforcement and compliance mechanisms in the SFT Act are maintained, such as enforceable undertakings and the compulsory production of documents, where they pre-dated the repeal of the Act.

The Bill also amends the Forests Act to insert compliance mechanisms from the SFT Act, including the power for authorised officers to issue directions, suspension notices, and require the production of documents. The Bill also extends the current power in the Forests Act to seize items where there are reasonable grounds to believe that they may be about to be used in the commission of an offence against the Forests Act.

New offences for the cut and take of timber in state forests for the purpose of sale which aims to prevent unauthorised commercial timber harvesting, and for the contravention of a production notice and provision of false or misleading information have been added to the Forests Act. Existing Forests Act offences have had their penalties increased to bring them into line with the equivalent penalties in the SFT Act. In the case of the offences of 'hinder or obstruct' or 'threaten or abuse' an authorised officer, a term of imprisonment has been added.

The following rights are relevant to the Bill:

- Right to freedom from forced work (s 11)
- Privacy and reputation (s 13)
- Freedom of expression (s 15)
- Property (s 20)
- Presumption of innocence (s 25(1))
- Protection from self-incrimination (s 25(2)(k))

#### **Right to freedom from forced work**

Section 11 of the Charter provides that a person must not be held in slavery or servitude, or made to perform forced or compulsory labour. 'Forced or compulsory labour' does not include court-ordered community work as a condition of release from detention, work or service required because of an emergency threatening the Victorian community or a part of that community, or work or service that forms part of normal civil obligations.

#### Directions and suspension notices

Clause 21 of the Bill inserts new s 57NA into the Forests Act, which allows an authorised officer to give a direction to a licence holder or their representative, in respect of the conduct of certain activities permitted by the licence, namely the thinning, cutting or removal of timber from State forests. Clause 21 then inserts new s 57NB into the Forests Act which empowers an authorised officer to issue a notice to a licence holder or their representative to suspend the activity if there has been a failure to comply with a direction issued under new s 57NA, and if the continuation of the activity would cause imminent environmental damage or pose a serious risk to safety. New s 57ND provides that a suspension notice may also include directions regarding the measures to be taken to remedy any damage, risk, matter or activity to which the notice relates.

The compulsion to undertake an activity or to 'do' something as required by a direction in new s 57NA, or a direction contained in a suspension notice, may interfere with the right to freedom from forced work, specifically the prohibition on compulsory labour in s 11(2) of the Charter. I am of the view, however, that the right is not engaged as any work required by a direction issued by an authorised officer would fall within the scope of the exception to the prohibition in s 11(3) of the Charter, namely work or service that 'forms part of normal civil obligations,' as the directions can only be given to licence or permit holders (or those acting on their behalf) who are engaging in a regulated activity and have voluntarily assumed associated responsibilities and obligations. Additionally, the directions serve a preventative or remedial purpose, being to stop, mitigate or remedy environmental damage or safety risks.

If the exception in s 11(3) does not in fact apply, and the right is engaged, I am of the view that it is not limited by these provisions. New s 57ND allows an authorised officer to offer a person to whom a direction is issued in a suspension notice, a choice of ways in which to remedy the damage, risk, matter or activity, so that the person is not necessarily compelled to undertake work in a specific way. Even where a direction does compel a person to undertake specific work or labour such that the right may be limited, I am of the view that any limit is reasonable and proportionate to the legitimate aims of protecting Victorian State forests from unauthorised native timber harvesting and environmental degradation more generally, as well as ensuring the safety of those that may work within them.

I have also considered whether the directions and suspension notice schemes interfere with the right to privacy and the right to a fair hearing. I am of the view that the right to privacy is not limited, as the directions will fall outside of a person's private sphere and therefore the scope of the right, and where suspension notices prevent a person from working and forming relationships at work, such that the right may be interfered with, the interference is minimal, and is not arbitrary, as it is in accordance with a law that is proportionate to a legitimate purpose. The fair hearing right will not be limited by the suspension notice mechanism because procedural fairness safeguards have been included in the Bill, with new s 57NC requiring that the suspension notice include reasons for the decision, and new s 57NG providing a right of appeal to the Magistrates Court against a suspension notice. On appeal, the Magistrates' Court must inquire into the circumstances relating to the notice, and may affirm, modify or cancel the notice.

Accordingly, I am satisfied these provisions are compatible with the Charter.

### **Right to privacy and reputation**

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

Section 13(b) of the Charter provides that a person has the right not to have their reputation unlawfully attacked. An 'attack' on reputation will be lawful if it is permitted by an appropriately circumscribed law.

### **Production of documents**

Clause 14 of the Bill is a savings provision that maintains the validity of a production notice for documents and its associated compliance requirements under Part 8B of the SFT Act, where such production notice was in force prior to the repeal of the SFT Act.

Clause 22 of the Bill inserts a similar compulsory production mechanism into the Forests Act with new s 75A empowering an authorised officer to issue a production notice requiring the production of a document pursuant to a production order issued by a Magistrate under new s 75B. New s 75E outlines an authorised officer's powers on production of the document, including to inspect, make copies or take extracts, or to retain the document for various purposes outlined in new s 75G(3).

The production of documents provisions to be inserted into the Forests Act may interfere with the right to privacy, given they can compel the production of documents that may contain personal or sensitive information. However, in my view, any resulting interference will be lawful and not arbitrary, for the following reasons.

First, any interference in a person's private sphere will be limited by the scope of the powers, which only require production of documents relevant to monitoring compliance with the Forests Act (for example to prevent unauthorised native timber harvesting), and are therefore less likely to contain private or sensitive information, such as health information.

Secondly, the production of documents framework serves the important purpose of ensuring compliance with the Forests Act, including preventing the unauthorised harvesting of native forests. Additionally, the production of documents is subject to judicial oversight by the Magistrates' Court, which is a key safeguard in ensuring that any interference with privacy by the requirement to produce documents is reasonable and proportionate.

Further safeguards embedded in the Bill include new s 75F which requires that an authorised officer provide a receipt for any documents that are retained, and new s 75G which requires return of any documents within 30 days or as soon as the purpose for retention of the document no longer exists.

Finally, the production of documents under the changes to the Forests Act is subject to a range of confidentiality and information sharing restrictions in the *Privacy and Data Protection Act 2014* in relation to how private information is collected, handled and disclosed. These requirements impose additional safeguards to ensure that personal information collected through a document the subject of a production notice is dealt with appropriately.

I therefore consider that the production of documents provisions in the Bill are compatible with the right to privacy.

### **Requirement to provide name and address**

Clause 23 of the Bill increases the penalties for offences in s 95A(3) and (5) of the Forests Act, which relate respectively to the requirement to provide a person's name and address to an authorised officer upon request, and to provide proof of that name and address if requested. While these requirements may interfere with the privacy right, I am of the view they do not limit it. The offences themselves are not new, and the increase in



penalties is from 5 to 20 penalty units. As such, the Bill simply brings the penalties into line with the penalties in the similar offence provisions in the SFT Act.

The requirement to provide name and address details to an authorised officer is also not an arbitrary or unlawful infringement of privacy; the requirement and related offences for noncompliance seek to ensure the enforcement of the Forests Act which has the important purpose of, among other things, mitigating environmental harm to Victorian state forests from threats such as unauthorised native timber harvesting. It is a necessary pre-requisite for the proper discharge of monitoring and enforcement powers that a person's identity can be ascertained and verified. The legislation is proportionate to this aim and is precise and accessible and therefore not arbitrary. Accordingly, I consider that clause 23 is compatible with the right to privacy.

#### Publication of failure to comply with court orders

Clause 13 is a savings provision that maintains the validity of enforceable undertakings made under the SFT Act, which includes the power to publicise a failure to comply with a court order in respect of an enforceable undertaking. Clause 22 inserts new s 75M into the Forests Act, which allows for the enforcement of an undertaking given to the Secretary pursuant to new s 75L, by a person who has allegedly contravened s 96AA(1A) of the Forests Act as amended, that is they have cut, removed etc timber in a State forest for the primary purpose of sale or processing and sale. New s 75M allows the Secretary to apply to the Magistrates' Court for an order to enforce an undertaking if they consider that a person has contravened the terms of an undertaking, and a failure by that person to then comply with the court order may be publicised (new s 75M(5)(b)). New subsections (6) and (7) also allow for contempt of court proceedings to be initiated against a person who has contravened a court order, and if a contempt finding is made against them, their failure to comply with the order may also be publicised.

While publication of a person's failure to comply with a court order may interfere with the right to privacy (including the right not to have one's reputation unlawfully attacked under s 13(b) of the Charter), in my view there would be no limitation of this right, as the publication of the contravention of the court order that might constitute an 'attack on reputation' is pursuant to a properly circumscribed law, following appropriate judicial oversight of the person's non-compliance with an enforceable undertaking. Further, the law aims to protect Victorian native forests and the publication of non-compliance with relevant court orders is necessary and proportionate to fulfil this important purpose.

#### **Right to freedom of expression**

Section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds. However, section 15(3) provides that special duties and responsibilities attach to this right, which may be subject to lawful restrictions reasonably necessary to respect the rights and reputations of others, or for the protection of national security, public order, public health or public morality.

#### Offence to 'hinder or obstruct' or 'threaten or abuse' authorised officer

Clause 26 of the Bill increases the penalty in the Forests Act for the offence of 'hinder or obstruct authorised officer'. The penalty units have been doubled from 60 to 120 and a term of 12 months imprisonment has been added.

Similarly, clause 27 increases the penalty for the offence of 'threaten or abuse authorised officer' in the Forests Act to 120 penalty units or 12 months imprisonment.

The increase in penalties for these offences, in particular the addition of a term of imprisonment, might be considered to amount to an increased interference with freedom of expression, in particular, the right to impart ideas or engage in expression of political beliefs. However, this right is qualified in that it may be subject to restrictions that protect public order, health and safety or the rights of others. In this case, the Bill brings the relevant penalties into line with the equivalent offences in the SFT Act, and seeks to protect authorised officers from abuse or violence, and allows them to undertake their roles safely. This serves the broader purpose of managing and protecting state forests.

#### **Right to property**

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

#### Production of documents

As outlined above, clauses 14 and 22 relate to the power of authorised officers to compel the production of documents in certain circumstances. Clause 22 for example, inserts new s 75E into the Forests Act pertaining

to an authorised officer's powers upon production of documents. New s 75E(c) allows an authorised officer to retain a document or part of a document for as long as is reasonably necessary to fulfil the purpose for which it is required. This risks interfering with property rights under the Charter.

However, I am of the view that the right is not limited, because the production of documents powers are conferred on authorised officers by legislation that is properly and precisely formulated, and which represents an important compliance and enforcement mechanism in respect of the Forests Act, to protect Victorian state forests, particularly from unauthorised native timber harvesting. The legislation contains safeguards, including that reasonable steps must be taken to provide a receipt for retained documents within 30 days (new s 75F) and that documents must be returned within 30 days, or as soon as the purpose for which it was retained no longer exists (new s 75G). Where an authorised officer cannot return a document after taking reasonable steps to do so, the document is forfeited to the Crown (new s 75H).

Accordingly, I consider that the Bill is compatible with the right to property under s 20 of the Charter.

#### Power to seize items

Clause 24 of the Bill amends the current power in the Forests Act of an authorised officer to seize items. The amendment gives an authorised officer the additional power to seize any item they believe on reasonable grounds is about to be used to commit an offence against that Act or its regulations. Previously an authorised officer had the power to seize an item they believed had been or was being used to commit an offence against the Act.

The power to seize items may infringe property rights under s 20 of the Charter, however, clause 24 merely extends a power to seize items that is already in force, and the power to seize items is conferred by precise legislation that contains various safeguards. Current s 95F of the Forests Act requires an authorised officer to provide a receipt for seized items, and current s 95G pertains to their return, while current s 95H provides for the recovery of, or compensation for, the seized item, where it has not been returned, and proceedings for an offence under the Act have not been instituted, or the person has been found not guilty for such an offence.

Accordingly, the seizure power that is amended by the Bill is 'in accordance with law' and in my view does not interfere with the property right under s 20 of the Charter.

#### **Right to be presumed innocent**

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

#### Offences to contravene production notice and to provide false and misleading information

Clause 22 in the Bill inserts new ss 75I and 75J in the Forests Act, which create offences that contain a 'reasonable excuse' exception. The offences respectively are to contravene a production notice, and to provide false or misleading information in response to a production notice. The 'reasonable excuse' exception risks placing an evidential burden on the accused which may interfere with the Charter right to be presumed innocent.

By creating a 'reasonable excuse' exception, these offences place an evidential burden on the accused, in that they require the accused to raise evidence of a reasonable excuse. However, in doing so, this offence does not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution to prove the essential elements of the offence. I do not consider that an evidential onus of this kind limits the right to be presumed innocent.

#### **Right against self-incrimination**

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

#### Production of documents

As outlined above, clauses 14 and 22 pertain to the power of authorised officers to compel the production of documents from a person in certain circumstances, most relevantly where there are reasonable grounds to suspect that the person has contravened the Forests Act. The compulsory production of documents may interfere with the right against self-incrimination, as a person might be forced to provide documents to an authorised officer, that might contain incriminating material.

At common law, the High Court has held that the protection accorded to pre-existing documents is considerably weaker than that accorded to oral testimony or to documents that are brought into existence to comply with a request for information. The compulsion to produce pre-existing documents that speak for themselves is in strong contrast to testimonial oral or written evidence that is brought into existence as a direct response to questions. Accordingly, any protection afforded to documentary material by the privilege is limited in scope and not as fundamental to the nature of the right as the protection against the requirement that verbal answers be provided.

Importantly, new s 75K of the Forests Act inserted by clause 22 of the Bill states that protection from self-incrimination is a sufficient reason for a 'reasonable excuse' defence for the relevant offences in clause 22 of the Bill, such as for contravention of a production order or providing false or misleading information in response to a production notice. Accordingly, a person may decline to provide documents or give information where doing so would tend to incriminate them.

In view of the protection against self-incrimination offered by new s 75K and given the limited protection afforded to pre-existing documents such as those that might be subject to the production of documents powers in the Bill, and the safeguards referenced above, including the oversight of the powers by the Magistrates Court, I am of the view that the right to self-incrimination is not limited by clauses 14 and 22 of the Bill.

**Steve Dimopoulos MP**  
**Minister for Environment**

### *Second reading*

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (11:23): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

### **Incorporated speech as follows:**

The purpose of this Bill is to make immediate priority reforms to implement via legislation the government's decision to end commercial native timber harvesting in State forests in 2024. The Bill will repeal the *Sustainable Forests (Timber) Act 2004*, abolish VicForests and preserve important tools currently under that Act for regulating and managing activities in State forests in other legislation.

Victoria's State forests are important to Victorians from all walks of life. The connection that Victoria's Traditional Owners and Aboriginal communities have with Country and cultural landscapes – including Victoria's forests – is core to their culture and wellbeing. Our forests are vital for biodiversity conservation and climate change mitigation, provide tourism and recreational opportunities for Victorians to use and enjoy the great outdoors, support local jobs and industries, and have spiritual and cultural value for many communities.

In recent years, Victoria's timber industry has been impacted by repeated bushfires and court decisions limiting the supply available to harvest. To bring certainty to the sector, in May last year the government decided to accelerate plans to end commercial native timber harvesting in State forests from 2030 to 1 January 2024.

This change creates significant opportunities to maintain resilient, healthy forests, advance Traditional Owner self-determination in land and fire management, and achieve environmentally sensitive economic development and employment from Victoria's forest estate.

The government acknowledges the strong commitment and pride of local communities and businesses maintaining healthy forests and keeping Victorian communities safe from bushfires as part of native timber harvesting and forest management operations.

The government released an expanded and expedited transition support package for workers, their families and businesses to support the rapid transition away from native timber harvesting. The government has invested over \$1.2 billion in the forestry industry, management and transition. This includes plantation investment, targeted business and worker support and active forest management.

I recognise the impact the decision to end commercial native timber harvesting has had on VicForests' employees and the regional communities where timber harvesting has been prominent. I would like to take this opportunity to recognise the significant contribution and dedication of VicForests employees to the management of our native forests for over 20 years.

This Bill will remove the framework under the *Sustainable Forests (Timber) Act 2004* that permitted large scale commercial native timber harvesting in State forests. The Bill will abolish VicForests, the State body that managed the harvest, sale and regeneration of timber resources in State forests on behalf of the State. The amendments made by this Bill will also bring across important tools for regulating and managing activities in State forests, such as compliance and enforcement activities and public reporting on forest health, into other legislation. These tools will be preserved to support the ongoing protection and sustainable management of State forests for all Victorians.

This legislative reform will be followed by consideration of further reforms for the management of forests, including through work currently underway to renew public land legislation.

I turn now to the key features of the Bill.

#### **Repeal of the *Sustainable Forests (Timber) Act 2004* and abolition of VicForests**

This Bill will repeal the *Sustainable Forests (Timber) Act 2004* to remove the framework under that Act that permits commercial native timber harvesting in State forests. This Bill will also abolish VicForests in legislation and transfer its property, rights and liabilities to the Crown.

VicForests was established in 2003 as a public body under the *State Owned Enterprises Act 1992* to manage the harvest, sale and regrowing of native timber in State forests on behalf of the Victorian Government. Over time, additional functions were added to VicForests' remit, such as resource modelling, research and development, community forestry, and road and infrastructure maintenance.

Given the decision to end commercial native timber harvesting on 1 January this year, VicForests' primary function to manage commercial native timber harvesting on behalf of the State is no longer required.

Other important forest management functions that VicForests delivered previously, including forest management planning, spatial mapping, seed collection and forest regeneration, will continue to be critical for Victoria's future forest management. These important functions are being integrated into the Victorian Government's broader forest and fire management program and will be delivered by the Department of Energy, Environment and Climate Action from 1 July 2024.

In addition to repealing the *Sustainable Forests (Timber) Act 2004*, the Bill provides that the Allocation Order made under that Act will cease to have effect. The Allocation Order vests property in allocated timber to VicForests and allows it to harvest that timber. This is how VicForests is given the right to access timber in State forests to carry out commercial timber harvesting and associated activities. Through this Bill, property in timber currently vested in VicForests via the Allocation Order will be revested in the Crown.

#### **Removing the Timber Harvesting Safety Zone scheme**

Timber Harvesting Safety Zones were inserted in the *Sustainable Forests (Timber) Act 2004* in 2014 for the purposes of increasing public safety and reducing disruptions to lawful timber harvesting operations by unlawful protest activities.

These provisions will be repealed as they are no longer required with the end of large-scale commercial native timber harvesting and the diminished public safety risks from the use of heavy machinery. There is no longer a need to use these zones to exclude the public from timber harvesting operations.

#### **Retention of forest management tools**

This Bill retains provisions of the *Sustainable Forests (Timber) Act 2004* that remain useful for sustainable forest management. Those provisions will be transferred into the *Conservation Forests and Lands Act 1987*.

The Bill retains provisions for the development of criteria and indicators to assess the condition of all Victorian forests. It also retains provisions for reporting on those indicators and for those reports to be audited. Those provisions underpin Victoria's scientifically robust, and transparent forest monitoring and information reporting. They facilitate the Government's ability to report on the state of Victoria's forests in both the State and National State of the Forest Reports. Retaining these tools will continue important public monitoring and reporting on the health of our forests.

The Bill will also retain the ability for the Minister for Environment in consultation with the Minister for Agriculture to create a fit for purpose Sustainability Charter in the future. This Charter would outline objectives for the sustainability of forests.

#### **New regulation-making power for licences under the *Forests Act 1958***

Victoria's forests make an important contribution to local jobs and industries. They are also central to many Victorian Traditional Owners aspirations for self-determination on Country. Section 52 of the *Forests Act 1958* allows relevant Ministers to issue permits and licences for activities in State forests. Those licences can be issued to support a broad range of activities including cutting and removing timber. However, they are

also issued to support access to a range of other forest products, including grass trees, eucalyptus leaves, soil and rock. They also support important seed collection for revegetation purposes and forest research activities.

The Bill will insert a new regulation-making power into the *Forests Act 1958*. That power will enable regulations to be made setting out matters that must be considered by the relevant Minister before deciding to grant a licence or permit under section 52. Those criteria can be directed toward managing the scale and impact of activities authorised by a section 52 licence. We will also work with Victorian Traditional Owners to ensure cultural values are appropriately managed. Broader environmental legislation and subordinate instruments will continue to apply to provide environmental protections alongside the new proposed regulations, including the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) and the *Code of Practice for Timber Production 2014* (Victoria).

#### **Regulating unauthorised commercial timber harvesting**

This Bill will introduce a new offence provision into the *Forests Act 1958* directed to the unauthorised commercial cut and take of timber from State forests. That offence will carry strong penalties to appropriately deter and punish the unauthorised cut and take of timber for the purpose of sale and financial gain.

The unauthorised taking of timber is the single largest category of offending observed across public land in Victoria – often in the form of the unauthorised take of firewood. It is expected that systematic and repeated unauthorised removal of timber from State forests for financial gain will continue in the future. There is currently no provision in the *Forests Act 1958* directed to the unauthorised take of timber for the purpose of sale, outside domestic firewood collection areas. This Bill will address that gap, and effectively deter and punish the unauthorised commercial take of timber from State forests to protect Victoria's natural environment.

This reform will give the Victorian community confidence that there are appropriate safeguards in place to deter unauthorised activities in State forests, and that there are meaningful consequences for breaking the rules commensurate to the potential environmental harm.

#### **Retaining compliance and enforcement tools**

The Bill will transfer a range of important regulatory and compliance tools from the *Sustainable Forests (Timber) Act 2004* to the *Forests Act 1958*.

The tools to be retained include enforceable undertakings, which provide a collaborative mechanism to address non-compliance with the offence for the unauthorised cut and take of timber for the purpose of sale. Directions and suspension notices will also be retained, which can support a reduction of environmental harm where licences are issued for the cut and removal of timber in State forests. These tools support a graduated enforcement model that allows the regulator to respond proactively and proportionally depending on the risk of environmental harm.

This Bill also aligns the penalties for certain offences relating to the powers of authorised officers in the *Forests Act 1958* with the penalties in the *Sustainable Forests (Timber) Act 2004*. Authorised Officers can be investigating unauthorised native timber harvesting in remote locations and possibly in threatening situations. The availability of higher penalties is essential to provide for the safety of officers and deter non-compliant behaviour by offenders. It brings the *Forests Act 1958* penalties into alignment with other land and environmental legislation.

I commend the Bill to the house.

**James NEWBURY** (Brighton) (11:23): I move:

That debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 15 May.**

*Joint sitting of Parliament***Senate vacancy**

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (11:23): I move:

That this house meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Janet Rice and proposes that the time and place of such meeting be the Legislative Assembly chamber on 1 May 2024 at 6 pm.

**Motion agreed to.**

**Ordered that message be sent to Council informing them accordingly.**

*Bills***Commercial and Industrial Property Tax Reform Bill 2024***Second reading*

**Debate resumed on motion of Tim Pallas:**

That this bill be now read a second time.

**Brad ROWSWELL** (Sandringham) (11:24): I rise to address on behalf of the coalition the Commercial and Industrial Property Tax Reform Bill 2024. In doing so, from the outset I would like to thank sincerely on behalf of the coalition the stakeholders that we have engaged with and that have engaged directly with us in formulating our position on this bill: the Victorian Chamber of Commerce and Industry, the Real Estate Institute of Victoria, the Property Council of Australia and the Property Investment Professionals of Australia. I am also grateful for the engagement of my colleagues, those that represent both metropolitan and regional areas. Every person I have engaged with on this bill has been helpful in some way, and I am sincerely grateful from the outset for their contributions.

At the outset I want to say that from a principles perspective we agree with the government. We agree that the imposition of stamp duty on commercial properties stifles investment, stifles opportunity. It means that those who want to sell their commercial property to move into a larger property or a smaller property, those who want to take the leap into the commercial and industrial property space, perhaps face the unnecessary barrier of the cost of stamp duty. We know that, and at a principles level we believe that everything should be done to try and incentivise and stimulate our economy at the moment, given that after 10 years of the Andrews, now Allan, Labor government the state of Victoria's economy is in a pretty terrible way. Everything should be done to incentivise and to encourage investment by those Victorians who are willing to dip into their own back pockets to create opportunities for others, to give other people the opportunity to experience firsthand the dignity of work, to give others the opportunity to look after themselves and their families through highly paid jobs. And so at a principles level we agree with the government that the burden of stamp duty is an unnecessary burden and one that should be gotten rid of.

The government's proposal is a complex proposal, as outlined in their Commercial and Industrial Property Tax Reform Bill 2024. It is not a simple, clean-cut removal of stamp; it is a removal of stamp, a 10-year transition program and then the implementation of a new tax, a CIPT – a commercial and industrial property tax – from the 10th year. The government proposes that the rate of that tax will be set at 1 per cent of unimproved value of the property for the life of that property, so it is an ongoing tax.

Other examples around the country are, for example, in the Australian Capital Territory, where some time ago it was the intention of the government to remove stamp duty and to replace stamp duty with another CIPT equivalent. The Labor government in the Australian Capital Territory have not actually got rid of stamp duty at all. In fact now commercial properties are being charged not only stamp but also the ACT CIPT equivalent. Perhaps the best example in the country of where this reform has taken

place is in South Australia, where stamp duty itself has been abolished completely and not replaced with anything. I understand that there is a scale difference between Victoria and South Australia. In South Australia the revenue line for stamp duty on commercial properties is about \$300 million. In Victoria it is about \$1.5 billion, so I understand from a financial responsibility perspective and from a government perspective, especially given the debt incurred by this government is massive, that the government would not want to be simply forgoing a revenue line as large as \$1.5 billion. I get that; I understand that. They simply cannot afford to do that. But that would be the easiest thing to do, as has been done in South Australia. That is not the process here.

The other matter that I would like to raise at this point is that the government has said in its material that is available on the Department of Treasury and Finance website that these reforms will be the instigation and the auspices of a \$50 billion economic uplift to Victoria. I am grateful to the Treasurer's office, I am grateful to the State Revenue Office and I am grateful to Department of Treasury and Finance officials who offered the coalition a customary bill briefing on this bill. I took the time to ask the question during the course of that bill briefing: how has the government come to that \$50 billion figure, anticipating that there will be \$50 billion of economic uplift as a result of the introduction of this bill, as a result of the introduction of this reform? I understand that EY has done a bit of work on behalf of the Department of Treasury and Finance in order to model how the government got to this \$50 billion figure and can assert this \$50 billion figure. I am sorry to say that, as I stand here today with the bill being considered before this house, I am not privy to the modelling that the government relies upon to assert that \$50 billion figure.

I think it is fair for me, with my responsibility on behalf of the Victorian people, to scrutinise the government's legislation that comes before this Parliament, and I am sceptical about that number. From a communications and a sales perspective I get it. It is a nice big round number. It is something that the government will no doubt, during government member contributions during the course of this debate, hang their hat on – the fact that there will be \$50 billion in economic uplift in Victoria. I am sure they will. I fully expect them to. My invitation to them is that when they do, they also give Victorians an insight into how the government has actually reached that figure and back it up with an insight into the modelling behind that, because up until this point in time that is unclear to me and that is unclear to the opposition.

There is a risk with the introduction of the government's reforms that there will be some Victorians who will effectively experience double taxation, because under the government's proposal the first purchaser in a commercial and industrial property transaction after 1 July this year will need to pay stamp duty for one final time. Thereafter a 10-year transition period ensues. A commercial and industry property tax, a CIPT, of 1 per cent of unimproved land value will need to be paid for every subsequent year of ownership. This means that investors that hold onto this property for 10 years or more will not only be paying the initial stamp duty up-front but after the 10th year they will also be paying the CIPT, and that is a concern for us. There should be the current system and there should be the new system. With the government's proposal that the house is considering at the moment there is the possibility that those who own commercial and industrial properties in this state and make that purchase after 1 July this year, when these reforms are introduced, will not only pay stamp duty but will also be paying an ongoing CIPT.

We also contend that the CIPT rate of 1 per cent of unimproved land value is unnecessarily high. We are on this side a party, a coalition of people, who want our taxes to be lower, fairer and simpler. We believe 1 per cent is too high. Under some modelling that we have undertaken we believe that the government would reach a cost-neutral position to the budget over 40 years, which is the measure the government are imposing upon themselves for cost neutrality. At 1 per cent they would in fact be earning more than they would have otherwise received.

We propose a 0.8 per cent commercial and industrial property tax in metropolitan areas. While I am on this I will address regional Victoria, because currently regional Victorians or Victorians – anyone in this case – who purchase a commercial or industrial property in regional Victoria are subjected to a

concessional rate of stamp duty. Under these reforms proposed by the government there is no consideration for the concession that regional Victorians currently receive or that regional commercial and industrial properties currently attract. There is no consideration of that whatsoever. We think that is unfair. We think that that will make those who want to upsize or downsize properties in regional Victoria worse off. We do not think that that is a fair thing. We think that the government could have given consideration to commercial and industrial properties in regional Victoria akin to those that are currently there with the concessional rates of stamp duty. Therefore we propose a 0.8 per cent CIPT for metropolitan Victoria and we propose a 0.4 per cent concessional rate of CIPT for regional Victoria. We think that that is a fair proposal, and we urge the government to consider that quite seriously. Under standing orders I wish to advise the house of amendments to this bill and request that they be circulated.

**Amendments circulated under standing orders.**

**Brad ROWSWELL:** Some of the proposed changes that I am addressing now are included in these textual amendments which are being made available to the chamber at the moment.

The other part of the textual amendments which the coalition proposes is an amendment which encourages greater transparency. We are concerned that from 1 July this year that if a property is sold, a new property owner has a choice: they can pay stamp duty up front, or they can have a government loan, which is money loaned to them by the government to effectively pay their stamp duty over a 10-year period, but that loan attracts an interest-rate. That interest rate has two components to it. The first component of the interest rate is linked to the Treasury Corporation of Victoria's 10-year bond rate. I have got no argument with that component whatsoever. I am concerned, however, about the second component to that government interest rate. That is a risk component, as the government has indicated, and that risk component is solely determined by the Treasurer. I am concerned about that, because there is no obligation upon the Treasurer to articulate the reasons for the Treasurer of the day increasing that rate or decreasing that rate or to articulate to those who are subjected to that interest rate why that risk component of the overall interest rate is what it is.

I think that everyone in this chamber would have an expectation that other financial institutions would be transparent around why interest rates are the way they are and to explain that. I think it is fair for us to propose that the Treasurer himself make an annual statement available on why this risk component of the interest rate, which the Treasurer determines in and of themselves, is what it is. I think that is fair, for all Victorians to have some transparency and some accountability around that, and these textual amendments propose that that is undertaken every year.

Again, and in short, we think that consideration in these textual amendments should be given not only to metropolitan but also to regional Victoria. We think that the rate of the government CIPT should be lower than what is currently being proposed – not 1 per cent but 0.8 per cent in metropolitan Melbourne and 0.4 per cent in regional Victoria. That is at the heart of the amendments that we propose.

We propose these amendments in good faith, requesting that the government does take them seriously and does give them serious consideration, so much so that on behalf of the opposition the Manager of Opposition Business approached the government asking the government to consider a consideration-in-detail process for this bill so that these textual amendments would be not just circulated during the second-reading stage of the bill but considered in further detail and the bill voted upon clause by clause, line by line.

**Tim Bull:** How'd that go?

**Brad ROWSWELL:** I am still hopeful, member for Gippsland East, but to date we have not received a positive response from the government on moving this bill into the consideration-in-detail stage to consider what we propose are quite sensible amendments line by line, which is a difficulty for



us. In the eventuality that the government does not allow the house to go into a consideration-in-detail stage and consider these textual amendments, I will move a reasoned amendment. I move:

That all the words after ‘That’ be omitted and replaced with the words ‘this house refuses to read this bill a second time until the government commits to:

- (1) further consultation on the proposed CIPT rate including the cost neutrality of the proposed reforms and how the reforms will affect owners of regional and non-regional commercial and industrial properties;
- (2) providing investors with certainty and confidence against any potential future tax increases; and
- (3) making public the modelling assumptions underpinning the \$50 billion economic uplift anticipated from this reform scheme and the rationale for the risk margin component of the proposed 10-year transitional government loan, including any future changes made to the risk margin component of the loan rate’.

I will be frank with my colleagues and with members of the government: this is my fail-safe way of at least getting the government to pop their hand up and vote one way or the other on some very sensible reforms, some very sensible amendments proposed by the opposition.

In our conversations with stakeholders they have also been concerned by the potential risk of mistakes being made given the short implementation period. Acting Speaker, you will know as well as I that today is Wednesday 1 May. In six short days time we will be here hearing from the Treasurer as he delivers his budget. But that means we are also two months away from the implementation of this bill. Stakeholders that we have spoken to have indicated a concern that this bill is overly complex. It is not a clean-cut bill, as was the case in South Australia where there was simply a removal of stamp, full stop. This bill is more complex insofar as there is a removal of a stamp, there is a transition period, there are government loan potentials – is stamp paid once or over a 10-year period? Then there is the implementation of the CIPT 10 years after the first transaction after 1 July has taken place.

I am hoping to give a sense that there is complexity around this. The stakeholders that I have spoken to have indicated to me that because of that complexity they do have concerns around the short implementation period for this bill. To mitigate those concerns of stakeholders, my encouragement to the government is to work quite closely with stakeholders to make this as smooth a transition as they possibly can. Just one example that comes to mind is the circumstance of real estate agents, who will need to indicate to potential buyers at different parts of the reform process whether the property that they are selling is subject to stamp duty or not, how far away they are from being included as part of the new CIPT process or otherwise.

Does that mean that the Treasurer needs to work with the Minister for Government Services to update the requirements within the contract of sale of a commercial property so that there is transparency around what stage of this reform and transitional process the property in question, the property for sale, is actually up to? There are these sorts of questions which really need to be resolved, and with two months to go before this reform is introduced I would hope that the government is doing everything it possibly can.

I do want to go into some detail just briefly to articulate to the house the reasons for the opposition’s proposed lowering of the CIPT rate from 1 per cent to 0.8 per cent in metropolitan Melbourne and 0.4 per cent in regional Victoria. For example – and this is a fictional name, so no-one should think that I am speaking about them in the first person – let us for a moment imagine that Belinda owns a regional commercial property with an unimproved land value of \$1 million and an improved value of \$2 million. If Belinda bought that property today, she would pay 55,000 bucks in stamp duty, including a 50 per cent regional reduction. But under the proposal that we are considering today, if Belinda bought this property after the final stamp duty had been paid and held onto that property for 13 years, paying CIPT each year, she would have paid the equivalent of \$114,061. I do not expect you to have a calculator with you, so I will help you out. The difference between \$114,000 and \$55,000 is \$59,000, and this is the additional tax that Belinda would be paying – more than she would have initially had to pay through existing stamp duty arrangements.

That is why we think that specifically in regional Victoria there should be greater fairness, there should be greater equity and there should be, in recognition of regional Victoria, as there has been with stamp duty since Adam was a boy, a concessional rate of this tax for regional Victoria. I am looking forward to the contribution of the member for Ovens Valley, who will be up shortly, and hearing from the members for Gippsland South, South-West Coast, Mildura, Polwarth, Shepparton and Morwell. The member for Bulleen is also contributing to this bill. But specifically those colleagues of mine who represent a regional seat and a regional community I am sure will share with the house just the impact that this reform will have without consideration for regional Victoria, and I am looking forward to those contributions.

In conclusion, I believe that the coalition have been entirely reasonable in our contribution on this bill, in our consideration of this bill and in our proposals to better this bill. At the outset we do not disagree with the principle. In fact we agree with the principle. Stamp duty on commercial and industrial properties is a burden. It is a barrier to stimulating and encouraging economic activity in Victoria at a time when we need every stimulus to encourage more economic activity in Victoria and to inject more confidence into Victorian businesses. With that said, we believe that these reforms proposed by the government are unnecessarily complex. We believe that there is a question mark over fairness in relation to the difference between metropolitan Melbourne and regional Victoria. We believe that there are some transparency questions, specifically over the Treasurer's rate of interest, the risk component of that 10-year loan, that 10-year interest rate. We do have question marks over the government's flagged \$50 billion economic uplift, and I would be interested to hear what government members have to say on that matter.

Finally, I would encourage the government to seriously consider the textual amendments that I have circulated in the house today. I would encourage the government to take this bill into a consideration-in-detail stage so we can go through those textual amendments clause by clause, line by line, and carve out a fairer deal for Victorians, carve out a greater transparency for Victorians and carve out a better deal specifically for regional Victorians. I think that is entirely sensible and I think that is entirely appropriate, and I plead with the government to do that. Failing that, I put on record that the coalition will then be moving to our reasoned amendment, which outlines the concerns we have with the bill. But we propose that the bill not proceed until these very important matters that I have articulated – not only on behalf of the coalition but on behalf of the stakeholders that we have engaged with – are considered.

**Nick STAIKOS** (Bentleigh) (11:51): Like the member for Sandringham I would also like to make a contribution on the Commercial and Industrial Property Tax Reform Bill 2024. I enjoyed listening to the member for Sandringham's contribution as I always do, and he said a few things that I thought were very reasonable. Where he really disappointed me was when he had a dig at Victoria's economy and the so-called mismanagement of the Victorian economy over 10 years. We have very short memories some of us in this place. Member for Sandringham, I remember coming into government in the 2014 election – before you joined the Parliament actually – and we inherited the worst unemployment rate in mainland Australia when we came to government. We did; the stats do not lie. Fast forward 10 years and we have currently got the lowest unemployment rate in Australia – that is according to some statistics that were released by the Australian Bureau of Statistics not long ago.

I appreciate that the member for Sandringham says that he wants a carve-out for regional Victoria and a better deal for regional Victoria. I am not from regional Victoria but there are members in the house currently who are, and no doubt the next speaker is going to speak passionately about businesses in regional Victoria. But I might point out two things that we have done for businesses in regional Victoria, and one of those is the 50 per cent stamp duty discount. During the 10-year transition period businesses will continue to receive that stamp duty discount, and then when you combine that with the transition loan it means that over the 10-year transition period regional Victorian businesses will be paying a relatively smaller amount year on year. I would also point out that under this government the payroll tax rate for regional Victorian businesses is just a quarter of what it is in metro Melbourne,

which is significant – and that happened under our government. I will be interested to hear what the regional Victorian members of the house have to say.

This bill represents a shift from the traditional up-front stamp duty on commercial and industrial properties to a more equitable and predictable annual property tax system which will commence after a 10-year transition on newly transacted properties. The current stamp duty system adds to the cost of purchasing property. When applied to Victoria's approximately 265,000 commercial and industrial properties, it discourages businesses from investing, expanding or relocating their operations, impeding growth and productivity. This reform seeks to do away with commercial stamp duty to open a pathway for businesses to thrive, enhance their operational capacity and contribute more effectively to our state's economy.

In place of the current stamp duty arrangements a fair and stable property tax of 1 per cent on the unimproved value of commercial and industrial land will be introduced from 1 July 2024, and subject to the support of Parliament, with these changes there will be no complicated rate schedule or thresholds as there are with the current scheme. The tax will commence after a 10-year transition period from the initial transaction of the property, providing ample time for businesses to adapt and plan with certainty. This gradual integration underscores our commitment to a smooth transition, minimising disruption while maximising potential benefits for our economic landscape. If the property is transacted again, stamp duty will not apply again if the property continues to be used for commercial and industrial purposes, even if it is sold during that 10-year transition period before the tax is implemented.

The tax will not apply to the following: commercial or industrial property purchased before 1 July 2024 and properties primarily used for residential primary production, community services, sport or heritage and cultural purposes as coded by the valuer-general. The government has consulted with the property real estate and financial sectors when tailoring these reforms. The member for Sandringham just said that the opposition has also met with those stakeholders, and he would know that there is significant support in the industry for these reforms.

Replacing stamp duty on property purchases with a broad land-based tax has long been supported by a wide range of industry groups. The Henry tax review, the Productivity Commission and the Grattan Institute have recommended reforms to the existing arrangement for years. As a result, the industry not only embraces our proposed changes but also enthusiastically endorses them. The member for Sandringham mentioned that he met with the Victorian Chamber of Commerce and Industry, and the CEO of the chamber Paul Guerra said:

This is exactly the type of progressive tax reform that is required to free up stamp duty charges, which will accelerate building upgrades, stimulate investment in commercial property and free up more capital.

The first time a commercial or industrial property is transacted with a contract and settlement date on or after 1 July 2024, one final stamp duty liability will apply. The property purchaser must either pay up-front by choosing to self-finance or access a transition loan. To smooth the transition to the new tax system, the government will give purchasers of commercial or industrial property the option of accessing a government-facilitated transition loan as an alternative to self-financing the up-front and final stamp duty amount. In this way eligible purchasers who choose the transition loan option can transition to a smaller annual repayment from the time of purchase, freeing up capital businesses can use to invest in expanding and employing more workers.

The bill also updates the Taxation Administration Act 1997 to include enforcement and administration of taxation laws. It also permits sharing taxpayer information with the Treasury Corporation of Victoria to facilitate transition loans. The reform also gives the commissioner of state revenue the power, upon providing written notice, to recover property tax defaults. This aligns with existing land tax recovery practice. The bill strengthens anti-avoidance measures in the Duties Act 2000, introducing a change-of-use duty to prevent stamp duty evasion and to ensure properties enter the new

reform scheme appropriately. Additionally, property clearance certificates will now provide information on the land's tax reform status and tax obligations.

This is a transitional reform. It is not a simple adjustment to tax settings, it is a different way of taxing commercial and industrial property that will support businesses to grow and expand. This change reflects a forward-thinking approach to fostering an environment where businesses can prosper and contribute to a robust, dynamic economy. It will make it easier for businesses to expand or set up in the best location – for example, closer to their customers or where there is a growing workforce.

This reform is designed to be revenue-neutral over time. Economic modelling suggests that after 40 years this reform will have added 12,600 jobs to Victoria's economy and increased the size of the Victorian real economy by a cumulative \$50 billion in net present value terms. Furthermore, Victorian businesses will be paying around \$260 million less in stamp duty over the next four years because of this reform.

What this bill shows is that our Labor government is committed to transforming Victoria into a leading hub for business investment, because that is what drives jobs growth. But these reforms will not be the only change that businesses see on 1 July 2024, because our government will also be lifting the payroll tax threshold from \$700,000 to \$900,000, and 12 months later, on 1 July 2025, we will lift that payroll tax free threshold again, to \$1 million.

Perhaps I will finish where I started: when we came to government 10 years ago we inherited the highest unemployment rate on the mainland, and that is a sign that under the last government businesses were not expanding, new businesses were not starting. They are now, and you can tell, because we do have a very low unemployment rate 10 years later in this state. This bill is a reform that the industry has called for. It will create new businesses, it will facilitate growth in existing businesses and I commend it to the house.

**Tim McCURDY** (Ovens Valley) (12:01): I am delighted to rise and make a contribution on this commercial and industrial property tax (CIPT) that is being introduced here today. It seems to me like not a month goes by without another tax getting introduced. I think we are at 53 or 54. I have just started to lose count of how many taxes – 53, I think it is, new taxes have been introduced. As Victoria certainly sinks further behind in this financial black hole that we have, Labor's answer is to tax more and tax higher, and we all know that tax levels are directly related to competence – or in this case incompetence. We all remember that famous line on the eve of the 2014 election by the biggest crook Victoria has ever seen – and I am not talking about Ned Kelly there. As I say, we have seen 53 new or increased taxes since Labor came to power.

This tax is a CIPT, and just like land tax it will adversely affect non-traditional Labor voters. The 'PT' at the end really is a political tax; that is what the PT stands for as far as I am concerned. It follows on from the South Australian model, and the South Australian model seemed to work very well except they abolished stamp duty for this sector, the commercial and industrial sector, and they got the uplift that they hoped for in local economies. But Victoria decided, 'We'll follow suit, but we'll also put another tax in place to replace what we're losing.' So you know, it is really not going to have the desired effect that they think is going to follow on from South Australia.

This tax replaces the stamp duty with an annual tax for all businesses that have to pay this on all commercial and industrial properties. It is small businesses who will pay the price here. They are the small businesses that this government detests, and they are going to get hit again. And for some businesses this could be the knockout blow. I am concerned for some of these small businesses who managed to survive the world's longest lockdowns. They are just starting to get back on their feet and then along comes Premier Allan and knocks business to the ground again. Again and again it seems to be the case. If it is not –

**Steve McGhie** interjected.

**Tim McCURDY:** You might get your turn soon, member for Melton. You will not make much use of it, but you might get your turn.

**Iwan Walters** interjected.

**Tim McCURDY:** Dederang? You want to talk about Dederang? We cannot talk about it today. We had a go on that yesterday. Anyway, for many of these small businesses their property is their superannuation. Over many years they have squirrelled away money trying to create a nest egg for their retirement. And as I say, these taxes have come on, changed the dynamics of rents, particularly in the commercial and industrial area, and their nest egg, their superannuation, will start to deteriorate. The Victorian Labor government, due to their incompetence, due to their mismanagement and due to the fact that they cannot manage money, continue to go back and target the small business sector. Remember, we are introducing this only one week before Victoria's worst budget on record will be delivered.

Labor backbenchers, I think you know what is coming, and I think a few of you backbenchers are very concerned about what might not be coming to your electorates anymore. We are used to it, because we are used to getting nothing from this government. But a few of you backbenchers are going to be very concerned because it is not going to get delivered.

*Members interjecting.*

**Tim McCURDY:** These backbenchers are very vocal now. I wonder what they are like in their party room. They are too scared to stand up. They are too frightened to question. They are very noisy in here, but they will pay a heavy price. All this 2022 crop will pay a heavy price – they will never be seen again. The irony is that those who made this mess, those who created the mess, have gone. One Premier is gone. Half the senior cabinet are gone. The Treasurer has got one foot out the door, hoping it does not slam on him on the way as he goes out. These backbenchers that are too scared to speak up in their own opportunity, that are very vocal here, are the ones that are going to be standing here holding the baby, those that are left here.

The member for Sandringham went into great detail on this bill. It is a very complex tax, so I do not think I need to go through all the detail of this tax, how it unfolds and how it affects people, because he did an excellent job. It is just another tax. It is just another dirty tax. What I will do is I will have to be back at my office when this week of sitting finishes, ready to answer the phone again when people start calling like they did about the land tax. The walk-ins, the phone calls and the emails on the land tax will start on this. Unlike some of the backbenchers, we answer our calls, we respond and we tell the world what we have been hearing from our constituents. I suspect there are many Labor backbenchers that are too scared to talk about some of the phone calls and some of the emails they get and the pressure that comes on them. Anyway, they will find out in time.

It is Labor's misunderstanding of how business works. They just do not get that there are two ways you can reduce debt or make your loss less. You can either increase revenue – that is one way – or you can reduce expenditure. Never do they look at reducing expenditure on some of these failed projects. They are always going to touch up small business, put another tax on, try to increase revenue and make other people pay for their incompetence and this insatiable appetite to increase revenue and to increase taxes. Again, it is a bloody-minded approach by the Premier, a dogged approach. For example, they will not back down on the Suburban Rail Loop. They are not going to back down on this billion-dollar project of a train from nowhere to nowhere. They are not going to back down, but they will put more taxes on and continue to put taxes on. When you are beholden to the unions and the demand for jobs for the boys, the Premier is stuck. She has really painted herself into a corner.

The ones who created this mess, as I said, are gone, or most of them are gone – senior cabinet ministers. The Treasurer, with one foot out the door, will be gone by Christmas. It is a shame to see him go, because he is not a bad bloke. I think you have just got to ask him, and he will tell you that he will not be hanging around for the next budget, I can assure you. As I said, the backbenchers will be there

holding the baby. Well done, comrades. Very noble of you to sit in silence while you get screwed over by the senior members of the cabinet. This tax will come into operation on 1 July 2024.

**A member** interjected.

**Tim McCURDY:** As I said, I am not going to talk too much on the bill because it has been done in full detail by the member for Sandringham, and I think he has done an excellent job in understanding the bill and this very complex tax. He has even got textual amendments and a reasoned amendment. It would be nice to think that that the government would consider that reasoned amendment. They have not got a history of doing so. It is that level of arrogance that says 'We know everything. We are the font of all knowledge. We take no advice from anybody, particularly when it comes to taxes, because we're the best in the business of creating more taxes.'

**A member** interjected.

**Tim McCURDY:** Well, you are the best in the business – 53, 54 new taxes. It certainly stands to reason that you are the best in the business. But as I said, my communities will feel the pain from this extra tax that the government has put on, whether it is our communities in Wangaratta, Bright, Myrtleford, Cobram and Yarrawonga, all those communities and all those small businesses. There will be a change in dynamic in how these rentals fold out. It is just sad to see our communities do not get a say in what is going on. It is this insatiable appetite of this government to tax, tax, tax, and we all know Labor cannot manage money.

**Katie HALL (Footscray) (12:11):** I am not sure what they have been putting in water in Tangambalanga, but none of that made any sense to me. But we do have a new slogan for the National Party, which is 'We don't take advice from no-one.' It was a good line from that contribution. I would actually like to commend the member for Sandringham for his half-hour tax chat. I think he did very well. We got to the 18-minute mark before he introduced some amendments, and I think we were down to 12 minutes before we found out that the opposition were sort of supportive in principle, not opposing but introducing a reasoned amendment. So it has been a confusing contribution from those opposite thus far in this debate.

I am delighted to make a contribution to the Commercial and Industrial Property Tax Reform Bill 2024 and note that this is another part of the ambitious tax reforms that the Treasurer has been introducing, and he indeed announced this in the 2023–24 budget. One of the things I really like about this bill and this reform is that it complements the work that the Treasurer has already done in terms of introducing and expanding the vacant residential land tax for sites that are undeveloped for more than five years. This is something that has been an issue in my electorate of Footscray and something I want to touch on before I get to the substance of this bill. One of the issues I have spoken about in this place a number of times and within my community in Footscray is the issue of land banking. We have very large undeveloped commercial sites in Footscray which potentially – they have permits – could be developed. I think in particular of the Forges site in central Footscray and the impact that that site being undeveloped has had on my community. Forges closed 16 years ago, and it is a really significant site in the centre of Footscray which is now in a state of disrepair. Frankly, the owners of those properties should be ashamed for the state that that has been left in and the impact that that has had on surrounding businesses. It is something that is raised frequently in my electorate office. It is something that has caused a great deal of community concern. When we expanded the vacant residential land tax to those undeveloped sites, that sent a clear message that these sites should be developed.

We are in a housing crisis. There is the potential in these well-located parts of my community for this sort of development to take place. That was a reform that I was very pleased to support last year after a campaign that many of us, particularly in inner-city seats, led around issues of land banking and the impact on our community. This reform progressively abolishes stamp duty, again incentivising the activation of commercial and industrial property, and replaces it with a more efficient annual tax based on unimproved land value, which is to be called the commercial and industrial property tax. This new

tax system will apply to commercial and industrial property transactions with a contract and settlement date on or after 1 July 2024.

The benefits of this are obvious. The Shadow Treasurer spoke about his consultation with VCCI in his contribution, and I think Paul Guerra is going to be quoted quite a few times during this debate. Paul Guerra the CEO of the Victorian Chamber of Commerce and Industry, said that:

This is exactly the type of progressive tax reform that is required to free up stamp duty charges which will accelerate building upgrades, stimulate investment in commercial property and free up more capital.

I think that pretty succinctly describes the enthusiasm from the chamber of commerce and industry for these reforms, which they have been very strongly supportive of.

Of course by removing a barrier in terms of stamp duty to investments in commercial and industrial land there will be flow-on effects throughout the economy, and the economy is going well. The member for Bentleigh spoke about our regional unemployment rate. Our unemployment rate across Victoria is at a record low, and when we came into office it was very high. Despite the fact that we suffered from a global pandemic and that there have been very challenging global circumstances that we have dealt with, where we invested to save business and to support our economy and the health system, we have continued to have low unemployment, and we are getting the economy moving again after the terrible global pandemic.

Obviously the removal of stamp duty will encourage businesses to expand or set up in the best location; for example, closer to their customers or where there might be a growing workforce. It will support businesses to invest in buildings and infrastructure, and it will promote a more efficient use of commercial and industrial land. In my electorate of Footscray this is really exciting news because we have large tracts of industrial land that are very close to the city and close to the port but are underutilised, and the potential to activate this land – I am thinking of locations such as Tottenham – will have flow-on effects in my community in Footscray.

Reforming stamp duty has been recommended by numerous inquiries over recent decades, including the Henry tax review, the Productivity Commission and the Grattan Institute. This change means that a retailer will be more likely to buy the new premises that they need for their business to take the next step – for a transport company, for example, to move into a larger warehouse. Over the last year we have seen a number of reforms which are helping to build more houses and encourage property developers to get moving with the sites that they may have left unimproved for more than five years, but we are also taking the pressure off by removing stamp duty and encouraging businesses to develop, purchase and move into property and expand their businesses.

Whilst I was a little bit confused by the contribution of the member for Ovens Valley, this bill is about removing stamp duty, something that is strongly supported by the business community and will have great effect in his electorate of Ovens Valley, which I am very familiar with, and in the city as well in electorates like Footscray, where industry is changing. The industry of old is transitioning, and this is a great opportunity for people to grow their businesses into the future.

**David SOUTHWICK** (Caulfield) (12:21): Labor cannot manage money, and we are all paying the price for this with a record amount of taxes here in this state – 53 taxes, and we heard a 54th tax earmarked only a few days ago, the big housing tax, which is earmarked for potentially looking at some amount of money that will be charged right across the board, a universal levy right across housing. We will be looking out for that in the budget and seeing what the implications are for many of those that are trying to get into their first house in terms of home ownership and also the importance of providing new housing stock.

I was very interested too in some of the contributions we have heard. Earlier on, the member for Bentleigh was talking about how we have seen such an increase in businesses coming to the state and how wonderful everything is. If you had just heard that contribution in isolation, you would think that Victoria and businesses were growing at a rapid rate of knots, but nothing could be further from the

truth. In fact only in February we heard that Victoria has fewer new businesses and startups than anywhere in the country, while many existing businesses are being forced to shut up shop and industry leaders are warning that the state is going backwards. An article in the *Herald Sun* says:

At the same time New South Wales recorded an increase of 13,000 new businesses while Queensland saw an increase of 7600.

Victorian businesses are also closing at the fastest rate, with 129,095 closing in 2023, 22,796 more than in 2021.

Another article says that the ABS:

... released data showing that Victoria recorded a net decrease of 7,606 businesses during the 2022–23 financial year.

And it cites:

The rising cost of doing business in Victoria prompted many firms to relocate interstate or overseas, with rising state taxes being one of the key reasons cited.

We know that Victoria has a larger amount of taxation than any other state – the largest taxing state in the nation – and one of the key components of those taxes is property taxes. We know that whether it be stamp duty or whether it be land tax it is absolutely huge, and we see it a lot in residential and we also see it in commercial. I understand that the government is looking at trying to modify things in this particular bill that is before us today, looking particularly at stamp duty. But some of the concerns here particularly relate to small businesses, because small businesses are the engine room of this state. Small businesses are the ones that employ the most and that are the most innovative and creative, and in most of our electorates we know small businesses that do so much for the community – not just for business and for employment but for the community as well. They sponsor footy clubs and they sponsor all kinds of school activities and everything else. They are literally part of our community.

The concern that I have with this bill is its ramifications for small businesses. The annualised fee of stamp duty that is proposed here – what does this mean for small businesses? Part of the reasoned amendment moved by the member for Sandringham, the Shadow Treasurer, shows it is really important to understand some of these ramifications. What will the consequences be in terms of potential borrowings if they do borrow and choose one of those options that are put forward as part of this bill? What will the cost of those borrowings be? Unlike big business, small businesses, when they purchase commercial property, tend to do so for a long period of time. They do not turn over insofar as you might see a bigger business do, a large shopping centre or a supermarket where they might turn property over; small businesses are in it for the long haul. We need to ensure that small businesses are protected as part of this so we do not see more small businesses shut up shop and go elsewhere because of the taxation that this government continues to impose on many of these small businesses that are already doing it so tough. That is really a key element to all of this.

I note the member for Footscray cited Paul Guerra and the Victorian Chamber of Commerce and Industry and what VCCI has had to say. VCCI released a report on the cost and ease of doing business in Victoria, and there are so many telling things in this report. It talks about conducting a root-and-branch review of Victoria's tax system with the aim of optimising state revenue collection to deal with the costs facing Victorian businesses while also making Victoria the lowest taxing business jurisdiction in Victoria. Wouldn't that be great? At the moment we are the highest taxing jurisdiction. Wouldn't it be great to have something that encourages businesses to invest here, not just local businesses but even international ones as well? When I speak to a number of the consuls, as I have been doing, a lot of them are saying that they are looking to other states because Victoria does not provide the same attraction of investment, and the cost of doing business and taxation are key reasons for that.

The VCCI report reveals Victorian businesses pay the highest national and state taxes relative to gross state product in the country and that the public sector is the smallest in Australia compared to overall



workforce. More than half of the national businesses said it was the hardest place to do business in the nation. Paul Guerra was quoted in that article I mentioned earlier. He said:

We now have to look at this data to work out what is going on and reverse those trends ...

in terms of people leaving the state. The article continues:

“The cost of doing business in this state and the ease of doing business in this state is not the best.

“And if you’re not first, you might as well be last.”

Mr Guerra said some businesses were looking to move main operations from Victoria because of restrictive new and increased taxes.

Here is a situation where you have got the head of VCCI saying that people are moving, that people are choosing other jurisdictions, and it is largely because of our taxation system. We do absolutely need reform. I note the Shadow Treasurer is doing a major review of taxation and has spoken to a number of businesses, a number of industry bodies, including VCCI and the Australian Industry Group and a number of others, a number of mums and dads and property organisations as well, to understand what would be a fairer way to get our taxation system right and, importantly, to grow the state.

We know, as I started this contribution by saying, that Labor cannot manage money and we are all paying the price. I know that is very easy to roll off the tongue, but unfortunately it is so true. In everything that you see – record state debt. We are approaching \$200 billion in state debt – \$15 million a day just to pay the interest on our state debt. Imagine what you could do with that \$15 million a day – that is the interest, that is not to pay down the bill. If it is a home loan, you are not paying off your home, what you are doing is you are just paying the interest. It is \$15 million that we are paying in Victoria each and every day just to pay the interest bill on our debt.

Our state is in absolute disrepair. There are two ways you can do things. You can, as many good businesses would do, grow revenue and grow sales. And how do you grow sales? You encourage investment. You get the private sector – many of the businesses that we are talking about today as part of commercial property – to turn around and say, ‘Come here, invest in here, grow your business, employ people and create opportunities,’ and that will ultimately reduce debt. You could do that. Or you could just tax people more. That is the lazy way. And that is the Labor way – just to tax people more, because if you just tax people more, ultimately you will get money and you will pay down your debt. Well, each and every year we keep seeing Labor taxing people more and the debt going up. So not only are we taxing people more and encouraging less investment – so you are not growing the pie; people are leaving – but also Labor are not managing their projects. We see the blowouts on all of the major projects under the current Premier, who was the former Minister for Major Projects – nearly \$40 billion of major project blowouts under Jacinta Allan and on her watch, now including the Suburban Rail Loop. Each and every seat in our electorates will miss out because this government is absolutely focused on delivering a rail line to nowhere. So here is a government that cannot manage money, cannot manage major projects and has debt blowouts going absolutely gangbusters, unfortunately, and Victorians are all paying for its incompetence.

**Daniela DE MARTINO** (Monbulk) (12:31): I rise today in support of the Commercial and Industrial Property Tax Reform Bill 2024, which marks a pivotal shift in Victoria’s commercial taxation policy. This legislation seeks to overhaul the taxation framework governing commercial and industrial properties, transitioning away from the stamp duty model to a more streamlined and efficient tax system – something that those opposite often call for. Now that we are doing this there are still laments coming from the other side of the chamber. This reform has actually been heralded by experts across various sectors, including some of the businesses across the district of Monbulk. Brendan Coates, who is a program director of economic policy at the Grattan Institute, stated back in May last year that:

Major state tax reforms are few and far between in Australia, which –

is what makes this announcement –

... very, very significant.

Quentin Kilian of the Real Estate Institute of Victoria stated that:

The Victorian Government's abolishment of stamp duty for commercial and industrial property sales is an encouraging sign for the sector, and Victorian businesses more broadly.

These reforms exemplify how the Allan Labor government is able to respond to the changing nature of business needs across our state. This bill introduces a comprehensive framework to facilitate this transition. It is establishing a new act while amending existing legislation to accommodate the changes. This legislative effort follows our very bold announcement made in last year's budget, and it incorporates invaluable feedback which has been garnered from extensive consultation with stakeholders and industry groups. At its core, the new tax system outlined in this bill will abolish stamp duty – or the land transfer tax, as it is technically known – on commercial property transactions. Stamp duty payments will be made for the final time, paving the way for a 10-year transition period during which this newly proposed property tax will take precedence. To ensure a smoother transition into the new tax regime, eligible purchases will have the option to access transition loans to cover up-front stamp duty costs.

The legislation itself outlines really clear criteria for properties to enter the reformed tax scheme. Properties that are transacted post 1 July this year will automatically become subject to this new tax framework, with up-front stamp duty payments being a one-time affair, so to speak. Notably, certain transactions, such as landholder acquisitions, are exempt from triggering entry into the reform scheme, and that is going to preserve flexibility in specific contexts. So existing stamp duty concessions will continue, ensuring continuity in certain property transactions. These include, for my district of Monbulk, the primary production exemption under section 65 of the Land Tax Act 2005, which provides an exemption for land located outside greater Melbourne when it is used for primary production. I have mentioned in this place before that my electorate is the horticultural capital not just of the state of Victoria, but of the country itself, I will claim. This continuity of existing stamp duty concessions will provide a predictable and certain outlook for the multitude of growers across the district of Monbulk.

**A member** interjected.

**Daniela DE MARTINO:** 'Hear, hear!' to that indeed. The cornerstone of this reform is the introduction of commercial and industrial property tax at a flat 1 per cent, which will supplant the stamp duty for eligible properties. While stamp duty will be paid one more time, the reform offers, as I mentioned before, the transitional loans, and they will be available for eligible purchasers, which empowers them to finance up-front stamp duty costs and transition seamlessly into the new tax system. That underscores our Allan Labor government's commitment to fostering a strong environment for business growth, and we do have form in this regard. I have to pick up on what has been said already today and some of the conjecture from those opposite about this government. I just want to point out the changes we made when it came to payroll tax, which we have made much fairer for businesses. I had to pay payroll tax, and I was actually lucky enough that one of the thresholds increased during my time of owning my business. That had a significant impact on my capacity to employ more people and to be able to increase my wages.

The current payroll tax free threshold of \$700,000 is too low, and we acknowledge that. As the member for Bentleigh duly noted, we cut the rate of payroll tax for the regions down to 1.2125 per cent. This increased threshold of \$700,000 we are going to take even further up; we are increasing it to \$900,000 from 1 July, and by 1 July next year it will be \$1 million. These reforms are going to save around 26,000 Victorian businesses up to \$14,550 per year, and around 6000 of those businesses are going to stop paying payroll tax altogether. That is fantastic for our business community, absolutely, and I know it makes a difference. It absolutely makes a difference to the bottom line, and it means that employers

have greater confidence in employing more people or being able to increase the hours of their current workforce, because they know that that tax bill will not be awaiting them at the end of the year.

I feel it is really incumbent upon me to point out the record of the former coalition Victorian government between 2010 and 2014. I would like it put on the record that during the four years of 2010 to 2014 payroll tax stayed at a static 4.9 per cent and the threshold was \$550,000 per annum for every single year. They did make one shift in their final budget, and that was by cutting the tax rate by 0.05 per cent for the financial year of 2014–15.

**Lauren Kathage** interjected.

**Daniela DE MARTINO:** Hold the front door for sure. It is hardly what one could regard as an earth-shattering legacy in assisting businesses across the state of Victoria. We know that reducing payroll tax actually has a benefit, because a study by the Department of Treasury and Finance back in 2021 looked at the effect of lowering payroll tax in the regions and found that businesses facing lower payroll tax bills compared to their metropolitan counterparts increased their total wage bills. What does that mean in real terms? It means more people were paid money in the regions to work. That is a wonderful, wonderful move, and that was a Labor government that initiated that. It was a Labor government that knew that small businesses are important.

I think it is really important that it is noted here that, although those on the other side of the chamber may decry many things that occur here and claim to be the friends of business, in the four years where they actually had the opportunity to make an impact, to have an effect, to assist small businesses, what did small business get? A 0.05 per cent payroll tax rate reduction.

**A member:** What was that?

**Daniela DE MARTINO:** 0.05 per cent – as I said, hardly earth shattering, definitely not something to crow about. But we have a lot where we can put our hands on our hearts and say, ‘We did this. We made an impact. We improved the situation for businesses in the regions and across the state.’ I experienced some of that impact, and if you are a business today in the state of Victoria, next year you are going to have to have a payroll of more than a million dollars to have to then actually pay – at a very low rate compared to what it once was. If you are in the regions, it is tiny. It is a small amount compared to what it was in the state of Victoria. I am glad I managed to put that on the record. I think it is important that the facts are dealt with in this place. We deal with facts, not conjecture and not fearmongering.

What else are we doing? We are also cutting the cost of running business by abolishing business insurance duty, and we are going to be the first state in Australia to do so. Again, let us put that on the record, because that is worth crowing about. The rate of insurance duty on fire and industrial special risks, public and product liability, professional indemnity, employers liability and marine and aviation insurance will be reduced by 1 per cent each year from 1 July. These reforms could save businesses about \$3200 in professional indemnity insurance and about \$2400 in fire and other special risk insurance cumulatively over 10 years. We are making it easier to start and run a small business in Victoria through a regulatory reform agenda, driving business investment and growth by cutting red tape and streamlining licensing and approval processes.

I seem to always run out of time because I get quite excited about these things. I have so much more to say, and the clock is running down, but in terms of this bill that we are discussing today, I know it holds significant promise for the district of Monbulk. We have a manufacturing sector; we have a large industrial area in the foothills. This will assist small and medium businesses to have confidence that as they expand they can purchase a new property and they will not be subject to stamp duty as they have been. It encourages growth. I commend the bill to the house.

**Matthew GUY** (Bulleen) (12:41): A bit of delusion over, and now we will start getting some facts back into this equation. If businesses are going so well in Victoria, why are there 8000 fewer of them today than there were a year and a half ago?

**A member** interjected.

**Matthew GUY**: It's too loud for you? You can go outside if you like. If it's too loud for your ears, go outside. There are 8000 fewer. There is no use trying to lower one tax when you have added 53 others. 'Oh, God, we're doing one, but we've got 53 others.' The property sector accounts for half of those 53.

It gets worse, because we on this side do not forget what Daniel Andrews said on the eve of the 2014 election when asked, 'Do you promise Victorians here tonight that you will not increase taxes or introduce new taxes?' That was Peter Mitchell. And what did Andrews say? 'I make that promise, Peter, to every single Victorian.' A decade and 53 new or increased taxes later it is no wonder there are 8000 fewer businesses in Victoria today than there were a year ago. We have got the government coming into every question time saying, 'We're going to build more houses, we're going to encourage more houses, we're going to do this with houses,' and the property sector is collapsing in this state because they are bearing the brunt of 27 new taxes in a decade. We said this on this side of the house: if you tax this industry to death, you are going to kill it, and they have.

Why do we have a housing crisis? We have a housing crisis because for eight years we had a planning minister who said, 'I will not approve something that I myself would not live in.' Talk about insular; talk about insane. If you do not live in a double-fronted terrace home in Richmond, it is not going to be approved. If a couple of left-wing academics or a journo whose spouse is on the take down at the *Age* do not approve of it, you will not approve of it. And that is the problem. We had a planning minister who did nothing for a decade – almost no precinct structure plans, almost no major tower approvals, almost no urban growth zones reforms – compared to our four years when there were more PSPs approved than in the whole decade of these people in power. There were more downtown apartments approved than in the whole decade of these people. And then they come into this chamber and say, 'Oh my God, there's a housing crisis.' Cooe! You are the problem, you fools. If you had approved something, we might not have the housing crisis.

**Steve Dimopoulos**: On a point of order, Acting Speaker, the member cannot call people fools. That is unparliamentary language. I would call the member for whatever seat it is to account.

**The ACTING SPEAKER (John Mullahy)**: There is no point of order.

**Matthew GUY**: Well, it is quite amazing. In 20-odd years in this place I have not raised a point of order despite all the things you threw at me, all the things your side throws. And, little glass jaw, you cannot handle being called a bunch of fools. I did not call you a fool – I might have – but the whole lot of you are. Here he goes, up goes Frankston. He is the epitome of the word.

**Paul Edbrooke**: On a point of order, Acting Speaker, I have been called worse things by much worse people and much better people too.

**The ACTING SPEAKER (John Mullahy)**: What is the point of order, member for Frankston?

**Paul Edbrooke**: My point of order is: could you please bring the member back to the bill at hand?

**The ACTING SPEAKER (John Mullahy)**: There is no point of order.

**Matthew GUY**: We were talking about growth areas, who are going to bear the brunt of these taxes too. There are 27 of these new taxes. Here is another one. The member for Sandringham is right to bring in a reasoned amendment, because we have got no choice but to try and save a bit of business in this state, given there have been 8000 fewer in the last 12 months. Melbourne Water is a massive drain on growth area development. Cultural heritage is out of control under this government. There are no statutory time frames. Geelong is now more expensive to buy land in than Melbourne. There

go regionalisation and decentralisation, murdered by a government who have approved nothing and who have held no council to account. That is what they have done. That is your growth areas. No wonder with Melbourne's growth areas you just cannot get anything approved. No wonder land prices are going through the roof. No wonder they are still operating off PSPs that I approved, because three ministers have done nothing. Snooze, Lose and Moron have all done nothing for the last decade. In downtown Melbourne they have destroyed the foreign investor market, ruined the foreign investor market. It was the strongest in Australia, with hundreds of millions of dollars worth of investment in the CBD – destroyed by this mob. Their setbacks policy is a disaster. There is no confidence in the City of Melbourne or this government in the downtown area. There is no policy to bring back foreign students. There have been almost no major approvals in the best part of a decade. That tells you everything about confidence.

But I am glad the other side is talking about purchasing one block of land in the suburbs as the measure of success for a policy – one block of land in the burbs. How about seeing economic confidence in our state by putting in place business and taxation policies that encourage people to come to Victoria, not 53 that discourage people from coming to Victoria.

The middle-ring suburbs – we hear the government talk about middle-ring suburbs every question time, do not forget. And I heard the term before from this debate right now. This is the government that bagged development in Melbourne's major activities areas. It was Andrews that called them a forest of skyscrapers, a forest of towers. It was Andrews who said that. Lo and behold, what do we have now?

**Lauren Kathage:** On a point of order, Acting Speaker, I believe the member has – it is a bit hard to hear because of the distortion from the volume and the anger –

**The ACTING SPEAKER (John Mullahy):** The point of order, member for Yan Yean?

**Lauren Kathage:** I believe he has strayed from the substance of the bill.

**The ACTING SPEAKER (John Mullahy):** There is no point of order.

**Matthew GUY:** As I said, it was the Premier Daniel Andrews who said, 'You'll be in a forest of towers.' And what do we have now? We have a government that says, 'Oh, my God, we've got to get towers in major activities areas.' Well, of course we do. Come down, Aladdin. Rub the lamp, and out come major activities areas. It was so obvious then and it is so obvious now. It is in *Plan Melbourne*, which this government adopted and which our government put in place, but Labor bagged it and bagged it and bagged it. Wynne did almost nothing for eight years as minister. The mayor of Melbourne was just surrounded by a bunch of academics and those folk – not all; one or two – down at the *Age* who fuelled his hatred of developers and growth area development. But these are people's homes. This is where Victorians come and live. All those towers which these academics and left-wing types bagged are homes for new Victorians – a home for someone who cannot afford a house and land package but can afford an apartment. They were bagged by this government and they were demonised by this government. And now we have a housing crisis – because of this government.

This government comes into the chamber and says, on this bill, 'We've got all the answers because we're just kind of changing one,' but it has added 27 other new property taxes which have cruelled the market in Victoria and sent investment to Brisbane – which is now expanding and going through the roof, and it will even more when the Liberals win later in the year – and Sydney as well.

And in Melbourne's market, by the measure of success, look at how many cranes are on the skyline compared to a decade ago when there were more than 70 under the coalition. You could not count seven today, and that tells you all you need to know about this government and business confidence in this state, because take out the government-funded projects and the cranes for those across the suburbs and there would be fewer than 20 major boosted jumping cranes throughout the metropolitan

area, and that is because this government has cruelled development in our state. They have taxed the death out of it. They have taxed it to Queensland.

They roll in here, all these amateur hours, reading dot points – it is easy to read a dot point, for God's sake. Come and actually speak what you believe. But they cannot do that and they will not do that, because they do not believe in anything – because the policies that they did believe are from the last decade, which is approving nothing and doing nothing and locking Victorians out of homes in regional Victoria, in growth areas and in the downtown area. At least we did what we believed in, which was getting houses to Victorians, as opposed to these fools who approve nothing and the sheep who roll up in here and read dot points because they are too dumb to have an opinion of their own.

**Paul HAMER** (Box Hill) (12:51): Wow, what an act to follow. I think the member for Bulleen has again clearly demonstrated his desire to take the leadership of the Liberal Party again. I remember that during the previous term there was a similar speech that attracted many thousands of views on his Facebook page, and that did lead to a push later on, so I am sure that all the Liberal members will be on alert now that, clearly, the member for Bulleen has stated his intention. I do want to speak about the bill because it is an important reform –

*Members interjecting.*

**Paul HAMER:** Well, people might want to tune in to actually find out what the bill is about, rather than the drivel that the member for Bulleen talked about. It is an important reform particularly in terms of the business investment and the investment for commercial and business properties. I think we just have to have a look at the supporters of this bill who traditionally would not be considered as supporters of Labor governments or Labor policies but have identified that reforms of this nature are really important in terms of the growth of employment and business in this state. For example, Quentin Kilian of the Real Estate Institute of Victoria has said:

The Victorian Government's abolishment of stamp duty for commercial and industrial property sales is an encouraging sign for the sector, and Victorian businesses more broadly.

And the Victorian Chamber of Commerce and Industry (VCCI), soon after the budget was released last year when this initiative was flagged, said that:

We believe it's appropriate reform and it will stimulate growth and productivity in that sector for years to come.

There are a range of other businesses – I think Paul Guerra from VCCI was mentioned, obviously the Grattan Institute and many others, the Productivity Commission, the Henry tax review – that have all identified reforming stamp duty and instituting a broad-based land tax in place of stamp duty as a move to a more efficient taxation system that can encourage investment and business development. It will encourage businesses to expand and set up in the best location, work closely so that they can set up closer to their customers or where there is a growing workforce and support businesses to invest in buildings and infrastructure.

I want to particularly spend some time on how I see this bill playing out and affecting my community in Box Hill. Box Hill has been identified as a metropolitan activity centre for many, many years. Sometimes it has changed its name, but since 1954 it has been identified as a major employment precinct. Particularly in recent years there has been a strong focus on the health and education precinct, with anchors such as Box Hill Hospital, Epworth, and of course the Box Hill Institute.

The Whitehorse council back in 2019 undertook structure plan work for the metropolitan activity centre of Box Hill, and it had a look at employment forecasts and residential forecasts for the Box Hill activity centre and also the permits and applications that were under consideration at the time. They had two forecasts, one being a higher employment growth forecast. In 2016 they estimated there were about 18,500 jobs in the Box Hill activity centre and that the number of jobs would increase by between 8000 and 11,000 by 2036. If we look at the Suburban Rail Loop business case, which is over a slightly larger area but again most of the jobs are concentrated in the commercial district of Box Hill,

that estimates that in 2056 – so another 20 years further on than that – there will be 48,500 jobs within that precinct, a really growing employment hub. And of course you need to have the accommodation, particularly the commercial accommodation, that can house all of those workers.

If I can return to the *Metropolitan Activity Centre Structure Plan* released by the Whitehorse council, at the time they looked at the permits that were in place that had already been approved by council and those applications that had been put forward to council and had not yet been approved, and they identified that there were a sufficient number of dwellings that had been approved or were in the pipeline to satisfy 18 to 20 years worth of housing demand, but in terms of employment floor space there were permits or applications for 75,000 square metres, which would only satisfy four to six years worth of employment demand. If you think about the time line that is required to deliver particularly commercial buildings – go through the design, the consultation process, the planning and planning approval process and then construction, particularly in a place like Box Hill where in the central part of Box Hill you are talking about commercial buildings which are 20 to 30 to 40 storeys high – they are long planning periods and very long construction periods as well, so starting that process now you are probably not going to have it finished in six years time, even with a fairly smooth process.

It just goes to show that having incentives that can encourage businesses to invest in those commercial areas is going to be really important to make sure, particularly when it relates to a conversion of stamp duty to land tax, that in the long term that is going to mean a more efficient use of the land and an encouragement for those landowners to develop those parcels of land for their highest purpose. Having those taxation measures in place is really going to encourage the property owners in Box Hill to utilise that land to its maximum utilisation and encourage the development of commercial and industrial properties.

As has been stated, just to reiterate the key components of the bill, it will come into effect on 1 July 2024, applying to –

**The ACTING SPEAKER (John Mullahy):** I will interrupt the member for Box Hill. The time has come for lunch. The member for Box Hill will have the call when we come back to the bill.

**Sitting suspended 1:00 pm until 2:02 pm.**

**Business interrupted under sessional orders.**

### *Members*

#### **Minister for Police**

#### *Absence*

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): I rise to inform the house that for the purposes of question time today the Minister for Casino, Gaming and Liquor Regulation will answer questions for the portfolios of police, crime prevention and racing.

### ***Questions without notice and ministers statements***

#### **Family violence**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:02): My question is to the Premier. Under Labor it is no longer a criminal offence for family violence perpetrators to breach their bail conditions. Why did the government weaken bail laws to make vulnerable Victorian women and families less safe?

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): I thank the Leader of the Opposition for his question and for the opportunity to explain to him why he is wrong when he makes the claim that he has made around the strength of our bail laws. I want to be absolutely clear about this lest the Leader of the Opposition tries to go on a campaign of misinformation. I will present to him that we continue to have the toughest bail laws in the country when it comes to those charged with serious offending.

That has not changed. What has also not changed is the requirement on those bail decision makers, the people who are making these decisions, to consider whether a person who is being charged with family violence offences, if they were to be released on bail, may pose a risk to go on and continue to perpetrate acts of family violence. This has not changed either.

I remind the Leader of the Opposition that the bail laws that passed through this Parliament last year had bipartisan support. The Liberal Party voted for the package of bail reforms that passed through this Parliament last year, and it is in that context that I remind the Leader of the Opposition to not spread misinformation. There has been no weakening of these bail laws.

**John Pesutto:** On a point of order, Speaker, on relevance, the question was very narrowly drafted to refer to the abolition of the criminal offence of breaching bail conditions. That has changed. They were changes that were made last year. We moved an amendment; you rejected that amendment.

**The SPEAKER:** There is no point of order. The Premier has concluded her answer.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:05): Frontline members of Victoria Police have said there is now ‘almost no consequence’ for family violence offenders who breach their bail conditions. Why is it the Labor government are ignoring advice from police about the impact of their weakened bail laws on Victorian women and families?

**Jacinta ALLAN** (Bendigo East – Premier) (14:05): The Leader of the Opposition referred to Victoria Police, and I will read to the house a quote from Victoria Police in the papers today:

A police spokeswoman said officers still had the power to bring family violence offenders who breached bail conditions before court, where magistrates could consider revoking bail.

I also say to the Leader of the Opposition I had a meeting with the chief commissioner and other senior representatives of Victoria Police yesterday, along with the police minister and the Attorney-General, and we had a wideranging discussion. The purpose of that meeting was, as part of our ongoing work, to look at what further action we can take as a government, building on the reforms that have been implemented as a result of the family violence royal commission. We had a long discussion about a range of actions, and this matter was not raised.

#### **Ministers statements: gendered violence**

**Jacinta ALLAN** (Bendigo East – Premier) (14:06): I do rise to update the house on the action our government is taking to keep Victorian women safe. We are seeing a woman killed in this country every four days. There is also a bigger number than this: the number of women and children who suffer in silence behind closed doors in households across the country. These are names that will not make it into the headlines but are names that we need to act to support. This is the biggest law and order issue that is happening in our society today, and we have done a lot here in Victoria. We have done a lot. We have put more time and money into the crisis than any other state ever.

But this is a national problem, and it demands and deserves a national solution. This morning I attended a national cabinet meeting called by the Prime Minister. I was invited to share the lessons from our royal commission here in Victoria, the investments we have made, the difference that our Respectful Relationships program in schools is making, the rollout of the Orange Door network, the family violence information-sharing scheme and also safe and secure housing for women escaping family violence.

Along with my colleagues who are state and territory leaders, along with the Prime Minister, we are determined to take action now, including important measures to save lives and keep women and children safe. For example, I absolutely welcome the Commonwealth government’s announcement today to introduce a leaving violence payment to help with the financial cost of escaping abusive or violent relationships. The payment will support women at a point in crisis. I welcome the work the Commonwealth will do to ban deepfake pornography and increase support for the eSafety Commissioner. Governments, state and territory, will work together on information sharing, look at



opportunities to strengthen our justice systems and also listen to and learn from those with lived experience and act with urgency. We do need to act. Women – we – deserve to be safe wherever we are in our community.

### **Economic policy**

**Brad ROWSWELL** (Sandringham) (14:08): My question is to the Treasurer. According to former senior federal Treasury economist Stephen Anthony, Victoria's shocking debt position has resulted in funding for essential services being cut. This means:

Potholes can't get filled, emergency departments can't afford clean linen, primary schools can't fix heaters ...

Why do Victorians who rely on these essential services have to suffer because Labor cannot manage money?

**Tim PALLAS** (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:09): I thank the member for his question. I would make the point that this government was there when Victorians needed it most. We were there and we used our balance sheet to support Victorian businesses and Victorian families, and we never let them down. We were there investing in keeping businesses whole. We were there making sure that families were safe and secure during the trepidations of the pandemic. We made the investment where it mattered. We heard from those opposite during the height of the pandemic what they would have done. We heard them say, 'Balance your budget. Don't go into deficit.' We preferred to use our balance sheet to protect the wellbeing of Victorians. You would have rated your balance sheet above their interests.

*Members interjecting.*

**The SPEAKER:** The member for Evelyn is warned.

**Tim PALLAS:** Let us cast our minds to what that would have meant to those families, what that would have meant to businesses. It would have effectively laid them exposed and laid waste to the trepidations of a once-in-a-century pandemic. As opposed to those opposite, who –

**John Pesutto:** On a point of order, Speaker, on relevance, the question referred to potholes, emergency departments and primary schools. Can you direct the Treasurer to answer the question.

**The SPEAKER:** The Treasurer was being relevant to the question that was asked.

**Tim PALLAS:** The only potholes we see here are in the integrity of those opposite.

**John Pesutto** interjected.

**The SPEAKER:** The Leader of the Opposition will come to order.

**Tim PALLAS:** In the last budget we provided \$3.6 billion over a 10-year period to provide for road maintenance and upgrades. That is what this government does – 10 years worth of vision and effort. On top of that we put literally billions of dollars into immediate emergency support for flooding and damage to roads as a consequence of flooding. So this is a government that votes with its feet and rates the wellbeing of the Victorian public first and foremost. Those opposite can play politics. They can prognosticate about what they would do. We know what they would do. We have seen their form. We know how they behave. They are into cuts and calamities and catastrophes for the Victorian people. They are quite frankly never capable of demonstrating that they have a vision for the future.

*Members interjecting.*

**The SPEAKER:** Leader of the Opposition, I will call you for a point of order, but I ask you not to interject across the table in that manner.

**John Pesutto:** On a point of order, Speaker, can you please direct the Treasurer to answer the question.

**The SPEAKER:** The Treasurer will come back to answering the question.

**Tim PALLAS:** The Victorian commitment to maintaining and managing the challenges that we confront as a consequence of the massive investment we made in the Victorian community continues. We are the only jurisdiction in the nation that has a budget repair strategy post pandemic, the only government that has reported progress against those four steps, the only government who will again report and continue to demonstrate that we are managing the budget and the challenges of the post-pandemic environment with not only alacrity but a focused eye on the wellbeing of the Victorian people.

**Brad ROWSWELL** (Sandringham) (14:13): Global ratings agency S&P has warned the rising cost of meeting Victoria's debt obligations is crowding out other public spending, saying:

Deficit states –  
like Victoria –

will borrow merely to meet interest outlays, creating a vicious feedback loop.

Will the Treasurer admit that Labor's gross financial mismanagement means cuts to essential services and infrastructure?

**The SPEAKER:** I call the Treasurer to respond. I ask for members not to interject while the Treasurer is on his feet.

**Tim PALLAS** (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:14): Certainly with regard to essential services for Victorians, the answer is a clear and emphatic no. I normally would hide behind 'Wait for the budget on budget day', but we remain committed to providing the vital services that the people of Victoria need and deserve. With regard to infrastructure I have been very clear. We are building about \$24 billion worth of infrastructure per year at the moment, close to \$200 billion worth of infrastructure in commencing and continuing projects. We will continue to invest in the future of Victorians today and tomorrow. But as a government we recognise that that level of expenditure is crowding out private sector investment, and we will moderate it over time in order to provide the private sector with the opportunity to build the housing that you so viciously oppose.

#### **Ministers statements: gendered violence**

**Vicki WARD** (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (14:15): Today we acknowledge National Domestic Violence Remembrance Day. We remember all of the women, children and men who have been hurt, who have been abused or who have died because of the violence of someone they love or loved. I want to thank our hardworking, committed family and sexual violence workforce for the necessary and important work they do every day.

Victoria's work in responding to the epidemic of family and gendered violence is nation leading. Responding to Luke Batty's horrific murder by his father in 2014, our government called Australia's first royal commission into family violence. We have implemented all 227 recommendations. We have invested close to \$4 billion, establishing a system to support victim-survivors, undertake prevention initiatives and work with those who choose to use violence, predominantly men.

We have opened our Orange Door network, with 54 locations across Victoria. We are committed to helping rebuild lives and keep people safer. Orange Door has helped almost half a million people, including 180,000 children and young people, and this work has not gone unnoticed, with interstate and international interest. Recently I have hosted my South Australian counterpart with the member for Box Hill, and I have hosted Fijian minister Kiran with the member for Cranbourne. International delegations want to know more about this first-of-its-kind service.

The Allan Labor government has laid strong foundations, and there is more to do. As a government we will continue to build on addressing the issue of gendered violence in Victoria. We want a state

that is free from violence. I want to thank the Premier for her leadership in keeping this issue front and centre on the national agenda.

### Family violence

**Brad ROWSWELL** (Sandringham) (14:17): My question is to the Treasurer. According to an independent Parliamentary Budget Office report, Labor is preparing to discontinue \$9.7 million in funding for the family violence prevention and early intervention with culturally and linguistically diverse communities program. Why is the Treasurer cutting funding to family violence protection services when women in this state and around the country are dying?

**Tim PALLAS** (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:18): I thank the member for his question, and I suppose it comes down to this basic retort: if you ask a silly question, you get a silly answer. Effectively what was asked of the Parliamentary Budget Office –

*Members interjecting.*

**The SPEAKER:** Order! The minister will come to order. Member for Lara!

**James Newbury:** On a point of order, Speaker, on relevance, this is a serious question about family violence prevention, and I would ask you to bring the Treasurer back to that serious question.

**The SPEAKER:** The Treasurer to come back to the question.

**Tim PALLAS:** It is good to have friends like the Manager of Opposition Business when you actually have a threadbare contribution to make in this Parliament. Quite frankly, the Parliamentary Budget Office made it very clear. They were asked the question: what if the government decided to get rid of all lapsing programs? Lapsing programs exist in a budgetary sense for a variety of reasons. Sometimes they lapse because the point in time at which they are to perform their function has been achieved – end of project. Sometimes they exist because in effect the government have formed the view that they will assess the performance and the efficiency of those programs. And sometimes the government want to keep the capability to review the effectiveness of those interventions to see if there are better interventions that we can make. That is what a lapsing program is all about. The fact that somebody audited all of those lapsing programs is simply a demonstration that as a government we actually do not set and forget when it comes to putting in place recurrent expenditure. Those opposite of course had a pretty standard approach. They did not worry too much about lapsing programs; they just slashed right across the board. Who can forget their behaviour when last in government – a 10 per cent cut to public servants.

*Members interjecting.*

**The SPEAKER:** Order! I will call the Manager of Opposition Business for his point of order, but I ask the Leader of the Opposition to cease interjecting across the table.

**James Newbury:** On a point of order, Speaker, the Treasurer is debating the question.

**The SPEAKER:** I ask the Treasurer to come back to the question.

**Tim PALLAS:** To be very clear, this government is and remains committed to supporting Victorians through the most appropriate interventions and through the most effective programs that we can identify, and we will continue to review their efficiency and effectiveness. Whilst those opposite might want to scaremonger, let me assure the people of Victoria that we will not reduce essential services – services that are necessary for the provision, the upkeep, the maintenance and the wellbeing of Victorians. Of course we may have different views about what they are, but I tell you what, if the people of Victoria have to make a choice about who looks after their wellbeing and shows genuine concern for that wellbeing, I am more than happy to have that debate with those opposite anytime.

*Members interjecting.*

**The SPEAKER:** Member for Frankston, you can leave the chamber for an hour.

**Member for Frankston withdrew from chamber.**

**Brad ROWSWELL** (Sandringham) (14:22): After a decade of Labor in power, family violence, kidnapping and abduction offences have gone up by 92 per cent. Nearly all of these offences were against women. After all the funding and announcements, why are women now less safe in Victoria?

**The SPEAKER:** Member for Sandringham, you need to connect your supplementary question to your first question for it to be allowed.

**Brad ROWSWELL:** I contend that the initial question and my supplementary question both related to family violence and both related to funding.

**Mary-Anne Thomas:** On a point of order, Speaker, it is my suggestion that the supplementary question is indeed entirely different to the substantive question, which related to a question about the Parliamentary Budget Office and lapsing programs and did not mention –

*Members interjecting.*

**The SPEAKER:** Order! I cannot hear the Leader of the House on her point of order.

**Mary-Anne Thomas:** The second question, as I said, was about family violence and there was no linkage between the two questions. I ask that you rule it out of order and that you ask the member, as you have already done, to rephrase his question and get on with doing that.

*Members interjecting.*

**The SPEAKER:** It does not bother me if question time goes all day.

**James Newbury:** Further to the point of order, Speaker, the first question related to family violence prevention programs and cuts therein, and the supplementary related to outcomes of those cuts over time.

**The SPEAKER:** I ask the member for Sandringham to rephrase his question.

**Brad ROWSWELL:** After a decade of Labor in power, family violence, kidnapping and abduction offences have shot up by 92 per cent. Nearly all of these offences were against women. After all of the funding and announcements from the Labor government, including \$9.7 million in funding for the family violence prevention and early intervention with culturally and linguistically diverse communities program, why are women now less safe in Victoria?

**Tim PALLAS** (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:26): I thank the member for his supplementary question, such as it is. This government of course led the nation by putting in place a family violence royal commission – \$3.8 billion and implemented every one of the 227 recommendations of the Royal Commission into Family Violence. That was big in Australian terms. It was big in national terms. It was bigger than every jurisdiction in the nation added together, including the Commonwealth, contributing to dealing with issues relating to domestic violence. If you want to look at exactly what this government's commitment looks like –

**John Pesutto:** On a point of order, Speaker, on relevance, the question is about outcomes for women in Victoria. Can I ask you to direct the Treasurer to answer the question.

**The SPEAKER:** The question related to funding for family violence prevention and early intervention programs. The Treasurer was being relevant.

**Tim PALLAS:** Four women a week are dying in this country, and attitudes to women matter. The behaviour of those opposite matters. When the leader of opposition business will not resume his seat when the manager of government business is on her feet, that is a sign of the attitude and the paucity of your mentality.

**James Newbury:** On a point of order, Speaker, on standing order 118, there are people on all sides of the chamber who have been victims of family violence. I would ask the Treasurer to think very carefully about what he is saying and to be relevant to the question that he is being asked.

**The SPEAKER:** The Treasurer has concluded his answer.

**Peter Walsh:** Further to the point of order, Speaker, I assume the Treasurer was referring to the member for Ringwood and the member for South Barwon when he pointed to our side of the chamber.

**The SPEAKER:** Leader of the Nationals, you know that is not a point of order.

### Ministers statements: manufacturing sector

**Natalie HUTCHINS** (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (14:28): I rise to update the house on how the Allan Labor government is supporting cutting-edge research and development projects across local jobs and supporting Victoria's booming manufacturing industry. \$15 million has been allocated across the Industry R&D Infrastructure Fund, and we are supporting critical industry, including renewable energy, health technology, food manufacturing and advanced technology.

Recently I had the pleasure of visiting Quantum Brilliance with my colleague the member for Mulgrave, where we have supported as a government the establishment of a facility to focus on delivering technology-grade quantum diamond materials. These diamonds are not the ones that go on our fingers; these are diamonds that are absolutely essential in the development of computer processing, and this facility is a world first. In addition, along with a member for South-Eastern Metropolitan Region in the other place I recently visited a family-owned business called PowerPlus Energy in Scoresby, and thanks to funding from our government PowerPlus will now invest in prototyping equipment that will change the face of energy around the world. Another local company that we are proud to support, in the member for Albert Park's electorate, is PolyNovo, which designs, develops and manufactures skin regeneration solutions to treat complex wounds.

As you can see, all of these investments in R and D and local industry are absolutely at the cutting edge and creating new, highly skilled jobs for our sector. And I tell you what, unlike those opposite, we are not going to push local manufacturing off to other states. We will be back in local manufacturing across Victoria and growing it.

*Members interjecting.*

**The SPEAKER:** The member for Nepean is warned.

### Energy policy

**Cindy McLEISH** (Eildon) (14:31): My question is to the Minister for Small Business. Mark lives in Rowville and has been a gas plumber since 1988. He says Labor's gas ban has 'taken my work, my livelihood away from me'. Why is Labor implementing an unfair gas ban which destroys jobs and hurts small business?

**The SPEAKER:** Minister for Small Business, as it relates to your portfolio.

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (14:31): I thank the member for her question. On this side of the house we have supported small business and, let me say, shoulder to shoulder we have continued to invest in small businesses. Just recently the Victorian draft default offer, released in March, showed that when it comes to energy prices and other utilities the Allan Labor government's policies are working.

*Members interjecting.*

**Natalie SULEYMAN:** Absolutely. We are committed to supporting small businesses to grow and prosper, and that includes driving down energy costs and making sure that we are supporting small

businesses. Whether it is in Melbourne or regional Victoria, we continue to support small businesses. As many would know on this side, the Victorian government has provided \$250 through multiple rounds of power saving bonuses. We are easing the pressure on small businesses and providing, as I said, many programs that support small businesses. When it comes to investing in small businesses –

**Cindy McLeish:** On a point of order, Speaker, on relevance, the question was around the gas ban, not what the government wants to spruik. We want to know: what is Mark's future?

**Jacinta Allan:** On the point of order, Speaker, if the member for Eildon wishes to ask a question on issues relating to gas and the regulation of the gas industry, she had best ask the relevant minister. Insofar as the minister was being relevant –

*Members interjecting.*

**Jacinta Allan:** How's that respect going? Insofar as the minister was being relevant to the question she was asked, she was being entirely relevant in the confines of her portfolio responsibilities.

**The SPEAKER:** I did indicate that the Minister for Small Business would answer the question as it related to her portfolio.

**Natalie SULEYMAN:** As I was saying, we have continued to invest in small businesses across Victoria, and when it comes to gas connections, we continue to grow in Victoria. There is plenty of work that needs to be done, and of course the relevant minister can continue to answer this question in relation to in particular those questions that you have asked. But when it comes to, as I said, small businesses, we have continued to invest so that businesses in Victoria continue to grow. We have made sure that, as I said, we will continue to invest in small businesses, and if there are any questions in relation to specific questions on gas, I refer them to the minister.

*Members interjecting.*

**The SPEAKER:** The member for Lowan is warned.

**Cindy McLEISH (Eildon) (14:35):** Mark also said that the Labor government has not 'said anything about what is going to happen to me and every other person who works in the gas industry'. Why has Labor turned its back on workers and businesses in this industry?

**Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (14:35):** Thank you very much again for that supplementary question. When it comes to small businesses, as I said, we continue to invest. Let me tell you, I visit a lot of small businesses across Melbourne and regional Victoria, and we have continued to support small businesses, including close to \$16 million in investments to small business precincts, including multicultural precincts across Victoria and in particular in Melbourne. The message that I continue to get from small businesses is that we have their backs, and we will continue to work with small businesses so that they can prosper and grow within Melbourne and Victoria.

#### **Ministers statements: energy policy**

**Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:36):** I think I will take this as the Minister for Economic Growth if I can, because I am very excited that I can announce that last month I partnered with RayGen Resources on a \$20 million investment from the state of Victoria to enable the state's transition to clean sources of energy following the great leadership of our Minister for Energy and Resources.

RayGen has developed photovoltaic solar panels that generate nearly 2000 times more power than traditional solar systems under a concentrated beam of sunlight. Proudly a Victorian company, RayGen has been operating since 2015 at a test facility in Newbridge, which is in the member for Ripon's electorate, while their flagship solar and storage project is in Mildura. While most solar panels used in Australia are made overseas, RayGen's solar modules will be made in Victoria, with a new

manufacturing facility under construction in Hawthorn East. It is not clear to me whether the member for Hawthorn supports this or opposes it, just like he opposes housing developments in his electorate.

We are supporting good ideas like RayGen's energy storage solution, keeping our best and our brightest minds and ideas on home soil and creating jobs, good jobs for Victorians. The sun is indeed shining on Victoria's job creation. More than half a million Victorians have secured employment since September 2020, and that was the height of the pandemic. We have created over 100,000 more jobs than any other state in the nation. The economic outlook for Victoria is also the most robust of all the states. Deloitte Access Economics has forecast that our economy will be the fastest growing in the nation over the next five years, so Victoria is leading the way.

### Energy policy

**Peter WALSH** (Murray Plains) (14:38): The Treasurer might find that that facility is actually in Bridgewater and not Newbridge if he looked at the map.

*Members interjecting.*

**The SPEAKER:** The Leader of the Nationals and the Premier will come to order. Leader of the Nationals, I will sit you down; you will not get a question.

**Peter WALSH:** My question is to the Minister for Energy and Resources. As part of Labor's war on gas, rebates for households and businesses buying gas appliances have been banned. This decision disproportionately hurts regional Victorians, with 70 per cent of rebates delivered to people living in regional centres such as Bendigo and Ballarat. Why is the government targeting regional Victorians as part of its war on gas?

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (14:39): I have looked forward to this question, frankly, for quite some time. Can I just say, there is no war – only in the minds of those opposite, who want to pretend that something sinister is happening when in fact it is not – because our agenda is very clear. Guess who the greatest beneficiaries of the renewable energy jobs that we are creating are: regional Victorians in terms of jobs growth and in terms of economic development, a revenue source for local governments in those areas that otherwise would be struggling and the skills of those young people knowing they have got jobs close to where they live in regional Victoria.

I am not going to be lectured by anyone opposite, who have time and time again proved to be opposed to everything that is about the future here in this state, including our renewable energy transition. Let us also be clear about this. In terms of –

**Peter Walsh:** On a point of order, Speaker, on the issue of relevance, this is about why the government is targeting people in regional Victoria on gas rebates, and I would ask you to bring her back to answering that question, please.

**The SPEAKER:** The minister was being relevant to the question that was asked.

**Lily D'AMBROSIO:** I am not going to apologise for protecting Victorians against those who want to increase their profits by locking Victorians into long-term decades of increased gas prices and gas bill increases by those who privatise our energy system.

*Members interjecting.*

**The SPEAKER:** The member for Nepean can leave the chamber for an hour.

**Member for Nepean withdrew from chamber.**

**Lily D'AMBROSIO:** What I am more interested in is perhaps some of those companies might want to give incentives to get people onto cheaper-to-run electrical appliances, because that will actually deliver savings. Let us be clear about which side of the house is actually interested in

delivering fair outcomes for Victorians when it comes to their energy bills: only this side, protecting consumers against the privatised companies that those people delivered to Victorians, which only led to higher disconnections in this state and higher prices. And, guess what, they are delivering higher prices. If they want to bring back gas, which is their policy, all they are going to be doing is bringing back higher gas prices and locking Victorians into higher bills for decades to come. That is what they want to deliver.

**Peter WALSH** (Murray Plains) (14:42): The Australian Pipelines and Gas Association chief executive Steve Davies has said that the decision to ban rebates means purposefully making Victorians pay more for essential appliances during a cost-of-living crisis. Why are Labor making Victoria's cost-of-living crisis worse due to their ban on gas?

**The SPEAKER:** There is a very tenuous link between the first question and the supplementary.

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (14:43): I thank the member for the supplementary question. You know what, there was a time when those opposite were in government, and, guess what, they did. They rammed legislation through this Parliament to actually increase the cost –

**James Newbury:** On a point of order, Speaker, on relevance, the minister is debating the question.

**The SPEAKER:** I ask the minister to come back to the question.

**Lily D'AMBROSIO:** We have a very proud record of reducing the up-front cost of energy appliances for Victorians. The Victorian energy upgrades program is going from strength to strength, reducing the up-front cost of more efficient electrical appliances. That not only saves Victorians the up-front cost of getting these appliances installed but actually gives savings on their bills each and every year. Those opposite tried to ram through legislation to kill off the Victorian energy upgrades program, and it did not get up only because of us opposite having voted against it and one of their own side doing the dirty on them and crossing the floor. That is what protected the Victorian energy upgrades program. We are going to continue to stick to it and defend Victorians and protect them by giving them cheaper energy bills.

#### Ministers statements: health system

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:44): I rise to update the house on how the Allan Labor government's record investment in health is supporting our hardworking, dedicated and committed healthcare workers to deliver better health care for all Victorians, with the latest quarterly data showing big improvements across key measures.

Two years ago, at the height of the pandemic's impact, our quarterly data reported that 27,000 planned surgeries had been delivered. Contrast that with the quarter just passed and we have almost doubled that number, with 51,000 Victorians receiving planned surgery and 99.99 per cent of the most urgent surgeries delivered within 30 days. Our \$1.5 billion COVID catch-up plan has worked; the number of Victorians waiting for planned surgery is now at its lowest level since the pandemic began.

Our government's investment is also helping Victorians access faster emergency care. Our paramedics continue to respond to a record number of call-outs, with demand 33 per cent higher than it was before the pandemic. In the last quarter our paramedics responded to 96,460 code 1 call-outs, and median response times are now sitting at 11.8 minutes. Our hardworking paramedics have also delivered the best response times in three years. I am also pleased to report that our emergency departments are treating patients 5 minutes faster than they were before the pandemic. Once again this is despite record demand.



## CONSTITUENCY QUESTIONS

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Legislative Assembly

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The Allan Labor government is delivering. We are delivering real outcomes for real people, real patients – not fake patients. If you have any questions about fake patients, they are best directed to the member for Polwarth, who has questions to answer on this matter.

**Richard Riordan** interjected.

**The SPEAKER:** Order! The member for Polwarth will remove himself from the chamber for an hour and a half.

**Member for Polwarth withdrew from chamber.**

**David Southwick:** On a point of order, Speaker, there are a number of unanswered points and questions for the government. Firstly, there is one for the Minister for Public and Active Transport, question on notice 1109 on rail patronage. To the Minister for Transport Infrastructure there is question 1009 on Glen Huntly farmers market; question on notice 1108 on station patronage and new stations; and an adjournment matter, 581, on fixing noncompliant tracks near Glen Huntly station. To the Minister for Education there is a constituency question, 580, on improper influence of radical teachers in classrooms. Finally, there is an adjournment to the Premier, 561, on stronger police powers to tackle hate.

**The SPEAKER:** Could you hand your list to the clerks, please, member for Caulfield, just so they do not miss anything.

**Chris Crewther:** On a point of order, Speaker, I wish to raise a couple of questions I have asked in this place that are overdue: question 554, due on 6 April, calling on the Minister for Education to deliver STEM upgrades and redevelop Mount Eliza Secondary College; and question 595, due on 19 April, calling on the Minister for Police to increase funding, support and resources for the Mornington police. Speaker, can you please direct these ministers to answer these questions and reiterate their urgency?

**The SPEAKER:** I ask the member for Mornington to hand his list to the clerks. I ask members if they have long lists of points of order to make sure that the clerks have a copy.

### *Constituency questions*

#### **Caulfield electorate**

**David SOUTHWICK** (Caulfield) (14:50): (600) My question is to the Premier. My electorate is the home of Monash University Caulfield campus, with thousands of students attending it. Today anti-Israel protesters will be setting up an encampment at Monash University. As we have seen at US colleges like Columbia, these encampments have become havens for antisemites, anti-Western extremists and open supporters of terrorism to spread their hatred, all whilst Jewish students have been targeted and isolated to the point of being officially told to stay away from campus for their own safety. Jewish students at Monash have told me that they fear the same. It is simply beyond appalling that Jewish students would feel unsafe to set foot on a campus named after Sir John Monash, an Australian hero and a proud Australian Jew. How will the Premier work with the Australasian Union of Jewish Students and Monash University students to ensure that all students feel safe on campus?

#### **Ripon electorate**

**Martha HAYLETT** (Ripon) (14:51): (601) My question is for the Minister for Roads and Road Safety. Minister, how is Regional Roads Victoria working to fix the Western Highway between Burrumbeet and Beaufort in my electorate? I am getting nonstop inquiries from locals about this stretch of road, which so many members of my community rely on. There are serious safety concerns with this stretch of road, with many drivers having to travel in the right-hand lane due to potholes and other damage. The Western Highway is one of Victoria's most crucial trade and travel routes, with our agricultural sector relying on it every day to get their goods to market. It is crucial for many

communities across Ripon that this road be fixed and done properly. I look forward to providing residents with the minister's response.

#### **Euroa electorate**

**Annabelle CLEELAND** (Euroa) (14:51): (602) My question is for the Minister for Education, and I ask: why is the Labor government going back on its election promise to provide \$13.7 million to Broadford Primary School for its redevelopment? Having read the news the government's budget pressures have put 89 school upgrade commitments in doubt, parents, students and staff have all grown concerned about the school's redevelopment. School council president Trent Saunders says the community cannot let this slip away. The school is deteriorating quickly, as maintenance has stopped in anticipation of a redevelopment that has now been scrapped. When the Attorney-General and Labor's unsuccessful candidate for Euroa showed up for a photo shoot at the school, they said the funding would be life-changing for students. This life-changing promise is no longer important to the government, who instead will continue to blow hundreds of millions on unnecessary projects. Failing to uphold this commitment jeopardises the academic success of local children while undermining their overall wellbeing. Broadford, like most of regional Victoria, has been deceived by the Allan Labor government.

#### **Mulgrave electorate**

**Eden FOSTER** (Mulgrave) (14:52): (603) My question is directed to the Minister for Energy and Resources. The Victorian energy upgrades program is helping households and businesses get off expensive gas with discounted energy-efficient products. This is helping Victorians save on their energy bills each and every year. How many tonnes of greenhouse gas has the electorate of Mulgrave abated by taking advantage of these discounts and making the switch to efficient appliances since the beginning of the program and in the last 12 months? I am proud to be part of a government that is taking advantage of the renewables revolution and striking the balance between lowering bills and reducing emissions.

#### **Malvern electorate**

**Michael O'BRIEN** (Malvern) (14:53): (604) My constituency question is to the Minister for Police, and my question is simple: when will the Malvern police station reopen to my community as a 24-hour-a-day police station? Last year it was announced the Malvern police station would be closed to the public for 16 hours a day. However, this was expressed to only be a temporary change. With my electorate suffering a 42.6 per cent increase in burglaries in just one year, my community does not feel safe and in fact is not safe. Minister, when will our Malvern police station return to being open 24/7?

#### **Hastings electorate**

**Paul MERCURIO** (Hastings) (14:54): (605) In the 1970s when I was in primary school we lived in housing commission. There was Mum and us four kids surviving on the pension, and it was tough going. Mum used to take us to the dentist once a year or so, which was a very frightening experience because, being on the pension, Mum could not afford the local dental clinic. Instead we would all jump on the bus and go into Fremantle to the dental school. It was a very unpleasant and daunting experience, being treated by students learning their craft. My constituency question is to the Minister for Health. How many students in my electorate of Hastings have been seen by the Smile Squad? Oral health has been an often-overlooked part of our complete health and wellbeing, and I am proud that the Allan Labor government has fought tooth and nail to bring the Smile Squad to every primary school in our state, providing free dental check-ups and treatment to our most precious community members. I certainly wish I had had the Smile Squad when I was in primary school.

#### **Brighton electorate**

**James NEWBURY** (Brighton) (14:55): (606) My constituency question is to the Minister for Water in the other place. When will the state Labor government meet with Elwood community leaders

to commit to addressing the environmental issues in the Elster Creek canal and catchment? My community cares deeply about our natural environment, and we care about the Elster Creek canal, which runs through our community like an artery. In a call for action, residents commenced a petition which calls on the state government to work with appropriate agencies and find an immediate remedy to the growing problem of plastic and polystyrene litter in the canal, which causes harm to wildlife and humans. A staggering 1100 local residents have signed the petition and called for our canal to be protected from plastic litter and toxins. What we need is a focused effort on protecting the canal and Port Phillip Bay now and into the future. The first step in that effort is for the minister to formally agree to meet local representatives and me to receive a copy of the petition, and I ask: when will the minister meet with those representatives?

#### **Frankston electorate**

**Paul EDBROOKE** (Frankston) (14:56): (607) My constituency question is for the Minister for Ports and Freight. Just on the subject of the bay, member for Brighton, we have had pile work commence on the Frankston Pier this month. We have had 15 out of the 17 piles taken care of and replaced to make it safe for people in Frankston to use our beautiful pier on our amazing foreshore. The question I have for the minister is: when will these works finish? I understand that they will be finished in time for the summer rush down in Frankston, but my question on behalf of my community is: when will these works finish?

#### **Narracan electorate**

**Wayne FARNHAM** (Narracan) (14:56): (608) My constituency question is for the Minister for Health, and I ask: will the minister confirm that the new West Gippsland Hospital will have all the services delivered as per the 2022 electoral commitment? The West Gippsland community fought tooth and nail to secure a commitment from Labor for the new West Gippsland hospital. It was a commitment that the Victorian Liberal–Nationals announced way back in 2016, a commitment Labor ignored at the 2018 election, a commitment they said nothing about until October 2022. Now, with the state budget less than a week away, it is a commitment I fear they are considering taking services away from. Warragul and Drouin have been named the fastest growing towns in Australia. We need the infrastructure to match the growth. Anything less will be a betrayal of the promise made to the people of West Gippsland.

#### **Point Cook electorate**

**Mathew HILAKARI** (Point Cook) (14:57): (609) My constituency question is for the Minister for Roads and Road Safety. When will the major and final works begin to upgrade the intersection of Sneydes and Point Cook roads in the community that I represent? Just this morning I was driving down Point Cook Road on the way to this Parliament, and we saw the workers onsite working hard to complete the last of the service relocations, moving the gas pipes so that the work on the final stage of construction could begin. The minister and the department have been onsite with me before, and we know how these upgrades to this intersection, including lights and duplication on Point Cook Road either side of Sneydes Road, will add to the safety of what is presently a difficult and sometimes dangerous intersection. I know how keen the community is to see these works completed. I look forward to the minister returning with me again to this site, and I look forward to the minister's response.

#### ***Rulings from the Chair***

##### **Constituency questions**

**The SPEAKER** (14:58): I have reviewed yesterday's constituency questions. The member for Ovens Valley did not directly ask a question during his contribution, but on reading his contribution as a whole, the member in effect asked the minister whether certain information provided in relation to roadworks was misleading or illegal. I note that the guidelines for questions from page 142 of *Rulings from the Chair* state that questions should not seek opinion, particularly a legal opinion. By

asking the minister whether some information was misleading or illegal, the member for Ovens Valley was asking the minister for an opinion, and therefore I rule what was meant to be a question out of order.

### *Bills*

#### **Commercial and Industrial Property Tax Reform Bill 2024**

##### *Second reading*

##### **Debate resumed.**

**Paul HAMER** (Box Hill) (14:59): I come back to the bill, which I was making a contribution to before the lunch interval. I thought I would use the time that I have remaining to summarise my contribution from earlier about the importance of this reform in removing barriers to more effective investment, particularly in our key commercial and business precincts, Box Hill obviously being one of the most important commercial and business precincts in our metropolitan area.

While there could be some who want the stamp duty removed immediately and to immediately switch over to a land tax, the bill does propose a transitional reform that will commence on 1 July this year. If a commercial or industrial property is contracted after 1 July this year, a 10-year transition period will commence for that property. As has already been flagged by other speakers, at settlement the purchaser will have a choice of paying the property's final stamp duty liability as an up-front sum or through a government-facilitated transition loan, and then when the next transaction occurs – (*Time expired*)

**Danny O'BRIEN** (Gippsland South) (15:01): I am pleased to rise to speak on the Commercial and Industrial Property Tax Reform Bill 2024. I can perhaps assist the member for Box Hill in completing his sentence and highlight that the objective of this legislation is to change the stamp duty charges for commercial and industrial property and effectively remove stamp duty on commercial and industrial property and change it over a 10-year period to a CIPT – a new government charge. It is a very complicated, I might say, process that the government has outlined which will introduce the CIPT – the commercial and industrial property tax – which in theory I am very strongly supportive of. Stamp duty is a very regressive tax, a very uneconomic and inefficient tax, and in particular in the housing sector it reduces the opportunities for people to move and the liquidity of the housing market because of the disincentive that is provided by stamp duty. As a principle I certainly do not oppose this legislation, but even the member for Box Hill ran out of time to explain the context and the content of this legislation and exactly how it will in fact work, because it is quite complex.

There are a couple of things that concern me about the way the government is proposing this. In simple terms, from 1 July this year, which is I must say a very short turnaround time for this legislation to be implemented – given this reform was announced in the budget last year, one does wonder why it has taken so long for the legislation to come before the Parliament and then have a less-than-two-month turnaround time, assuming it does go through the other place next week – the intention would be that any purchasers of commercial or industrial property will pay stamp duty for the final time, and they will have the opportunity to either pay it in a lump sum or take up a loan from the government to pay it over a 10-year period. But after 10 years from 1 July, any such commercial and industrial property transactions will not have stamp duty but will find the commercial and industrial property tax levy payable.

One of the issues that I have with that is that there is a significant aspect of double taxation within the arrangements, because if there is a property sold within that 10-year period – so let us say we have a property sold in August this year – the purchaser of that property will pay the stamp duty either as a lump sum or over a 10-year period, but if they sell it again to somebody else, that person will be liable for CIPT. That is how it works in favour of the industry. But if that person holds on to that property for 10, 15 or 20 years, which I might say is the case in general for property investors – they do not tend to buy something and sell it again two or three years later; they tend to buy it as a long-term

investment – then that person will not only pay stamp duty but end up paying the CIPT as well after 10 years and ongoing at a rate of 1 per cent of the unimproved land value of the property they have purchased. That is where there is a significant double taxation situation here. I am sure that that is how the Treasury has designed it given Victoria's parlous financial state, because we have seen this done in at least one other state, and that was South Australia, where commercial stamp duty was abolished in 2018, but in South Australia they abolished stamp duty on commercial and industrial property and did not introduce another tax. Sadly, as we all know, Victoria is in no position to do that because of the way this government has managed the budget over the last 10 years. We still have a deficit and we are facing \$178 billion in debt that will come at a cost to service of around about \$12 million a day, so clearly the government did not have the opportunity to abolish the tax altogether. So there are some issues with that.

I also support the member for Sandringham's position on the 1 per cent tax rate for unimproved land value for the CIPT. The government has been unable to explain why it has set the rate at that level and how that is fair and has indeed left that to the bill, simply expecting to rake in the revenue at that level. So I support the member for Sandringham's amendment to reduce that level, because the government has not given any indication as to why that should be the rate. The other aspect that I am concerned about when it comes to that rate is that while there are currently stamp duty concessions for commercial and industrial property transfers in regional Victoria they will be abolished under this bill and there is no regional exemption under the CIPT, so effectively what was an encouragement, an incentive, for people to invest in commercial and industrial property in regional Victoria is being abolished by the government in this bill and will no longer apply. That is something that I am always concerned about. It is I think quite sneaky of the government to remove that concession in this way. This legislation highlights the –

**Kathleen Matthews-Ward:** On a point of order, Acting Speaker, I am not sure if that is factual about abolishing the stamp duty concession in regional areas. I understand it continues.

**The ACTING SPEAKER (Jackson Taylor):** That is a matter for debate. There is no point of order.

**Danny O'BRIEN:** That is not a point of order, but it also is not correct, because this bill is abolishing commercial and industrial property stamp duty, so by definition the concession that regional Victorians currently get on commercial and industrial stamp duty is being abolished. It is being replaced by a CIPT that does not have a concession for regional Victoria. Perhaps members opposite should understand the bill a little bit better. They might go and talk to the Treasurer's office and find out.

On this legislation, while, again, I support the principle involved of getting rid of stamp duty, I do have a concern about the complexity of it. It is yet another change. Given the double taxation estimate that I have outlined here, it again highlights the mess that the government has got into when it comes to taxation and property. We have seen this repeatedly over the last couple of years. We know that the state government has introduced or increased 53 taxes – so there have been 53 new or increased taxes since it came to office – and more than half of those are on property. Whether it is the windfall gains tax, whether it is land taxes, whether it is absentee landholder taxes – and we have been hearing noises this week about a new universal property development tax – all of these simply add to the cost of housing. They simply add to the cost of property more broadly but in particular housing.

It is no surprise to hear that the Procore–property council survey for the last three months, which was only released a couple of weeks ago, indicates that confidence within Victoria's property industry is faltering, significantly trailing behind the national average. Indeed the update from the property council indicated that Victoria was the only state to record negative expectations for economic growth over the next 12 months, sitting at minus 23, with zero being neutral. But particularly with respect to industry confidence, Victoria was the exception to the national trend, with the industry confidence index falling to 104 points, well below the national average of 120.

Some of those opposite and certainly their fellow travellers in the Greens will say, 'Oh, well, that's just the rich greedy property developers.' What they fail to understand is that they are the people that build homes for people. They are the people who provide homes for Victorian families to buy and for Victorian families and singles to rent. It is lost on this government time and time again that if you continue to increase taxes on property it will simply be passed through to the end user – whether that is people buying their first home, their second or third home, their family home, or whether that is renters. I am bemused that this legislation has a prohibition on passing on the tax to tenants. That simply does not show an understanding of the commercial reality of what will happen in the market. I think the government continues to mess up tax reform. This is in principle a good way to go, but I am concerned that the government has made it far too complex.

**Kathleen MATTHEWS-WARD** (Broadmeadows) (15:12): I rise to support the Commercial and Industrial Property Tax Reform Bill 2024. Land transfer duty has long been recommended for reform. Numerous inquiries over recent decades, including the Henry tax review, the Productivity Commission and the Grattan Institute, have all shared the same view. The up-front cost of stamp duty can be a significant financial barrier for potential businesses starting up or relocating. This can discourage businesses from investing or expanding operations at a time when Victoria's economy is showing no sign of slowing down, thanks to the work of the Allan Labor government. The Australian Bureau of Statistics data shows that an additional 5800 Victorians found jobs in March, bringing the total working population to more than 3.7 million. This reform will see a progressive removal of the up-front cost of stamp duty on commercial and industrial property purchases sold with a contract date after 1 July 2024, freeing up capital for businesses to employ more workers.

As of 1 July this year any purchases of applicable zoned properties will have stamp duty payable one final time, and the property will enter the 10-year transition period to commercial and industrial property tax, CIPT. The purchaser will have the choice to either pay the property's final land tax transfer duty liability as an up-front lump sum or finance the land transfer duty through a government-facilitated transition loan, allowing them to make annual loan repayments over 10 years equivalent to the property's final up-front land transfer duty liability plus interest. The loan will be provided by the Treasury Corporation of Victoria on commercial terms, including a fixed market-based interest rate. Annual repayments over 10 years will be set up-front to provide applicants with certainty. The loan will be of particular benefit to small and medium-sized businesses as it will be available for property with a purchase price of up to \$30 million. If the same property sells at a subsequent time, a duty exemption will apply as long as the property still has a commercial or industrial use – a huge saving incentive for investment into our business economy.

After a 10-year transition period after the entry transaction, a more efficient tax, CIPT, will apply to such properties annually. It will apply to properties that entered the tax reform scheme at least 10 years prior, having a contract date after the 1st of the 7th this year, being used for qualifying commercial or industrial purposes including eligible student accommodation – which adds to housing – and not being exempt from land tax. CIPT does not apply to properties that have not entered the reform, and it ceases to apply if the property is converted to a use that is not commercial or industrial. CIPT will be set at a flat 1 per cent of the property's unimproved land value. This will drive business growth and boost jobs, especially in local economies and industrial precincts like Broadmeadows and Campbellfield, as a duty will no longer be applicable to that property.

Exemptions that apply to land tax will also be applied to property tax for commercial or industrial property. Any commercial or industrial property primarily used for primary production, community services or sport, heritage or cultural purposes will be exempt from CIPT if the criteria for exemption under the Land Tax Act 2005 are met. Duty concessions will also still apply to entry transactions – for example, the existing 50 per cent concession for regional, commercial and industrial land. The *Melbourne Industrial and Commercial Land Use Plan* of 2020 was developed to ensure that there is sufficient land to meet future demand for a range of business purposes and to support Victoria's competitive advantage in attracting economic investment. The northern region in the plan contains my

electorate, the local council of Hume and the northern growth corridor. There is significant opportunity for future industry and housing due to the proximity of the major connecting freeways and airports, and working close to home has always been a priority for local people. Key industries within Broadmeadows are transport, logistics, warehousing, advanced manufacturing, circular economy, construction and retail trade, all of which will benefit from the new reform.

The Allan Labor government's landmark Big Housing Build has also been a driving force behind the construction sector's growth and confidence. The plan is anticipated to require upwards of a 40 per cent increase in the supply of commercial floor space within the Broadmeadows metropolitan activity centre. The tax reform will encourage local businesses investing and trading close to home in the major hub currently there, with significant retailing, entertainment and office facilities already thriving and tenancy rates at an all-time high.

There are approximately 265,000 commercial and industrial properties in Victoria, and ABS national accounts data show our state had the largest business investment increase of all the states in 2023, an increase of more than 13 per cent. This was in addition to growth of 8 per cent in the previous year. Melbourne maintains a significant industry sector and has been able to be agile and keep up with the changes in economic demands and trends. With the continued uncertainty in international supply chains and the growing need to produce more products here in Australia, I wholeheartedly support changes that encourage local manufacturing growth and capability, like this reform.

I also appreciate the significant investment the Victorian Labor government has made over the last decade, including \$21 million recently to establish a Manufacturing and Industry Sovereignty Fund, providing grants to support the development, expansion and retention of Victoria's strategic manufacturing capability. After years of inaction at a federal level by the coalition government, Australia was ranked last in the OECD when it came to manufacturing self-sufficiency. I am very proud of federal Labor's \$15 billion National Reconstruction Fund to turn this around. The fund will revive our ability to make world-class products and, in the process, diversify our economies and create secure, well-paid jobs for Australians.

Growth in freight and logistics is increasing in importance to serve our growing population, and as online shopping becomes more prevalent I have been known to keep a few freight and delivery services busy myself on occasion. I was honoured recently to attend the opening of a significant industrial investment in Campbellfield, with Centuria opening five new warehouses in the M80 Connect super-prime facility, along with the member for Greenvale. The development will create 280 new local jobs for the community and contributes to the job growth, business diversity, economic growth and overall identity of the Broadmeadows electorate. We have the enviable location of being a mere 15 kilometres from Melbourne's CBD, 10 kilometres from Tullamarine Airport and 17.5 kilometres from the Port of Melbourne, with direct access to the Metropolitan Ring Road.

Progress is going well on the \$400 million Somerton intermodal freight terminal being built in partnership with Aware Super, and I thank Aware Super for the incredible investment they are making in our community. This employment estate will create hundreds of quality jobs and reduce thousands of tonnes of carbon emissions each year. I thank Minister Horne and the member for Greenvale for their support of this project. I would also like to say a big thankyou to Hume City Council for their leadership and for their fabulous economic development team, who work in partnership with industry and state government to ensure that we have great jobs of the future locally.

The CIPT reform will allow further investment into the local industrial and commercial opportunities that my electorate provides. I was fortunate to be part of the recent announcement by Minister Dimopoulos of the Victorian Labor government's circular economy grants, including \$2.5 million towards the establishment of a state-of-the-art lithium battery processing and recycling plant in Campbellfield, enabling them to expand operations, employ more staff and recycle more batteries. I am so proud to be part of a Labor government that is investing in transforming the waste and recycling

sector and aims to divert 80 per cent of waste from landfill by 2030. Even though it is illegal to put batteries in landfill, only 12 per cent of batteries are recycled every year, so we really need to do better.

I have long been passionate about the benefits of a circular economy and reducing landfill, and my family and friends will attest to my waste-sorting processes and reuse philosophies, including my sister, who once received a library book from me for Christmas. Yes, she had to return it after she enjoyed reading it. I am pleased to say that Campbellfield, within my Broadmeadows electorate, is the circular economy capital of Victoria. Much of the local industrial land is devoted to mining resources from existing resources, saving on landfill and reducing the need to mine raw materials. Minister Dimopoulos and I along with mayor Naim Kurt visited Simon at Rock Reck in Campbellfield, who takes in construction concrete and rubble for free from demolished homes and recycles it into slab-grade and road-grade materials, of which there is a shortage. The new reform will make it more financially viable for these sorts of businesses and companies to continue their work transitioning Victoria to a sustainable circular economy.

Stamp duty has long been a financial barrier for both commercial and residential property purchases in Victoria. I remember back to when Joe and I were looking at making our first property purchase as newlyweds. We ended up buying a four-bedroom home for just the two of us. We knew at some point in the future we hoped to fill it, but we were keen to avoid paying stamp duty on multiple properties along the way, and I know of many people living in houses of a size they no longer need, to avoid paying stamp duty. Thankfully, there have been some welcome additional residential stamp duty financial supports introduced since we purchased nearly 25 years ago. Several concessions now exist to ease the burden of land transfer duty on residential property purchases, including the first home buyer, principal place of residence and pensioner concessions.

Labor is making history by being the first government in Victoria to eliminate stamp duty on commercial and industrial properties in this state. This reform will encourage businesses to invest, to create jobs and to grow. It will help drive productivity in our state and will facilitate the transition in a manner that supports businesses in a sustainable way. The bill also makes consequential amendments to other acts to ensure that the reform can be administered so that the treatment aligns with land tax.

**Roma BRITNELL** (South-West Coast) (15:22): I rise to speak on the Commercial and Industrial Property Tax Reform Bill 2024. This is a bill that will replace stamp duty for commercial and industrial properties with an annual property tax over time. I understand that the purpose of the bill is something that has been discussed for a long time in different states and across the country – whether stamp duty up-front or stamp duty over time is a better way of encouraging business. That discussion is something that I have listened to over time, and I can understand the concept. We as Liberals and Nationals always support reforms that enable people to do business in Victoria.

However, I note the textual amendments and the reasoned amendment put forward by the Shadow Treasurer and support them because there are some flaws within this bill, and with proper amendments and good debate we could actually come up with a better approach than this bill in its current form. This bill actually suggests a figure of 1 per cent over time that every year is paid on the property, and our research and budgetary figures done by the Parliamentary Budget Office show that in effect this is actually an increase in the amount of money that will end up going to the government. I do not think that is what was intended, but I am not surprised – there are always these little hidden ways of the Labor government trying to grab some money in an underhanded sort of sneaky way, which is what I see that as. That is why I support the amendments; 0.8 is a much fairer figure in the metropolitan area.

But there is no consideration in the bill for regional Victorians. Regional Victorians have had for many, many, many years a concession for stamp duty, if you are purchasing a commercial property in the region, of 50 per cent less than metropolitan areas. The fact that this bill actually gets rid of that is another sneaky way of this government actually getting more income from this change and not just trying to incentivise business, as they claim this is supposed to achieve. It is really disappointing that they have forgotten regional Victorians, but not surprising. The amendment suggesting 4 per cent as a



figure for regional Victorians is fair and reasonable. The bill very much disadvantages the country areas. Into the future stamp duty will be charged every year if you purchase a property after this comes into effect and the transition period is over.

Many commercial businesses in my region have been in the ownership of the business owner or the families for years – I think of Callaghan Motors, Owen Truss. Effectively, for those businesses in their current form, if the families did that again into the future, if they purchased a business like Callaghan, which is a car sales place with land and the business, they would be paying the stamp duty. Callaghans have owned that for I think it is nearly 100 years – they celebrated a very big milestone recently. They are paying it every year, whereas in this bill there is no end to this. If you pay it up-front, that ends. It just seems a little bit unfair for the regions, so there does need to be regional consideration where we do see businesses held for a very long time. This claim that there will be a \$50 billion uplift because it makes businesses more attractive to be able to pay it up-front – the concept is correct, but with the \$50 billion there is no evidence being supplied by the government. If the work has been done by Ernst & Young and there is a report, why is the government holding that report back? Why are they not supplying the documentation to support these claims? It is a bit disappointing, especially when you see that the state of South Australia actually has abolished stamp duty and not introduced any other tax. If they want to make these claims that it will improve business, then support that.

I do see that this is very much just a disguised way of grabbing extra money. It is another tax – one of the 53 new taxes that this government has brought in in the last 10 years after saying very clearly the night before the election that there would be no new taxes under this government. They were Premier Daniel Andrews's very words, in opposition at the time, and 10 years later what we have seen is no less than 53 new taxes – tax on education, tax on health, tax on holidays, tax on renters. Taxes on properties – this bill is another – are 27 of those 53 new taxes. It is absolutely clear that this government do not understand what actually needs to happen to encourage people to get into property so we do not have the housing crisis that we are in. It is absolutely no surprise that we are in a housing crisis when you look back and work out what has gone on, because the government simply do not understand what economic levers affect.

If you look at the comments that were made by the member for Tarneit earlier today or yesterday, he said that Victoria is the greatest state to do business in – it has the best settings for business in the country. I would point out to the member for Tarneit: does he notice that 8000 businesses have left Victoria in the last year? That is not an indication that those quotes make any sense whatsoever. It is no surprise when we see a government who cannot manage money, cannot manage projects and have massive blowouts. The Melbourne tunnels, for example, are over budget by billions of dollars – out of control. When we have hospitals like we have in South-West Coast that need extra funding, it is just so distressing to see them be hell-bent on further expenditure on things like the Suburban Rail Loop, which is never going to help anyone in South-West Coast. But I will tell you now, the hospital build with the extra \$100 million that we need will help many, many constituents in South-West Coast to get a hospital bed, to get that hip replacement and to be able to give birth in Portland feeling safe.

This government makes these promises and does not deliver. Last year in the budget the Portland Gymnastics Club was promised \$1.25 million. Here we are 18 months later, and this is a tin shed; they need to extend it with a higher roof and put a lean-to on it. I built a dairy shed in six weeks – you have to do that when you have got cows calving between seasons. This is 18 months later. I spoke to them the other day: 'What's going on?'; 'We haven't been told anything. We haven't got the money from the government. The government says they have to go through processes with the local council and the local council have to make applications.' What a load of rot. It is \$1.25 million to give to a gymnastics club to say, 'We're going to support you.' Well, where is the support if 18 months later they are still waiting for the money? This government cannot manage money, makes promises it cannot keep and tells fibs. When you look at that rate of 1 per cent, it is actually not going to increase the amount of money that businesses have to pay over time – the government is not going to get any extra. None of it stacks up.

There is the propaganda that we get spun, but the reality – when you just scratch the surface and get a bit of the truth by looking at the figures – is nothing actually adds up. It is all coming out in the wash now. These 53 taxes are demonstrating that this is a government that has no idea how to run a state other than by reaching into the pockets of hardworking Australians – mums and dads, who are both often working day in, day out to make ends meet and are struggling. Whilst I keep saying that you might not get a bill from the state government and so it is harder to understand than your rates bill, open up your power bill and know full well that that bill is a result of this government pulling the wrong levers and ending up with power prices increasing.

That is what is going to happen with this stamp duty as well. There will be more money going into the pocket of the government than there was before. They can say all they like and that it will not, but it is quite clear when you look at regional Victoria, if properties were getting a discount of 50 per cent and it is not even considered in this bill, clearly those properties are going to be paying twice as much. The example is if at the moment you are paying \$55,000 in stamp duty in regional Victoria on a commercial property that you purchased for \$1 million, under this scheme in the future it will be around \$100,000. That is a lot more money for businesses to have to find for their annual expenses – money which will go straight into the coffers of government – when they are working hard to bring in income which pays taxes to the government and brings income into Victoria.

I conclude by saying we have got 53 new taxes today, probably 54 tomorrow, a state budget next week and a state of Victoria in a parlous state.

**Meng Heang TAK** (Clarinda) (15:32): I am delighted to rise today to join with this side of the house to speak on the Commercial and Industrial Property Tax Reform Bill 2024, another important piece of legislation that will support business through the landmark reform to move away from stamp duty towards a more efficient tax to encourage business to invest and create jobs. As we have heard, this bill will transform commercial property tax by abolishing the up-front cost of stamp duty and replacing it with a more efficient commercial and industrial property tax, making it easier for businesses to set up, invest in new land and buildings and move to new locations.

These important reforms have been informed by ongoing consultation with key business and industry groups to ensure we support and encourage property owners through the transition by making it as simple, fair and consistent as possible. There is substantial support for these changes in the Clarinda electorate, amongst our thriving business and small family business community, and there is a good reason for widespread support among businesses and among the broader community. It is because, as we have heard, these reforms are expected to add thousands of jobs to Victoria's economy and benefit the state's economy by up to \$50 billion over the next 40 years. These are positive changes for businesses and the community. This is another example of the Allan Labor government's support for small business. We have seen that support in announcements and initiatives in recent times, and we have also seen some really positive engagement with Clarinda businesses from the Minister for Small Business.

In our local area – I share it with my good friend and neighbour the member for Mulgrave – we are lucky to have some great local organisations such as the Springvale Asian Business Association, also known as SABA, who are doing a wonderful job in coordinating and supporting many of the local traders in our diverse business community. For over three decades in fact they have been working and supporting our community, which is an amazing achievement. The president Daniel Cheng does a fantastic job, as do the committee volunteers Stan Chang and Vincent Golf. We are proud to support them in that work and in their endeavours. We have seen in recent times government support provided for multicultural trader associations – over \$2 million – to support 10 peak multicultural trader associations to ensure that their members have the right access to services that they need. Furthermore, funding was confirmed in the 2023–24 state budget, and SABA is one of the associations announced to receive funding as part of this announcement. I am looking forward to working, along with the member for Mulgrave, with SABA and the department on consultation to help inform the design and delivery of that support program.

In fact a total of \$17 million over four years was provided in the 2023–24 state budget for the supporting our multicultural traders and precincts initiative. That initiative includes \$10 million to upgrade and revitalise business and cultural hubs in Victoria's multicultural precincts, as well as \$5 million for 500 training scholarships of 10 grand for workers in multicultural businesses. So all of these are really important and really exciting initiatives for our diverse community, who are the backbone of what I call small business operators.

When we talk about our multiculturalism generally, our minds often quickly talk about the festivals, the events, the food, the dance, the music, but it is all kinds of cultural celebrations which are very important. Another important aspect of that is our multicultural small business owners. They are such a large part of the fabric of our diverse community in Clarinda and across the south-east and throughout Victoria. It is so good to see the Minister for Small Business is here at the table. She represents the diverse community not only in her own electorate but in the wider electorate, which has a large, diverse community. I am very proud of our local small business community, and I am proud of the support provided to it from our government.

That support continues here today with this bill and the changes to stamp duty – landmark reform to move away from stamp duty and towards a more efficient tax to encourage businesses to invest and to create jobs. That is what we are doing here. The next purchasers of commercial or industrial property on or after 1 July 2024 pay stamp duty one last time. After a 10-year transition period after this entry transaction, a more efficient commercial and industrial property tax will apply to such properties annually. If the same property sells a subsequent time, a duty exemption will apply as long as the property still has a commercial or industrial use.

In terms of rates, the commercial and industrial property tax will have a flat rate of 1 per cent of the unimproved site value of the property, will have no tax-free threshold and will only apply to properties that are liable for land tax. Commercial and industrial property tax will be administered by the commissioner of state revenue, namely through the State Revenue Office. Furthermore, eligible purchasers will have the option of accessing a government-facilitated transition loan with commercial terms to fund their final stamp duty liability, freeing up capital for businesses to invest in expansion or employ more workers – so again another positive element to facilitate further investment and jobs. To do this, there are amendments to the Treasury Corporation of Victoria Act 1992, which will enable the Treasury Corporation of Victoria to administer the transition loan program.

Finally, the reform will apply to contracts entered into on or after 1 July 2024, with commercial and industrial property tax applying at the earliest in 2035. These are fairly straightforward changes but landmark changes, transformative changes, that will bring about some really positive impacts for investment and jobs in Victoria. I commend the Treasurer for bringing these changes forward – positive changes with positive impacts for business.

I also commend the Minister for Small Business. As I mentioned earlier, we have had some really positive engagement with local business, and we have had the minister out in the electorate on several occasions to talk to real traders. We have also had several engagements here in Parliament with the local traders associations, which has been really beneficial to building those partnerships.

I just would like to conclude that the Allan Labor government has a proud record of supporting Victoria's multicultural communities and supporting small business, and we have seen that through the delivery of the many initiatives that have been mentioned and we also see it here today again in this building. These are landmark changes, moving away from stamp duty, moving towards a more efficient tax to encourage business to invest and to create new jobs to support our community – most importantly, dare I say, the multicultural community who run small businesses from their own experience, which they have acquired through their family generations and professions. I commend the changes, and I commend the bill to the house.

**Sam HIBBINS** (Pahran) (15:41): I rise to speak on behalf of the Greens to the Commercial and Industrial Property Tax Reform Bill 2024, a bill that proposes to phase out stamp duty on commercial and industrial property in Victoria and replace that stamp duty with a new annual commercial and industrial property tax, which would be set at a flat rate of 1 per cent of the property's unimproved value. The way that the scheme is proposed to work is that will be payable 10 years after the final payment of stamp duty. Those who purchase commercial and industrial property will pay final stamp duty, and after 10 years they will pay that 1 per cent tax. There is also within the bill itself an option for purchasers to take up transition loans as an alternative to making the up-front payment and to be able to then have an annual repayment of the stamp duty. My understanding is that the scheme will be projected to be budget neutral over the long term.

The Greens have long pushed for stamp duty to be replaced with a broad-based land tax on residential properties, and we would really hope that a similar move as is being proposed with this bill would be a step in the right direction towards applying such a scheme to residential properties. It is fair to say when it comes to commercial and industrial properties, I think, that the same principles apply and that the stamp duty does act as a deterrent for businesses to shift premises as they grow and it is a tax on transactions, and that moving to an annual tax is a far more productive and efficient way of going about it and that it makes sense to do that.

However, these reforms are not going to obviously impact the vast majority of Victorians who are looking to enter into the property market, because that is the residential property market, and we really want to see much bolder and more urgent progress on abolishing or replacing residential stamp duty and replacing it with a broad-based land tax, because we are in a housing crisis. The housing system by design is not working; it is absolutely not working. We have got an entire generation of people who are locked out of owning their own homes, with housing becoming more and more unaffordable and people locked out of home ownership being pushed into housing insecurity and homelessness. Not only do we need to of course build more housing, more social housing and more public housing; we need to make sure we address the misallocation and inefficiency in the current housing stock. The distorted effects of stamp duty on the housing market are very well documented. It is a huge added up-front cost of purchasing a home. It is inefficient; it is inequitable. It hurts young people, retirees and people with growing families, targeting those who are really in need of moving house. It acts as a tax on really tough times in people's lives – a tax on divorce. Over half of women who are divorced lose their home and do not buy again. They are more than three times more likely to rent in retirement than married women. Women over the age of 55 are the fastest growing group to experience homelessness in Australia.

It was really good to see that there was a parliamentary inquiry into this issue last year. The upper house inquiry found that residential stamp duty is inefficient, unpredictable and inequitable; called on the government to explore alternative models, including a switch on sale, credit or gradual transition proposals; and found that lowering stamp duty barriers would actually help facilitate greater worker mobility and stimulate economic growth. It found that stamp duty now accounts for more than one in five tax dollars collected in Victoria, up from one in nine three decades ago. According to the Grattan Institute, removing stamp duty or replacing stamp duty would also help fix Victoria's housing crisis by reducing rents and reducing house prices, because Victorians would be more willing to move to a home that better suits their needs and make better use of the existing housing stock. There have been estimates that replacing stamp duty with a property tax nationwide could increase the number of people owning their own home by over 6 per cent, so we certainly would urge the government to really pursue this reform. It has been proposed, trialled or done in a number of jurisdictions, but we really would like to see the Victorian government lead the way because, as the Premier was saying, you have got to pull all the levers. There are a number of levers; this is one of them, and this is a big one, replacing stamp duty with a broad-based land tax for residential properties.

When it comes to commercial land, one of the things that certainly the Greens and I have been really concerned about is the extent of anti-competitive behaviour in the form of land banking by the

supermarket duopoly, Coles and Woolworths. This is coming at a time when Victorians are really suffering from high grocery prices, and this is because of the concentrated supermarket we have got in Victoria and we have got nationwide. What is occurring is that major supermarket retailers, Coles and Woolworths, are purchasing large strategic areas of land, even if they do not have plans or permission to build there, with the aim of excluding and deterring would-be competitors from entering the market. Coles and Woolworths have got over 70 per cent of market share. They are dominating the supermarket industry, basically allowing them to set prices as high as they like, and they are posting billions of dollars of profit while Victorians are struggling to feed themselves and their families. Their market share and their profit margins are much higher than their overseas counterparts. I again call on the government to investigate the extent of these anti-competitive practices and look at the best way to stamp them out. Greater competition would force the supermarket duopoly to offer far more competitive prices and lower food prices for Victorians.

Another issue in terms of commercial property is the high vacancy rate of commercial industrial land. Developers can buy up large swathes of land that should be being used for commercial industrial properties, just waiting for it to be rezoned into residential land and reap huge windfall gains in the process, and we would like to see a much stronger windfall gains rezoning tax to guard against land that could be used for commercial industrial purposes being kept vacant so a developer can then reap those windfall profits.

We support this bill in principle. Again, I emphasise the need for the government to aggressively pursue the transition away from stamp duty towards land tax for residential properties – that is a reform that has been put in the too-hard basket for too long – and to investigate and stamp out the practice of supermarket land banking, which is driving up food and grocery prices. These are two really significant policy levers the state can use to lower the cost of housing and to make food more affordable. We will be supporting the bill in this place. I note the opposition have moved a number of amendments. We will not be supporting them in this place, but we will consider them should this bill proceed to the other place.

**Lauren KATHAGE** (Yan Yean) (15:50): I am really happy to get up and speak about the Commercial and Industrial Property Tax Reform Bill 2024. Straight off the bat I just want to put something to bed that those opposite seem to be unclear about. I would like to explain it to them: this bill includes the abolition of stamp duty for commercial and industrial properties. You might not have picked that up from their contributions – in fact I know that you did not. But I am here to make sure that everyone clearly understands that this bill includes the abolition of stamp duty for industrial and commercial properties. And why are we doing that? Why is this government taking that bold action? It is because we know that stamp duty on commercial and industrial properties discourages land from changing hands to the best value place it can be, to the best value hands it can be in, to make the most productive use of it, which benefits not just the business but our economy and our community.

We know that stamp duty also is difficult because it applies to the whole property value – not just the unimproved land but the improved elements of it as well. That means that stamp duty can act as a disincentive for business investment and property improvements, and we absolutely do not want that in Victoria. As we know, this state has an excellent record of supporting business, and we saw I think just recently that in 2023 business investment in Victoria outstripped all other states. We want to continue supporting and enabling businesses to have the opportunity to invest in the way that they want to. We know that stamp duty also has provided a volatile revenue source for states – for any state or any government – and that is due to the nature of improved and unimproved land being included, as well as the difference in sale. We know for example that in Western Australia they actually had a 50 per cent drop in commercial stamp duty one year, which makes it harder for responsible and easy budget management.

I just want to quickly say I am so glad to see the member for Sandringham has joined us. I would like to just go over a couple of the points that he raised in his contribution just to make it all so clear – as I did at the start – that we are in fact abolishing stamp duty for commercial and industrial properties.

The member for Sandringham was worried about Belinda, I believe. Belinda was his fictional character in regional Victoria who had a property with an unimproved land value of \$1 million and an improved value of \$2 million, and he was concerned about the difference in the price of stamp duty and commercial and industrial property tax. Now, there are a few things that those opposite are failing to mention today. Like I said, they are failing to mention that we are abolishing stamp duty for commercial and industrial properties. They are also failing to mention that the lower stamp duty rates in regional Victoria are – drumroll – an action of this government. This government is the government that brought in reduced stamp duty for regional Victoria. We brought in reduced payroll tax rates for regional Victoria.

What the member for Sandringham also failed to reflect on – or what he might like to explain to Belinda perhaps – is that one of the reasons that we are moving to the unimproved land as the basis of the tax rate rather than the improved value, as per stamp duty, is because we are not taxing improved value. Belinda's stamp duty is based on her improved value, so Belinda perhaps had reason not to invest in her property because she – or people who purchase it in the future – may have been concerned about stamp duty. So I am glad that we can clear that up for the member for Sandringham. The shortcomings of stamp duty that we have tried to remedy through previous government initiatives are what we are doing away with through this bill. Their concern for regional Victoria is all talk, and actually the action has all been from this side of the house. So I hope that is really clear to everybody here.

They were also worried about the bill being overly complex. At the same time as they were saying out of one side of their mouths that they were worried the bill was overly complex, they were saying through the other side of their mouths that they were wanting to introduce variable tax rates, so in fact they are the ones seeking to introduce complexity into what is a fairly straightforward change that is proposed.

The new replacement of stamp duty with the property tax is better because it is more efficient. I think everyone can agree that land is immobile. It is not going anywhere. It cannot be shifted out of supply, and because of that it becomes a really efficient way to tax, because it is not something that can be moved in other ways. It is a more reliable and more stable source of government income that is less prone to the vagaries of the international market, international inflation and the like. It means that we can make a more productive use of the land that we have, and that is better for our economy, it is better for jobs and it is better for our community. They were questioning our understanding of the improvement to our economy through this change, but in fact an OECD report found that a 1 per cent switch to property tax would improve long-run GDP per capita by 2.5 percentage points. That is not us saying that, that is the OECD, so if they have a concern, perhaps they could take it up with them.

The other thing that makes the proposed system better is that the tax is not triggered by a transaction. That can distort business investment choices and business decisions. They might choose to remain in a property rather than step out and purchase one somewhere else. As the member for Yan Yean, as a member in a new growth area with greenfield sites, I want businesses to be buying commercial and industrial properties up in our new areas, because they will be creating jobs for all of the people that live in our communities. By abolishing stamp duty for commercial and industrial properties, we are stimulating businesses to have the confidence to purchase properties in our area. For example, in Wallan East at the moment there is a site being prepared for industrial businesses. They have cleared and they are levelling the land, and I am excited to see that, because when I see that vacant block, when I see the sign up for the sale of industrial blocks, I see jobs. I see jobs for the members of my community, and that is why I am so glad to support this change.

At a recent business forum that I hosted in Donnybrook with the Minister for Small Business, I met many business owners who discussed the desire to have their own location, their own site, for the manufacture of their goods and the selling of their goods, rather than needing to rent from somebody. Abolishing stamp duty for these people will make it easier for them to invest and to grow their business, and through doing that they will help us to create more jobs. We know that with the economic

growth in Victoria over the next five years, which is expected to be the highest in the nation, jobs just flow here. As has been said a few times today, Victoria is leading the nation in jobs growth. Since the 2020 peak of the pandemic, over half a million new jobs have been created across the state.

Make no mistake, this is a bold reform. This is a massive change for this state. Our Treasurer has set out a very clear, very simple and very clever way to create a more efficient, stable tax base for the state while at the same time encouraging business growth leading to jobs. I commend this bill to the house.

**Business interrupted under sessional orders.**

*Matters of public importance*

**Cost of living**

**The SPEAKER (16:01):** I have accepted a statement from the member for Sandringham proposing the following matter of public importance for discussion:

That this house condemns the financial mismanagement and economic recklessness of the Allan Labor government, which is causing a cost-of-living crisis for Victorian families and businesses.

**Brad ROWSWELL (Sandringham) (16:01):** On the Wednesday before Tuesday's budget next week I could not think of a more important thing for this house to be talking about than the impact of the decisions of 10 years of Labor, the impact of a Labor government on this state after 10 years.

On the eve of the 2014 state election, on the steps of this very building, the then Leader of the Opposition, soon to be Premier, pledged on Channel 7 news that there would be no new taxes under a Labor government. A decade on there are 53 – almost 54 – new or increased taxes at the hands of this Labor government. Every one of those new or increased taxes is making life harder, making life more difficult, for Victorians at a time when they can least afford it, in the middle of a cost-of-living crisis, when education costs are going up, grocery costs are going up, energy bills are going up. The cost of living is going through the roof. Victorian households are doing everything they can to try and make ends meet, pushing and pulling and stretching and sitting down at the kitchen table at the end of a busy day, having put their kids to sleep, trying to figure out how they are going to pay the mortgage with increased interest rates, figure out how they are going to pay the school fees, with Victoria being the highest costing state in the nation to send your kid to a state school, figuring out how they are going to pay their grocery bills and how they are going to make ends meet. This is what is on the minds of Victorians, and it has not been helped by an Andrews, now Allan, Labor government who say they care but really do not.

Just yesterday, on the front page of that august publication, the *Age* newspaper, we learned of the government's intention to introduce their 54th new or increased tax – that is right – Labor's home ownership tax, an expansion of the growth areas infrastructure contribution. We know that their GAIC, that half a billion bucks, has been sitting there propping up the bottom line of Labor's budgets for many, many years now, not being used for its sole purpose, which is to deliver infrastructure in growth suburbs. Lo and behold, days before the budget, what do they do? They make an announcement of where the GAIC is going to be spent, and I was very interested to see that about 100 million bucks of that half a billion dollars will be spent in the seat of Werribee. An equivalent GAIC applied to development right across this state does not limit this growth area infrastructure contribution – Labor's tax – to growth areas but expands it to every local government area.

The impact of that will be this: if you tax housing more, housing will get more expensive. This cost will not be absorbed by developers. This cost will not be absorbed by builders. This cost will be passed on to Victoria's most vulnerable at a time when they can least afford it. Those people, those Victorians, all they want, all they yearn for, is a roof over their head. All they want is the security, the protection and the stability of a home, of four walls, of a roof and a floor, from which they can then contribute to their community, from which they can then provide for themselves and provide for their families. And what is Labor doing? What is this government doing? The same thing they have done for the last

10 years: putting the interests of Victorians last. They do not care one little bit whether Victorians have got a roof over their heads, whether they have got the stability of a home. And do you know why I know that? It is because if they did care about that, their actions would speak louder than their words, and all we have got from Labor up until this point are empty words, empty promises. They do not really care. If they did, then it would be more than announcements, it would be more than photo ops – it would be actual delivery. They have had 10 years to do it, and Victorians are worse off after 10 years of Labor.

This government has pledged for the last decade to keep energy prices going down, down, down, and we know on this side of the house – because we, unlike the Minister for Small Business, which was very apparent during question time today, actually speak to small businesses in our community and around the state – that energy prices have in fact gone up, up, up. And of course they have, because this government, for purely ideological reasons, want to ban gas. I have said it before in this place and I will say it again: if the legacy of this government is to ban gas, is to ban the Bunnings barbecue, is to ban the wok, then my goodness, I do not want to have any association with them whatsoever. That is not just un-Victorian, that is un-Australian for them to be doing that. It is an absolute furphy to say that we are going to bring energy prices down, down, down whilst banning gas. It is an important part of our energy mix, and at least on this side we understand that.

We understand that, because as recently as two weeks ago I was in the electorate of Bentleigh. Do not go too far, member for Bentleigh, I have got a story for you. I was in the electorate of Bentleigh with my upper house colleague Georgie Crozier, an upper house member for that region. We were meeting with local businesses in the Bentleigh electorate who were telling us that because of the taxes and the tax increases in Labor's last budget – their rent tax, their jobs tax and their ideological drive to push up energy prices – those small businesses in the Bentleigh electorate are finding it harder to make ends meet. They are having to cut staff. They are having to work longer hours. They are having to work harder than they have ever had to work before, in a cost-of-living crisis, with no support from the Allan Labor government. But this trip, member for Bentleigh, did not just end in Bentleigh. I was also in Hastings with my upper house colleague there and in Ballarat as well. And, guess what, every small business owner that we spoke to had a similar story of woe, had a similar story of not just doing absolutely everything that they could to keep their business afloat and alive, but they still, after Labor has taxed them to the absolute hilt, have an aspiration to grow their business, to give more Victorians, more people, more residents in Ballarat, in Bentleigh and in Hastings the opportunity to know and truly understand the dignity of work by giving them a wage and independence by putting cash in their pockets so they can provide for themselves and their families, to pay their education bills and to pay their mortgages. But no, they cannot do that at the moment because of the economic conditions, because of the circumstance of the policy settings of this Labor government that simply punish Victorians instead of supporting Victorians who want to put their hand in own pocket and give things a go. That is the Labor way after 10 years of Labor.

You look at health. Health is an absolute basket case after 10 years of Labor, and we know it because we see the pictures on the TV news and in the newspapers most days of the week. Ambulances are ramped right around this state. There was a story the other day on 3AW of a young boy waiting some 45 minutes for an ambulance to arrive –

**Roma Britnell** interjected.

**Brad ROWSWELL:** Sorry, he waited 3 hours, member for South-West Coast, for an ambulance to arrive, and his parents then had to take him to hospital.

He now has some ongoing, permanent injuries, which his parents are trying their best to manage. The point is this: debt has consequences. Economic irresponsibility – economic recklessness – has consequences. And here is the great tragedy of that: the people who are on the receiving end of those consequences are not the executive here. They are not ministers here. They are not even the mid-tier parliamentary secretaries or the backbenchers. No, they are Victorians, and often they are vulnerable



Victorians who are in need of a service provided by the state government whether it be in education, health, community services, police or community safety that in ordinary times under good, responsible economic management would be provided to help vulnerable Victorians in a timely way. But that is a near impossibility because of the way that this government has mismanaged things in the last decade.

We hear that education standards are going up, up, up. I would believe the Shadow Minister for Early Childhood and Education the member for Kew any day of the week over this government, and she will tell you that education centres in this state are in fact going down, down, down – not just standards but also outcomes. Housing in Victoria is an absolute mess. Of those 53 new or increased taxes, around 50 per cent are on housing. This is the inclination of this government: to make life more difficult for Victorians.

We set all of that aside. Let us talk about debt. Let us talk about interest payments. Debt is on track to be \$177 billion at the end of the current forward estimates. That is more debt than Queensland, New South Wales and Tasmania combined. As of today we are paying 15 million bucks each and every day just to service that debt. If our debt stays at \$177 billion after next Tuesday's budget, and it will not because the trendline is heading towards \$200 billion, we will be paying more and more daily interest. If it is \$177 billion, that means we are paying \$24 million in interest today. That is a new primary school in my community; that is a new primary school in the member for Croydon's electorate, in the member for Kew's electorate, in the member for Gippsland South's electorate, in the member for Caulfield's electorate or in the member for Narracan's electorate. This is the cost of Labor's economic recklessness. Because of the way that they have mismanaged this economy we have less opportunity to deliver the services and the infrastructure that our communities rely upon, whether it is schools or whether it is teachers in schools. At the start of this school year we were 1500 teachers short. Imagine if the economy here in Victoria was better managed. Imagine having the ability to do more or to get more teachers in classrooms at the start of the school year, but no, no, no. Debt has consequences. Imagine having the money in the bank to be able to provide the nurses in hospitals and the ambulances for paramedics and to increase paramedics in this state. Imagine having the money in the bank to be able to get more police on the beat to keep our community safe. Imagine the missed opportunity at the hands of the Allan Labor government.

Next week we know that this Labor government will deliver a budget that will continue to punish Victorians, that will continue to make life harder for Victorians and that will continue to make Victorians responsible for the economic mismanagement and the economic recklessness of decisions made by this government. I think that is deeply, deeply, deeply unfair, but that is the state of play here in Victoria. My plea to Victorians is this. I ask them: after 10 years of Labor government do Victorians feel safer? Do Victorians feel like they are living a better, healthier life? Do they feel like life is getting easier? My final question to Victorians is: do they feel like they can trust the Allan Labor government to deliver what they need at this time?

The people that I am talking to right around the state, whether it be small businesses, whether it be families, whether it be singles, whether it be older Victorians, are telling me time and time again that this Victorian government cannot be trusted. Every member of the government, especially those members in marginal seats on Labor's backbench, should understand that the message that Labor is not delivering for Victoria is resonating with the Victorian people – it is absolutely resonating with the Victorian people. Those members of the Labor caucus in marginal Labor-held seats really, really need to start doing everything they can within their own caucus to advocate for a better and fairer go for the people that they say they represent in this place.

After a decade of Labor, the last thing that Victorians, especially vulnerable Victorians, need is a Labor backbench full of passengers just enabling the Labor ministers to run the show – allowing a kitchen cabinet to run the show – and to make life harder for Victorians at a time when they can least afford it. In closing, after 10 years of Labor Victorians are worse off. My invitation to Victorian Labor in next Tuesday's budget – *(Time expired)*

**The SPEAKER:** I ask members not to bang the table when they are making contributions.

**Tim Richardson** interjected.

**The SPEAKER:** Member for Mordialloc, I have been very patient with you so far. You are warned.

**Nick STAIKOS** (Bentleigh) (16:17): I have been giddy with excitement about this MPI all day; I have been looking forward to it all day. I always look forward to a matter of public importance put forward by my old mate the member for Sandringham, but something that happened earlier in the day in this chamber really unsettled me. It was during debate on the Commercial and Industrial Property Tax Reform Bill 2024. There was a member who emerged from hibernation. It was the member for Bulleen, and he made a speech of biblical proportions.

*Members interjecting.*

**Nick STAIKOS:** To be honest, member for Brighton, I felt the building shaking when the member for Bulleen was speaking. I tried to think back to the last time the member for Bulleen made a fiery speech like that, and it was in 2021.

**Danny O'Brien:** On a point of order, Speaker, as entertaining as the member for Bentleigh is trying to be, I am not sure what relevance this has to the MPI at hand.

**The SPEAKER:** I will give the member for Bentleigh the benefit of the doubt as he has only spoken for a minute or so, but I do remind him what the MPI is about.

**Nick STAIKOS:** The last time we heard a speech like that from the member for Bulleen was 2021, and what happened shortly after? He returned to the leadership. I said his speech was of biblical proportions, but the reality is that Lazarus was only brought back from the dead once – just once. If they give it to the member for Bulleen again, they will have to rewrite the entire Bible. This is what this is going to mean. But what really unsettled me about that speech and about the member for Bulleen possibly returning to the leadership is not that I care a dot about the current Leader of the Opposition, whose days are numbered anyway, but do you know what else happened when the member for Bulleen returned to the leadership in 2021? The member for Sandringham was put on the backbench. This is why I am concerned about the wellbeing of the member for Sandringham.

**Danny O'Brien:** On a further point of order, Speaker, I renew my point of order with respect to relevance.

**The SPEAKER:** Member for Bentleigh, I ask you to come back to the MPI.

**Nick STAIKOS:** I am talking about the proposer of the MPI, and –

**The SPEAKER:** Order! I ask you to come back to the actual content of the MPI.

**Nick STAIKOS:** The member for Sandringham knows very well that I am a fan, and I want him to remain the Shadow Treasurer for many, many years to come.

Anyway, here we are on the MPI. An MPI like this really is an invitation to talk about what this government inherited 10 years ago.

*Members interjecting.*

**Nick STAIKOS:** I am going to continue talking about you because what this government inherited 10 years ago was the highest unemployment rate in mainland Australia. It was 4.9 per cent when they came to government in 2010, and it rose to 6.8 per cent by the time we came to government in 2014. If we talk about a cost-of-living crisis – and we acknowledge there is a cost-of-living crisis – there is a housing crisis, not just here but across the rest of Australia and, if you have done a bit of travel, across the rest of the world. We also acknowledge that under our government there are more people

enjoying the dignity of work than there were under that government. You can talk all you like about a cost-of-living crisis, but that was a government that presided over a massive unemployment rate and did nothing about it. Since we have been in government, in those 10 years, 800,000 new jobs have been created in Victoria, and that includes 560,000 new jobs in less than four years, since September 2020. Over the four years that they were in government 39,000 jobs were created – 39,000 jobs in four years of a Liberal government. Why were they such a disaster when it came to job creation? They were such a disaster because they did things like slash a billion dollars out of TAFE. Do we remember Baillieu's TAFE cuts? It did not get better under Napthine when Baillieu was not Premier. Do we remember Baillieu's TAFE cuts? We do. What did we do when we came to government? We made TAFE free, and that has meant people getting the skills they need for a secure job.

I have got an excellent TAFE campus in my electorate. I have got the Moorabbin campus of Holmesglen TAFE. It is really the jewel in the crown of Holmesglen, and because of the support of this government if you are a nursing student, for instance, at Holmesglen, if you are doing your diploma of nursing, you are saving up to \$15,000 and you are doing it for free. If you are doing your bachelor of nursing – and Holmesglen is the only TAFE institute in Australia to offer the bachelor of nursing, thanks to this government – you are also getting your study for free. These are the things that you can do as a TAFE sector when you have got a government that backs you in. When they were in government they slashed the guts out of TAFE. That is not the approach we have taken. If you talk about a cost-of-living crisis, here are people who are able to return to TAFE, get the skills they need, save thousands of dollars each year and be on a path to a secure, sustainable job, to be able to provide for themselves and their family and to have the human dignity that comes from that because of the actions of this government.

There is a cost-of-living crisis. We acknowledge that. The member for Sandringham talked a lot about housing and talked a lot about vulnerable Victorians, but the test is going to come when this government continues to implement the housing statement. We want to build 800,000 additional homes over 10 years, and that is going to mean consolidating in electorates like mine – for instance, over at Moorabbin. Moorabbin is one of the 10 activity centres that we have identified as an activity centre that should grow and that should accommodate more housing, and it makes sense that Moorabbin should grow. It is close to the city. It is the gateway to the best parts of Melbourne, in my view. It is a place where a lot of people want to live, and we had our first community consultation session on what that growth should look like and how we should shape that growth. But I will tell you what: as sure as night follows day, I am going to be subjected to a campaign from those opposite about inappropriate development. The Liberals are just like the Greens – blocking new housing, blocking new housing development. The only thing I can surmise from the contribution of the member for Sandringham is 'We care about vulnerable Victorians as long as they don't live in our electorates.' 'Out of sight, out of mind' is the mantra of those opposite.

But, you know what, I was born and raised in my electorate of Bentleigh. I was born at Moorabbin Hospital in East Bentleigh. I have never left Bentleigh, and I am very fortunate that I have been able to purchase a home in my electorate. I want other young people who were born and raised in my electorate to also have the opportunity to live in my electorate. That really is what we should all aim for. I do not say that just because we have got this housing crisis right now, the government should just say, 'Well, you can all live 1, 2 hours out of town.' The reality is that we need to consolidate in the middle ring of Melbourne. We absolutely need to consolidate in the middle ring of Melbourne. The first Suburban Rail Loop station, in the first stage, is Cheltenham, and it is in the member for Sandringham's electorate. I know he opposes the Suburban Rail Loop, and I am sure that he is also going to oppose the higher density housing that will be surrounding the Suburban Rail Loop station at Cheltenham, but I would really appeal to him to get on board with that. The reason for that is that there is no room for the usual politics when it comes to addressing this housing crisis.

When it comes to housing, the ugliest politics I have seen was way back in 2010. In 2010 in Bentleigh there were two major housing developments that were funded under the former Rudd government's

stimulus package. One was in Moorabbin and one was nearby in Bentleigh. The ferocious campaign against those two housing developments, fuelled by those opposite, was something I had not seen until then and I have not seen since – the things that the prospective tenants of those housing developments were called, the way they were denigrated and the petitions that were circulating. The names on those petitions, by the way, would be very familiar to this house – names like Elizabeth Miller, who at the time was the Liberal candidate for Bentleigh and who served one term as the member for Bentleigh, and Wendy Lovell, who was the Shadow Minister for Housing at the time and then became the Minister for Housing. They opposed these two affordable housing developments, one of which was directed toward women. It had survivors of family violence living in it.

Let me tell you what happened just a couple of years after the 2010 election. I was working for the late, great Simon Crean at the time. Simon officially opened the particular housing development that was directed at women. And guess who turned up on behalf of the then state Liberal government? Wendy Lovell and Elizabeth Miller, as though they never ran the campaign against building it. This is the politics those opposite play when it comes to housing, and we are going to see it again. So all this stuff we just heard from the member for Sandringham about vulnerable Victorians, about the housing crisis, are just words. They will not be matched by any actions. We will just have the same old gutter politics from them. That is what I am expecting, and that is absolutely what is going to happen. Nonetheless, the member for Sandringham is a decent person, and I would appeal to his better character to get on board and actually support this housing strategy.

The member for Sandringham also pointed out that he was in my electorate recently. I knew that he and Georgie Crozier were going to be in the electorate, because the local businesses he was going to meet with did give me a heads-up about it. The first time Georgie Crozier was doorknocking up and down Centre Road, Bentleigh, was when she was collecting signatures on a petition against our level crossing removals, and that did not go too well. In fact – it is May, isn't it? So it is eight years since we removed the level crossings at Centre Road, McKinnon Road and North Road, and we have removed since then a total of 76 level crossings. There are plenty in the member for Pakenham's electorate and in other electorates. We are very excited about that program. We are heading for that magic number of 110 level crossings removed. Under the previous government there were no level crossings removed. This was something that the former Premier Denis Napthine said could not be done when we promised 50 over eight years. Well, we have removed 76, and the people of Victoria are very happy about it.

Then think about the fact that the former government did not build a single new school. This is the fastest growing capital city in Australia – not one single new school built by those opposite. We are building 100, and one of those is actually in my electorate. It is a second campus of McKinnon Secondary College – again opposed by those opposite. They actually opposed a second campus for one of the most popular state schools in Victoria, and that was absolutely shameful. You could have knocked me over with a feather when I heard they were opposing it, let me tell you – very, very bad politics indeed.

While I was relishing the opportunity to speak on this MPI, I was rather disappointed by it. I expected a bit more oomph. I expected a bit more gravitas. 10 years in opposition – God knows they have had a lot of time to practice, haven't they. Usually practice makes perfect – not in this case. This is an opposition that just gets worse. There are a few things awaiting the Leader of the Opposition later in the year as well, which will not bode well. But I think really at the end of the day what we have to focus on now is Australia and the entire world have real problems when it comes to cost of living and when it comes to the housing crisis, but we have got to respond in practical ways. We have done that by making kinder free, by making TAFE free, by bringing back the SEC and by doing a whole host of other things like Solar Homes. We actually have to do these practical things to make life easier for hardworking Victorian families – not this gutter politics we see from those opposite time and time again – because there are real challenges, and we need to put aside the usual gutter politics so that we can address these challenges for the future.

**Peter WALSH** (Murray Plains) (16:31): I rise to support the matter of public importance moved by the member for Sandringham:

That this house condemns the financial mismanagement and economic recklessness of the Allan Labor government, which is causing a cost-of-living crisis for Victorian families and businesses.

Let there be no doubt that for all those people in Victoria who are suffering under a cost-of-living crisis – and they are – it is real. We all find this coming into our electorate offices. People are struggling to pay their energy bills, they are struggling to pay their mortgages and they are struggling to pay the education fees for their children. Even if they are going to public schools, they still have to pay more than any other state in Australia to send their children to public schools. A lot of those costs are being driven by the policies or the tax increases of the Allan government. If you think about just a couple of examples, we have constantly heard the Minister for Energy and Resources come into this place and say she is going to drive energy prices down, down, down, down, down, down. And what have they done? They have gone up, up, up, up, up, up. If you actually go to the Essential Services Commission report for this year, energy prices are going up 25 per cent. So they have not gone down, down, down; they have gone up, up, up.

People are paying the price for Labor's mismanagement of the economy, and in this case a policy decision particularly to ban gas. Why would anyone ban gas? All those that are talking about how we move to net zero by 2050, all the experts, say gas is part of the transition – 'Don't ban gas now.' We have had the federal minister coming out today saying we actually need more gas, but we have got a government here that is actually banning gas and driving up energy prices for households and for businesses.

But I want to spend some time talking about housing. If you go through the 53 new or increased taxes of the Allan government over the last two terms of government, 27 of those taxes actually have a direct impact on the price of land, the price of building a house or the price of renting a flat or a house. I am going to go through those. It goes back to 2017–18: a new stamp duty on property transfers between spouses. How much of a grinch is the Treasurer to bring in a tax for when you want to transfer property to a spouse? In 2017–18: a new stamp duty on off-the-plan purchases. One of the incentives for developers to build high-rise multi-unit buildings was to have people stump up and buy off the plan so they could get the deposit and could actually take that to the bank and say, 'We've sold these properties,' and that would help finance the building of those properties. There is a new tax on doing that. A new so-called vacant home tax was brought in in 2017–18. There was a widening of the vacant residential land tax on uninhabitable properties. There was a new annual valuation to increase land tax: 'Instead of valuing it every two years we'll value it every year and we'll increase the land tax take over those particular things.'

The cladding rectification tax – another tax on buildings here in Victoria – is particularly an issue for rental properties in apartment buildings. There is increased land tax for homes with contiguous blocks on separate titles. If you have got two blocks, you are going to get taxed twice on that land, whereas before you would have been taxed once. If I go through the list – and I will repeat it a number of times – there have been continual increases in the fire services property levy, in 2015–16 and 2019–20, and there is another one further down the list as I go through. There have been some increases in foreign ownership stamp duty. Again, that has an impact on the global market for properties here in Victoria and the price thereof. There is an increase in the absentee landowner surcharge for those people, another increase in the absentee surcharge and a third increase in the absentee surcharge as you go through.

There is a new affordable housing tax, or the windfall gains tax as it was called. It has stopped property development. The day that was announced one of the real estate agents I know was doing a deal near Ballan that would have opened up a whole new farming block. Three bachelor farmers who wanted to retire were going to sell that. It came straight off the market because that tax, that direct tax on them, would have meant it was not economical to do that, so that has reduced the land supply coming into

the market. It would have been a great opportunity. And Ballan is just an example; every regional city has somewhere where people will no longer be doing that in the future.

There is increased land tax on taxable landholdings above \$1.8 million, increased stamp duty on property transactions, the increased fire services property levy again – up, up, up, up, up. There is a narrowing of the land tax exemption for charitable institutions by harshly insisting that charitable institutions exclusively use their land for charitable purposes, otherwise triggering a full land tax charge on the entire landholding. If you are a not-for-profit, if you are a church, and you rent out a meeting room to the local CWA, in the country case, or the local kindergarten committee or whatever to hold a meeting, you lose your charitable status and you pay land tax. That would be one of the most absurd taxes I have ever heard of, because those charitable institutions provide a service by making available meeting rooms at a pretty low charge compared to commercial places. Why would you have them lose their charitable status and have to pay land tax based on those issues?

There is increased land tax on landholdings above \$300,000 and then a land tax on landholdings between \$50,000 and \$300,000; they are both called the rent tax. Again, I think everyone on our side of politics would have people coming into their office saying, ‘Why have I got land tax on this building? I have never paid land tax on this building from the start,’ or, ‘I paid a very small amount of land tax and all of a sudden it has gone from \$300 to \$2000 or \$3000.’ They are rental properties. A lot of people buy residential houses to be part of their retirement plan. That is part of their income for their retirement, that they own this property. They do not necessarily trust the large institutions with superannuation. They want to be able to touch it and see it. They are now having to put their rents up to pay their land tax.

That is driving a problem with the cost of rental properties and also the availability of rental properties, because what some of those owners are telling me is they are selling their Victorian property and buying one in Queensland where they do not have to pay land tax – or New South Wales, but particularly in Queensland. We saw in the paper today that the median house price in Brisbane is outstripping the median house price in Melbourne because it is a better place to invest. The land taxes – all these taxes I have talked about and the fact that 27 of the 53 new and increased taxes in this state are on property – mean that people are choosing to invest somewhere else. That is reducing the supply of rentals, the supply of new houses and the recycling of people buying a new house and putting their current house on the market, which frees it up for someone else to buy.

There is the holiday and tourism tax. There is expanded land tax on vacant residential land, or the holiday house tax as it is called, and there is an expanded land tax on unimproved residential land. If you go through all those, 27 of 53 of the new and increased taxes by the Allan government over the last two terms just fuel the housing crisis, fuel the cost-of-living crisis that people have here in Victoria.

In the couple of minutes left to me to speak about this, the other issue I want to touch on, which affects a lot of country towns, is the new health tax. Why would you tax doctors? The government says nothing has changed, but for a doctor they have got this huge tax bill that they have to pay. They will no longer be able to afford to offer bulk-billing opportunities in all our electorates, and that will drive up the cost of living because people will have to pay more to go and see a doctor. They will be less likely to see a doctor because they cannot afford it. Their health will suffer, and when they get really sick that puts a huge cost on the state government with people going to the emergency department. So why would you have a tax that takes people away from delivering bulk-billed health services in this particular state?

The one I was just going to finish off on was the education tax. Why would you start taxing private schools for delivering education? We know that nearly a third of children in Victoria are educated in non-government schools. The Victorian government – it does not matter who is in government – cannot afford to build enough new schools to educate all of those children if the private system does not do it, so why would you put a tax on private schools for delivering great educational outcomes? If you go to a government school here in Victoria it actually costs you \$1000 a year more per student

than it does anywhere else in Australia. The cost-of-living crisis that Victorians are feeling is being driven by policy decisions and tax decisions of the Allan government. Victorians need to know that. It is not someone's else's fault, it is the Allan government's fault.

**Lauren KATHAGE** (Yan Yean) (16:41): I am just so glad that the Leader of the Nationals finished off on education, so let me pick up there. We have had some excellent advice from those opposite. The member for Sandringham had advice for me as a member of a marginal Labor seat: he believes that we need to deliver for vulnerable Victorians and provide the services that they want. Speaking of education, just two weeks ago I learned of a different school. I did not know that the Plenty Primary School was cut by Kennett and closed. I did not know that. So that is the Plenty Primary School as well as the Kalkallo Primary School – neither of those exist anymore. Luckily Doreen Primary School managed to put up a strong enough fight at that time and remains open, and not only does it remain open but it is currently being upgraded under this government, because we are the government that cares about education.

I am not surprised that those opposite were taken in by that fake news of how much it costs to send children to state schools in Victoria, because they do not know about state schools – they would not know. Their spokesperson for education is too busy worrying about high-fee private schools to know what the actual experience is for parents of state school students, such as me. I know that I certainly did not pay \$10,000 last year or whatever ridiculous figure was quoted. They do not know about government education. They do not know about the support that is provided. As well as providing the support for education and the fantastic learning that my child has received, we also provide cost-of-living support for parents through the schools. My daughter's school at the moment has the Smile Squad van parked there, and they are working their way through treating all of the children's teeth. If you think collectively of the money that is being saved by the parents at that school – we know how expensive dentists can be, so they are saving quite a lot of money there. But it is not just the pearly whites, it is the eyes as well. My daughter has been in glasses since she was 15 months old. We are always so glad that we caught that early so that it has minimised the impact on her learning and socialisation. That is why I am so glad that our government has a Glasses for Kids program in schools to check kids' eyesight, to make sure that they can see the smartboards and that if they need glasses they are supported into glasses – another cost that is not borne by the parents.

I will just finish off there. My daughter currently is at Auskick. It is her first ever Auskick session right now, and I hope she is having a fantastic time. Certainly when I paid the registration fee for that, I thought, 'That's not affordable for everybody.' But our government is there for those parents as well, with our support for sports vouchers for parents who need them, because all kids should have the opportunity to participate in sport, especially the vulnerable Victorians that we heard about from the member for Sandringham.

Those opposite are discovering that there are vulnerable Victorians, and those opposite spent a bit of time just now talking about health as well and the difficulty that there can be to see a doctor or a bulk-billing doctor. They spoke about nurses. They spoke about emergency departments. Let me just run through a few quick facts for the benefit of those opposite. It was not that long ago that I stood with the fantastic Minister for Health, our Premier and my colleagues in the north to announce the doubling of the Victorian Virtual Emergency Department. The virtual emergency department is essentially one of the biggest emergency departments in Victoria, and that is a nation-leading work by our government. And if you need to see a doctor urgently for free, we have the priority primary care centres. I have been there many times with my children, and they are fantastic.

The member for Sandringham said we have got less opportunities to deliver services that Victorians want. He said, 'Why can't you pay for nurses?' Let me tell you about something. It is called nursing scholarships. We are supporting people to become nurses through providing scholarships, and I have met young people that have taken up those scholarships. I am super proud of them, and I cannot wait to see them working in our hospitals. I hope that some of them will be in our new community hospital

in Mernda, which is another service that we are delivering, and that will provide free additional health services close to home for our community.

The question I want to pose to those speakers opposite is: if they care so much about Victorians, then why are they fearmongering? Why do they go on and on with these false premises, fearmongering amongst members of the Victorian community? We have heard a bit about health services. We have heard a bit about education. I would like to touch on now what they are saying about the 'bas gan' or gas ban that they have invented, which does not actually exist – the member for 'bas gan' here? No. We need to state clearly the facts. Do they want to keep Victorians on expensive gas? Do they want people in social housing to be too scared in winter to put the heater on, because they are scared of the bill? That is what making sure that people stay on gas does. It means that there are cold people in winter at home. This is a cost-of-living support measure for Victorians. We know that electric heating and cooling are cheaper than gas.

When we talk about vulnerable Victorians, which they have discovered today, let us talk about people in social housing and this government's work to make sure that people in social housing do not have to stay on the expensive gas that those opposite want them to stay on for ideological reasons. That is why we have our energy efficiency in social housing program, providing energy efficiency upgrades to public, community and Aboriginal housing. We do not want people to be cold in winter. We do not want people to be scared of their gas bill. You are creating fear where fear does not need to be created. People are scared of their gas bills, so I do not know why you would want to make them scared of electricity. People running their heater in winter, people being cool in summer – that is what it is about, without meaning that they have to go without other essentials in life. I think the fearmongering just truly needs to stop – the fearmongering and the falsehoods talking about energy prices. The reality is that we know with the default offer Victoria has the lowest wholesale prices for residential and for business, and that is because of our move towards renewables and away from bas – sorry, gas. I do not think that you should continue to do that.

Those opposite like to tell us that they are the experts on regional Victoria. We have spoken a bit today about how it was actually this government that reduced the cost of stamp duty in regional Victoria on our way to now abolishing it. It was this government that reduced payroll tax for regional Victoria as well. They love it when we speak about regional Victoria, so I am going to keep doing that. We know that in fact it is under this government that since March another 6700 people in regional Victoria have found jobs. It is our government that has created an all-time high in the number of people employed in regional Victorian communities – now at 828,500, with unemployment very low. If I knew which region you were representing, I could probably quote it to you, but you could definitely check the ABS stats on that. We know that under the last coalition government full-time employment in the regions actually went backwards. It went backwards by almost 14,000 jobs.

**Richard RIORDAN** (Polwarth) (16:52): This is a fantastic matter of public importance brought forward today by the member for Sandringham. This house absolutely condemns the financial mismanagement and economic recklessness of this Allan government, which is causing a cost-of-living crisis for businesses and families, in particular in an electorate like Polwarth, where so many of the increased taxes and charges and the lack of ongoing government funds to look after basic infrastructure are really, really hitting the hip pocket not only of families going to the supermarket every week or trying to send their kids to school but of small businesses, which are the backbone of rural and regional Victoria.

I would like to talk about two things mostly today, and they are the effect on housing and the effect on our roads. Take housing, for example: the rental tax, which the government calls land tax, is an absolute 100 per cent hit on regional Victorians, this year particularly. Up until this year most affordable homes for low-income, fixed-income country Victorians who are renting did not suffer at the hands of a rent tax. This year they do. This government has slashed the threshold that once existed that actually sought to some extent to protect people in rental properties, but that does not happen anymore. For the first time ever literally thousands of low-income homes right throughout regional



Victoria have a rental tax put on the cost of their rentals each week, and that varies depending on where you live. In an electorate like Polwarth, if you are living in some of our smaller inland towns that is about \$20 to \$25 per week on your rental. That is a big increase for the lowest paid people in the state, and they are not getting anything for that \$25 tax. We know that that \$25 tax is coming straight back down here to Melbourne to pay for that big vanity project that this government is insisting on going ahead with.

If you are one of the people that live in one of our coastal communities, you might be working in one of our famous restaurants, you might be providing important healthcare services or you might be looking after kids in a school, and you might be living in a house that is pretty basic but unfortunately is worth a lot of money because it is on one of the best coastlines in the world. Well, if you are living down there, you are up for nearly \$100 a week that you are paying in your rental to this government. On every level, while we have a real labour shortage in rural and regional Victoria and our high-tourist towns, we have now got this government making sure that accommodation in those towns is even more difficult. Talking to real estate agents across my country towns, over the last six months since this government flagged its massive increases to rental tax what we have found is that houses are going to Airbnb quicker than ever before. Of course that is bad for my community. It is bad for the workers; it is bad for the towns. But, guess what, this government wins anyway. Why do they win? They win because they are putting a tax on Airbnbs as well, so they are going to get the people who live in those houses or want to stay in those houses or contribute to those towns anyway. You can go for a holiday in Victoria and help pay for the tunnel, or you can go for a holiday in Queensland or overseas or somewhere else with Airbnb and you will not have to be fixing up the messes that this Victorian government has caused.

What it also means in those towns with those long-term rental accommodations, country towns like Torquay, Lorne, Apollo Bay and other places, is that they are losing places to put workers that they desperately need. Their kinders are short. The school in Apollo Bay cannot get anywhere to put their staff. It is a long drive unless you live in the town. These are real issues being exacerbated. People are not, ultimately, a charity for this government. They have to pay their bills. They have to get on with their lives, and they cannot afford to try to keep their much-needed jobs in rural areas only to find that they are paying big fat taxes to this government to help pay for its messes here in Melbourne.

The government will not be at all familiar with the disastrous effect on the country road network. I hope colleagues across the aisle are waking up here, because they need to listen to this. The milk – that basic product that comes into supermarkets and that every family across Australia needs – comes on our roads. For those people transporting the milk from wonderful little towns like Cobden in my electorate – every night, big trucks, fresh milk delivered to Melbourne – their single biggest cost, even bigger than their fuel bill, is the wear and tear on their transport infrastructure because this government cannot afford to maintain their roads any longer.

It is not me grandstanding about the parlous state of the roads. Every country Victorian knows how bad our roads are. We have now got the poor buggers, the poor people, building the roads also complaining. We read in the *Weekly Times* today of a 95 per cent cut to the resurfacing of roads in Victoria at the moment. What does that look like? One of the contractors that I speak to a bit in my patch uses 30,000 cubic metres of aggregate on resealing in a normal year. That is what he supplies to road contractors in Victoria. This year it is 1000 cubic metres. That is an even bigger cut than 95 per cent. It is a massive slaughtering of the welfare and wellbeing and the safety of country Victorians on the roads.

What this government does not realise is that letting that basic infrastructure of roads wear down – not replacing and resealing our roads every 10 to 12 years like they are supposed to but instead letting it blow out to 20-plus years – just adds to the cost of food and produce in our supermarkets. I know my colleagues up in the north, out in Gippsland and further along in South-West Coast and all country members know how much it adds to the cost of getting food and produce to market here in Melbourne when you cannot do it reliably and safely. It wears out tyres. It wears out suspensions. It causes deaths.

We know it costs lives. These are the costs that people and families are bearing in regional Victoria because this government is simply broke and cannot afford to do the things it needs to do.

It does not matter how this government tries to disguise it, the massive increase in WorkCover premiums is one of the things that I think every MP, certainly on our side of the house, is getting. I imagine if there is 'WorkCover' in the subject line on a Labor Party MP's email, they probably just delete because they do not want to know about it, but everyone else is copping it big time. This is a massive increase in the cost of providing goods and services across everything. It is costing plumbers more to turn up to fix basic plumbing needs at your house. It is costing the electrician more. It is costing all service people more to turn up to your home to provide basic repairs and maintenance to your home. It goes straight to the bottom line of the cost of living for Victorians, and that is because this government is broke. It is not managing its systems properly. It is galling for Victorians to see, and it will be interesting to see what is delivered up next week in the budget.

What this government has consistently done is increase those hidden taxes and charges only to then take a cash dividend out of them to help prop up the budget. These taxes and charges are no longer transparent, they are no longer there to help keep the costs of business down, but they are actually actively increasing the cost of business here in Victoria on basic services that all Victorian households need and rely on.

We have also seen the new health tax – with only a minute and a half to go. The average Victorian family does not need to be reminded about how expensive it is to go, at the best of times, to see a GP or an ophthalmologist or to go and see the dentist or a physiotherapist. It does not matter what the health service is. If you are going to those services, particularly if you are in regional Victoria, you are not likely to be getting very close access to bulk-billing or other discounted rates; you will be paying full tote odds. This government is ensuring that they have increased the tax component for those practitioners – all health practitioners right across the scale of services that families access on a daily, weekly and monthly basis. This is a huge increase in cost, and many health providers have made it clear that they will not be able to sustain the increase in the tax and the only other option they have is to pass that through in its entirety to the families, to the children, to the elderly people, to those on pensions and on fixed incomes that are currently already quite often having to go without the service because they simply cannot afford it. This state is in a mess with its finances, the taxes are out of control and this government's ability to prioritise in a sensible, methodical, logical manner the money it collects and the way it spends it is lost.

**Paul HAMER** (Box Hill) (17:02): I am very pleased to rise this afternoon to make a contribution on the matter of public importance (MPI). Notwithstanding the doom and gloom that is portended by those opposite, the Victorian economy is actually in a very strong state. I want to just draw the house's attention to some of the information that came out of the 2023–24 mid-year financial report that was released about a month ago. That identified that Victoria's gross state product (GSP) increased by 2.6 per cent in 2022–23 and the economy is now 8.6 per cent larger in real terms than it was before the pandemic. The labour market is strong, with the unemployment rate at or below 4 per cent so far in 2023–24. As we heard, we inherited a much larger unemployment rate when the government came into power in 2014, and we have seen that unemployment rate decrease over that period of time, even through the one-in-100-year pandemic that we all experienced. State final demand rose 2.1 per cent over the year to September 2023, and this was driven by strong growth in business investment, public consumption and public investment.

I do want to just reflect a little bit on the Leader of the Nationals, who seemed to attribute all of the world's problems, including the inflation pressures that we are under, to the state government. I do recall that there are sections of the media that like to blame the former Premier for everything that has happened in the world, but even the former Premier would not claim credit for mortgage rate increases that might happen in the United States or even in Western Australia. For people in Western Australia, it is a different economy over there, but they still have cost-of-living pressures and they still have the same mortgage rates that people in Victoria do. So there are many international factors that are in play

which are impacting upon the cost of living, and we as a government have repeatedly, over many budgets, been looking to address those cost-of-living measures. Many of them were outlined by the member for Yan Yean in her contribution. It is for that reason that we need to have a strong and growing economy but also make sure that we do have the services and infrastructure that all of our community – everyone who lives in the state of Victoria – needs.

I do want to reflect a little bit on the debt. There were quite a lot of contributions that have made reference to that. We do need to think about this and put this in some context. As a state, we borrowed money during the pandemic, and that was the cost of saving lives. I recall the member for Malvern –

**James Newbury** interjected.

**Paul HAMER:** The budget was in surplus before, member for Brighton. The member for Malvern, who was the Leader of the Opposition at the time, was insisting that balancing the budget at the time was more important than borrowing money to save lives and keep business operating. I am sure every single one of the small businesses that received support through the state government was very, very thankful that that support was available. I have never heard one small business operator in my electorate come forward and say, ‘You know what? We didn’t need to have that money during that period of time.’ We saw the federal government through that time had the JobKeeper program. There had been a lot of pressure from the Labor opposition at the time and from the unions to introduce a JobKeeper program, and credit to the federal government at the time. They borrowed heavily. They were already in far more debt than the Victorian state position, but they borrowed heavily so that they could make sure that Australians were able to keep their jobs and keep food on the table and have housing over their head through that one-in-100-year pandemic. If we had taken the approach that those opposite would have taken, we would have had none of those supports. Everybody would have been left on their own fending for themselves, because that is the Liberal way.

What is the debt also paying for? The debt is paying for our future investment – the future infrastructure that we need to service our growing population. I would like to look at this in a historical context of where our debt to GSP sits at the moment and compare that to where it was in the past. I think if I am correct our debt-to-GSP ratio at the moment sits just over 20 per cent. Now, if you look at that historically, back in the 1960s it was over 50 per cent and then 46 per cent in 1970. I know that the coalition are very fond of reflecting on the premierships of Bolte and Hamer, and those governments did see the benefit of borrowing money to put in place the infrastructure programs that future Victorians would rely on. One of the big projects that Henry Bolte embarked on and was continued by his successor was indeed the city loop project. I would like to just read into the record some –

**James Newbury:** Did you go back to the *Argus*, did you?

**Paul HAMER:** The member for Brighton would well be aware that the *Argus* was no longer in existence at that time, but the *Age* certainly was. In 1968 the *Age* said:

The Victorian Government’s plan for an underground railway has been attacked in a ... report which warns that to go ahead at present would be a serious mistake.

This sounds like I am reading from a current Liberal Party press release, in fact:

It accuses the Government of recommending the expenditure ... without competent planning or research.

...

Many of the arguments put forward to support the construction of the ... loop line are misleading or irrelevant ... The evidence is strong that to proceed with the underground at present would be a serious mistake.

It proposed instead that it should just change shopping hours. That was its solution for the time. Now, think of all of the Victorians who have benefited in the last – when did the city loop open, the early 1980s – more than 40 years since the city loop opened and all of the benefits that have come, not just with the travelling public having better access into the city but also the economic development opportunities that have been created by the city loop, particularly in the eastern part of the CBD and

the northern part of the CBD. This was a project that released all of that. The government of the time, to their credit, needed to borrow money to invest in the projects of the future, and projects of the future they are. But if you had that scenario today, presenting a Liberal government with an opportunity to have an infrastructure project that would last the course of time and deliver lasting benefits for generations of Victorians, they would say no. They would find an excuse to not spend the money, not borrow the money, because they would prefer to stop spending and to reduce the revenue. They would oppose the project in all its forms.

This is what this MPI really is about. It is really about a difference of the values of this Labor government and what we represent and what we are planning and setting up for the future versus a Liberal opposition whose focus is on cutting services, stopping spending and reducing revenue and opposing housing.

**James NEWBURY** (Brighton) (17:12): I rise in support of the member for Sandringham's matter of public importance:

That this house condemns the financial mismanagement and economic recklessness of the Allan Labor government, which is causing a cost-of-living crisis for Victorian families and businesses.

There is no greater recklessness and financial mismanagement than with Labor's approach to the great big housing con that they announced in September last year. The former Premier stood up, as his swan song, to announce a commitment to 80,000 new homes each and every year. I understand the department advised him to commit to 60,000 new homes, but it was not good enough for a retiring Premier. He wanted to up it to 80,000 because it was his big final commitment when leaving the Parliament after 10 years, so he said, 'Let's say 80.' Well, hasn't that been an incredible con on the dreams of first home owners in this state. That is what it is, and that is why the con is so craven.

**Kathleen Matthews-Ward**: On a point of order, Deputy Speaker, I seek your advice. Is there a point of order against assaulting us with all that noise?

**The DEPUTY SPEAKER**: That is not a point of order.

**James NEWBURY**: I understand how embarrassed the Labor government are about being called out on the housing con that they are perpetuating on first home owners and Victorians. Eighty thousand homes were promised each and every year in September last year. And last year how many were delivered? 53,711 – almost 30,000 short. The end of July figures for this year have us at a historic low of 51,000. The Housing Industry Association projects that next year the government, who promised 80,000 homes next year, will deliver 52,000 homes – again, nearly 30,000 under – and the year after, in 2025, 55,000. At no time over the next 10 years will the government ever reach the promise they have given to Victorians to build 80,000 new homes each and every year over the next 10 years. It is an outrageous con perpetuated on people who dream of owning their first home.

What do the experts, people in the industry, say is happening in Victoria as a result of the government's housing statement and the taxes, the charges and the assault that has occurred? Bricks & Mortar Real Estate say:

Why would you ever want to buy in Victoria? It is the most expensive state to hold a property.

Kay & Burton say:

It's creating a lot of angst. Locals could not believe they were going to be slugged with even higher taxes ...

This is what people are saying. Interstate agents are saying things like:

... investors are "arriving in droves" because of the high taxes and living costs in Melbourne.

That was Sotheby's. Propertybuyer says:

There is definitely an exodus heading north because of the lower stamp duty and higher ... tax threshold.

Clover Financial Solutions said:

Brisbane is hot.

That is what people are saying. They are saying there is a problem with taxes in Victoria and the money is heading interstate. We know that is true. We know that is absolutely true, and we know that not only is the money fleeing, the investor money is fleeing in that property sales are occurring.

The Australian Housing and Urban Research Institute's recent survey found that of 1700 investors, a quarter of the investors had reportedly sold at least one rental property in the last year. Perhaps one of the most profound interventions in recent weeks came from Mike Zorbas, the chief executive of the Property Council of Australia, who recently said:

Victoria is Australia's ball and chain on international investment.

The Victorian Government's positive words on investment are at odds with the state's actions on tax settings and planning.

That is a polite way of saying the government are a bunch of liars and they tax too much.

**The DEPUTY SPEAKER:** Order! The member knows that word is unparliamentary.

**James NEWBURY:** Thank you, Deputy Speaker. Mike Zorbas said:

They amount to system wide risk for investment in the state.

...

This is about Victorian policy settings saying the exact opposite of the claims made by Victorian Government's leaders.

Read: the Victorian government. We know that is true. What is worse is that only a few weeks ago we saw a council mayor get up and look, frankly, the fool by calling for a 3.3 per cent charge on all future property investment. Quite resoundingly, industry – everybody – heard what he said and said, 'There's always some fool who comes out at the end of the show and says why don't we jack a price onto everything else Labor's charged.' Following that, the Victorian government this week confirmed they want to scrap their growth areas infrastructure contribution charge and expand a charge on all home owners in Victoria – so from seven councils to 79 councils. So when this poor mayor came out looking quite the fool, little did he know he was actually leading the charge on what the state government's next tax would be. Next week I am sure the 54th new tax will be a charge on every single home owner – a great big new tax.

We know it does not matter what the government says, because if you talk to anybody, you know that the property sector is on its knees. When you look at the numbers that are being released, we know the property sector is not building anymore. We know that investment is not coming into this state. And you ask why. Look at the urban development institute's recent data, which shows that the combined taxes and charges on a greenfield site equate to 54 per cent of the lot price. That is just highway robbery. On an apartment it is 28 per cent. Seriously, why would you do business in this state? The government is just a bunch of rip-off merchants. When it comes to apartment prices, the figures from the experts show 28 per cent on the final apartment price goes to taxes and charges, and the average on greenfield is 44 per cent, so almost 30 per cent on an apartment and 44 per cent on greenfield. I also have some modelling from a significant developer who looked at their works and the taxes and charges on what they build: on apartments it is 22 per cent and for foreign purchasers 32 per cent on apartments.

So we know when you are buying something in Victoria what you are doing is you are paying partly for a property but you are spending a heck of a lot of your money on the government tax take – that is what you are doing. The government has announced a great big housing con, promising to deliver homes, when all it is is a cover for new taxes for the government to rip off Victorians and do it under the craven promise of delivering homes. That is what this housing statement is – it is a fake promise. We know what these charges are; these charges are in black and white. The housing statement is a

cover for new taxes, and in the budget next week there will be more. We know that 27 of the 53 new taxes are property related, and next week we will see another great big new home owner tax perpetrated on the people of Victoria who can least afford it, especially those who are dreaming of owning their first home.

**Daniela DE MARTINO** (Monbulk) (17:22): I just thought I might bring the volume and the tone down a bit. I understand the member for Brighton was quite passionate, but in contrast there is a lot to be discussed here which is very important indeed. I would like to actually address the matter of housing, which the members for both Brighton and Polwarth raised as issues. Cost of living is an issue which is affecting many people, and that is absolutely understood. But I would like to point out – and looking at two different sources of very current data – a group called SQM Research just released the houses and units rental prices across the nation. I would just like to put on the record that as of 28 April – being three days ago, if I can still count – Melbourne’s house prices on average were \$744.57 per week in rental and units were \$558.39 per week in rental. Sydney was \$1060 for houses, \$712 for units. Perth was \$789 per week for houses and \$600.88 for units. Brisbane was slightly lower on houses but was higher on units at \$577.22.

So at this point in time, whilst people are doing it tough in Melbourne, our house rental prices and unit prices are actually some of the lowest in the country, and as the second-largest and soon-to-be the largest capital city – or did we become the largest capital city?

**A member** interjected.

**Daniela DE MARTINO**: We are the largest capital city in the country as of only a couple of weeks ago – thank you – and yet we are much cheaper at the moment for rental. That is not to take away from the fact that it is difficult for people, but let us have some perspective here instead of just hyperbole. In Domain’s research, which was released for the March 2024 quarter, their averages showed \$700 for Sydney per week, Melbourne was \$550, Brisbane \$590, Perth \$550 and Canberra \$570. Combined capitals were \$620. I will just reiterate again that Melbourne was at \$550. There are some facts and some perspective just to start my contribution.

There have been some great contributions made here today. The member for Yan Yean, the member for Bentleigh and the member for Box Hill, I was listening to what they had to say, and they reminded us of a few things which I would also like to point to. Cost-of-living crises and cost-of-living pressures sometimes tempt conservative governments to go down austerity paths. We know that in times gone past that is precisely what has happened in this state, and it is precisely what has happened in the United Kingdom. I do not think anyone here is crowing about the state of their economy at the moment, because austerity tends to basically benefit those who are already quite well-to-do and hit those struggling the most. It hits them absolutely the hardest.

I have heard a lot in here from those on the other side of the chamber about how terrible things are and blaming the Victorian state government for a cost-of-living crisis, which is quite extraordinary when you consider that it is a cost-of-living crisis affecting the nation and most parts of the world at the moment too. I did not know we were that powerful – and all kidding aside, I know that we are not. At the end of the day a cost-of-living crisis is something that happens because of macro-economic forces that go well beyond just our area and this part of the country. So the actual premise of the matter of public importance is disingenuous to start with, and in a way I am actually quite offended by it, because it is contemptuous of the Victorian people to peddle falsehoods like this. They are smarter than that, and I think people do understand that this goes beyond our state and therefore our state government cannot be blamed for the situation as it stands. I will say that what we have done is our absolute utmost to relieve these cost-of-living pressures for Victorians. There are a swathe of measures and initiatives we have undertaken, which often get pooh-poohed by those on the opposite benches. Every time we initiate something to benefit Victorians it is castigated, it is talked down and it is turned into something negative. So I would like to posit a question: what on earth is the opposition’s actual solution to any

of this? What I hear is, 'Let's just oppose all that Labor has achieved,' and if that is the default setting for their policy, it is a very sad day indeed.

The member for Bentleigh talked about free TAFE, and TAFE is quite emblematic in a lot of ways. It is so crucially important, and being able to go out and upskill and cross-skill without cost is a huge way to assist people with cost of living. It improves their chances and capacity to earn more money, to be able to find other jobs and to be able to open up the doors of opportunity for them. So our free TAFE program has real and tangible benefits. Because I grew up in Lilydale I recall when, during the last coalition era of government in this state, the Lilydale TAFE was closed. Padlocks on the gates – the symbolism was there for us all to see. And I remember the wonderful former member for Monbulk being at the absolute spearhead of making sure that that TAFE was reopened, and it was and it is thriving. It is a fantastic TAFE at Lilydale. It is outside of my electorate, but it services the people of my electorate. I cannot tell you how important having that TAFE open and now providing free TAFE has been for the people of Monbulk and wider in the outer east. That is where we assist there.

It was mentioned by the member for Sandringham that we have some shortages in teaching. I would just like to remind those opposite of what we are doing in this space, because we have not sat idly by. We have absolutely not sat on our hands and gone, 'Oh well, too bad, so sad.' We have been proactive, because that is what we do. When there is a problem, we tend to go out and find a solution, and then we put it into action. We have introduced free teacher training for those wanting to become secondary teachers – free. I would have loved that when I did my teacher training, because it cost me more than my degree by the time I had gone back to do it. It was actually quite a struggle to get through and do my diploma of education, but I got there. But we are offering free teacher training for those who want to teach in secondary schools and in state schools. It is a \$229.8 million package to grow our school workforce, and it is up to \$93.2 million of new scholarships to support teaching degree students with the cost of studying and living. That is absolutely to be applauded. And the shortage of teaching is not limited to Victoria and it is not limited to this country. Once again it is actually a global phenomenon. We have not sat there and gone, 'What a shame.' We have actually put some work into this, and we are delivering.

For those who have interest in the regions and rural areas, we have actually put a further \$27 million to continue and expand the targeted financial incentives program. That gives incentives of up to \$50,000 to teachers to take up rural, remote and otherwise hard-to-staff positions in government schools. Again, we target our approach where it is needed the most.

I know the member for Yan Yean was mentioning Glasses for Kids in schools. That has been a \$2.5 million program. There has been so much else we have done to assist with the cost of living for parents of children at school, because when you have kids and they are not able to go out and earn, it is some of the most expensive time in your life – I know that for a fact. Since July 2015 we have provided – and here is a figure to make you all pause – \$748.9 million to assist families with the cost of living through education. \$78 million in breakfast clubs – I have talked about it before. I will never stop talking about breakfast clubs. Children cannot learn when they are hungry. When they come to school and they get fed, their brains switch on. They are not distracted by hunger pangs or low blood sugar or feeling faint. Filling the belly of a child with nourishing food is half the battle to get them to learn, so \$78 million we have spent on breakfast clubs.

I do recall that the last time the coalition was the government of Victoria it cut the free fruit program. I mean, that is the worst penny pinching that I can actually think of. Other things we have done too are \$48 million towards affordable school uniforms; \$9 million towards period products, because period poverty is a real problem; and \$367 million towards the Camps, Sports and Excursions Fund. The clock is running down. I have not got through my list once again, but I just want to reiterate that we are assisting people with the cost of living.

**Tim McCURDY** (Ovens Valley) (17:32): I am delighted to rise and make a contribution on this matter of public importance by the member for Sandringham:

That this house condemns the financial mismanagement and economic recklessness of the Allan Labor government, which is causing a cost-of-living crisis for Victorian families and businesses.

I note that many on the other side admit that we have a cost-of-living crisis. The first thing when you have got a problem is admitting that you have a problem. It is just that none of them will take any responsibility for it, and that is our concern. The member for Monbulk asked what we would do in the same circumstances. I do not know why she asked, because I do not think Labor ever listen. But I will tell you now: the first thing you could do is stop overspending on projects. Get rid of some of these massive projects, like a tunnel from nowhere to nowhere that is going to cost billions and billions of dollars and send us further and further into debt – that would be a great start. Then you would not have to tax people so highly, and that would help with the cost-of-living crisis.

Never has there been a more important time to debate something like this than now. We have got a budget coming up next week that even those on the other side are scared about. They are all genuinely concerned about what is going to happen in this budget. It really is a budget that is going to cut to the core. We are all feeling it; all Victorians are paying the price because of Labor's incompetence, and it really is at critical levels right now. And we know many of the perpetrators have moved on. They have passed the baton. The former Premier created all this mess, and now he has passed the baton on. Some of the senior cabinet ministers have vanished into thin air. Even the Treasurer has got one foot out the door, and he is the only one that gets really pale when the Speaker yells, 'Lock the doors.' He starts to go into frightened mode because he thinks he might get locked in here forever. He is the one that says, 'I don't want to stay here any longer than I absolutely have to,' so he is going to deliver the budget and then he will be gone.

Then there is the backbench. They sit on their hands. They are too scared to speak up.

*Members interjecting.*

**Tim McCURDY:** They are pretty loud in here. What are they like in the caucus? They are frightened to speak up and they are too scared to speak up, and the ministers here at the front – they draw the big bucks – are just throwing them under a bus. Anyway, you are prepared to take that opportunity.

**Belinda Wilson** interjected.

**Tim McCURDY:** I write my own speeches, thanks. Financial mismanagement is in their DNA. In fact it is not even embarrassing for these guys to have financial mismanagement; it is a badge of honour. They see it as a badge of honour. Every project there is a cost overrun, every big build is billions over, but this government refuses to learn from its mistakes. And the first thing – 101 – is you should always learn from your mistakes, but they do not.

**Danny O'Brien** interjected.

**Tim McCURDY:** There are a lot of mistakes, member for South Gippsland. The current Premier has not deviated from what the previous Premier was doing – spend big, tax big – and Victorians are starting to push back. 53 new or increased taxes – we have heard about those. We are the highest taxing state in Australia. Energy prices are through the roof. Hospital wait times have doubled in my region. I do not know how your regions are going. Ambulance wait times are longer than ever before, and the school tax is hurting big-time.

**Sonya Kilkenny** interjected.

**Tim McCURDY:** Well, it might be helping in the seat of Carrum, but certainly in the Ovens Valley electorate we cannot get an ambulance for 2 hours in some cases. The GP tax is making it dearer to visit a GP. The above list – they are not wants, they are needs. When we talk about energy, ambulances,



hospitals and schools, they are not wants. The wants went out the window last year. They are all needs – needs that we have to have. The Allan Labor government will grind this state to a halt. We all remember – well, some of us do – the Cain–Kirner years. What great years they were. By the time they finished, the state could not even afford to pay their nurses, could not afford to pay the police and could not pay frontline services. We were absolutely broke, and we are headed back there right now. We are headed for a \$200 billion debt. We know that, and they know that, but they still choose to do nothing about it. \$15 million a day we are currently paying, and that number will go up as the debt goes up.

I need stage 3 of a P–12 school in Yarrawonga. We put in stage 2. We needed \$15 million to get stage 3 done. I have been waiting 10 years. That is one day's interest for this government. One day's interest of \$15 million would give that community – the fastest growing town in regional Victoria – the school they need. That \$15 million – one day of debt – would be their solution. It really is sad that we are spending this much money on interest, and it is going to go up.

In my electorate and in many others there is certainly a housing crisis – a lack of affordable housing. Rentals are hard to find, which then turns into trying to find staff, because they cannot move to the region, they cannot move to the town. Businesses are saying to me that they cannot get staff because of this flow-on effect from the housing and the rental shortage. The shameful thing is, we could all see it coming. The priorities of this government have been all wrong, and now we end up with a housing crisis. And the housing crisis we have got is like a watertable. It did not happen overnight. It does not go up overnight. It takes years for these things to happen and we could see the writing on the wall, but still nothing was done about it. Again, Labor not only sat on their hands, they threw fuel on the fire. They made the problem worse with land tax and extraordinary rental concessions for tenants. They drove landlords and property owners out of the market, and they wonder why there is a housing crisis. It is like a surprise that there is a housing crisis. But the Premier, like the last one, blames others. 'It's not our fault. Sorry, it's not our fault. It's interest rates, it's the federal government, it's the weather, it's all these other things – it's never our fault.'

**Brad Rowswell** interjected.

**Tim McCURDY:** Yes, and they even go back to the Kennett government. I do not know how far they can go back – maybe Bolte, maybe further – but they will always say it is somebody else's fault. You need to take responsibly for your own mess and start to clean it up. Victoria has more debt than New South Wales, Queensland and Tasmania combined, and while Victorians suffer, big business, unions and consultants are absolutely thriving.

Land tax is one of the 53 new taxes that has come into Victoria. It is really hurting in my communities, and it is a cruel body blow to all Victorians trying to help themselves, trying to get their families ahead. These are middle-class people that are just trying to look after their own retirement or get their families educated without being a drag on the government and needing handouts and cash. Because they can look after themselves, these middle-class people. They can manage, but I tell you what, with more taxes and more things that get thrown against them, the cost-of-living crisis is hitting them just as much as it is everybody else.

The concern I have got is that middle-class people, when you make life so difficult for them, fall down to that next category below and need more services. They need handouts, they need help and they need assistance. This is what is happening now, and that just creates more pressure on all of our services and more pressure on the government to fund things that people normally used to fund themselves. They slip into that stage, and as I say, it puts more strain on all the amenities. In my electorate, like many others, there is a lack of new housing, there is a lack of new shop developments and there is a lack of business investment. It is due to a lack of confidence, and that lack of confidence is largely as a result of having the highest taxing government in Australia.

I want to quickly touch on education. Between the lack of schools being built, certainly in my electorate – and I hear every day about schools that are getting built and expanded in Melbourne and metropolitan seats. But the education costs for a family – it is just out of this world now what it costs to send a child to school. The latest numbers are saying \$108,000 to educate from prep to year 12 – so much for the Education State and so much for free education. Last year the Allan Labor government even got caught out stripping money out of schools where there was a surplus in schools in the 2023 budget. That is just distressing for those schools and the education costs for families.

In the short time I have got left, I will not take a deep dive in health, because I do not have time, but waiting lists have grown. Ambulance waiting times have blown out. Last year \$930 million was ripped out of the health budget, and who knows what is going to happen next week? Those on this side of the house are fully aware we are in a crisis. We are in a black hole, and those on the other side know we are in a black hole as well. It just comes down to what they are going to do about it and whether they are going to make sensible decisions. Are they just going to tax people higher next week, or are they going to try to stop some of these stupid projects that cost too much money?

**Katie HALL** (Footscray) (17:42): Well, it feels like groundhog day today in here. I am again following the member for Ovens Valley. I would have thought representing one of Victoria's most beautiful electorates would have cheered him up a bit, but the second verse was the same as the first. That was the exact same speech we heard earlier today in a bill contribution by the member for Ovens Valley. We heard about the weather, the backbench and the vibe, so that was interesting, hearing all of that again.

Anyway, I had the singular misfortune of also hearing the member for Brighton and his contribution. I did not even have the TV on and I could hear him down in the annexe. I just want to comment a little bit about his contribution. He spoke a lot about housing, and he spoke about our landmark reforms in housing and the housing statement. My first memory of the member for Brighton is of him opposing social housing in his electorate. Heaven forbid people who were doing it tough should live in Brighton. He letterboxed, and he was out there doorknocking. He was very, very angry – so angry, so outraged about public and social housing going into the electorate of Brighton. Well, I am so proud of this government's Big Housing Build and record investment. It is the largest investment in Australian history into public and social housing – \$5.3 billion – so whether you live in Brighton or Broadmeadows this government is working very hard to make sure that if you need the support of public or social housing, this government is here to build it and to provide it for you and the people who need it. It is Labor governments who believe in public and social housing. We are the ones who fund it. We are the ones who support the people who need to live in that housing, unlike the member for Brighton, who has spent so much of his time railing against it in his community.

I would like to focus on a little bit of a compare and contrast in terms of what happened under the previous four years, the great opportunity the Liberal Party had to lead the great state of Victoria, when unemployment rose from 4.9 per cent in 2010 to 6.8 per cent in 2014, and the previous Liberal government cut over a billion dollars from our TAFEs. They closed 22 campuses and facilities across the state, costing hundreds of dedicated staff their jobs and tens of thousands of students their dreams. I am pretty proud. I have got the great story of Victoria University in my electorate of Footscray and the impact that their free TAFE courses are having on another great Labor initiative, which is free kinder. In the electorate of Footscray, Victoria University is now graduating more early childhood educators in their diploma course than any other tertiary provider in the country. Last month 800 students graduated to enter a career in early childhood. I congratulate each and every one of them, but I am also enormously proud to be a part of a government that delivered that reform.

I am also proud to be part of a government that is providing free kinder, because we know that education starts from the day a child is born, that the first thousand days, the first five years of a child's life are the most crucial in terms of their education. Delivering free kinder means \$2500 in savings for families who are juggling that expensive time when they are looking after young children before they start primary school, but the brilliance of this is that while it is obviously a great education reform, it

is also a landmark social reform. It is changing the way women – it is predominantly women still – carry the overall burden of caring for children and stay out of the workforce. It provides those women with the option of going back to work as we transition to a 30-hour pre-prep year in the Education State of Victoria.

The previous government cut \$550 million from the education budget when they were in government and 39,000 jobs were created in the four years of Liberal government. This is a bit of a *The Price is Right* moment because you will not believe the number of jobs that have been created in the last four years. We had 39,000 under the previous Liberal government, and 560,000 new jobs in the less than four years since September 2020. Now of course we have had a global pandemic – it has passed those opposite by – and we made some deliberate choices, like many other governments, including the Commonwealth, around what we were going to do to support businesses, to support our health sector and our health system, and we now have a COVID debt recovery plan that we are implementing. We are the only jurisdiction in Australia that is doing that, taking that decisive action.

We have a pathway forward. What Victorians cannot possibly cope with is another Liberal government, who were so mean that they cut Fresh Fruit Friday when they were in government, plus the student conveyance allowance, the education maintenance allowance, the School Focused Youth Service, Reading Recovery tutors and the police band – all gone. Retail electricity prices under the previous Liberal government increased by 34.1 per cent. The 2014–15 Napthine government budget was delivered by the then Treasurer Michael O'Brien, the member for Malvern, and he cut funding to energy and resources by 17.8 per cent.

In terms of cost-of-living relief, I have touched on a few things. Free TAFE is obviously one of my favourite initiatives locally in my community, which has supported 157,000 students and saved them \$436 million in fees. So when we talk about cost-of-living support, that is from your education through to the solar home programs, from free rego for apprentices to bringing back the dental van, which has been a great initiative of this government that I am enormously proud of, and I know on this side of the chamber we all are. The \$250 power saving bonus is enormously popular in my electorate of Footscray and of course the wonderful school breakfast club program. As the member for Monbulk beautifully articulated, it is the kind of program that if you have not been to one of yours locally, I would encourage you all to do so. Feeding our youngest little learners so that they can start their day with a full tummy and ready to learn is a really important thing and makes a massive difference to their lives and to their future as well.

Sixty-three times we have cut or abolished taxes and charges since we came to government in 2014. We have cut the regional payroll tax rate. You do not see the member for Ovens Valley talking about that. It is now the lowest in the nation.

**Jess WILSON (Kew) (17:52):** I am delighted to rise to support the member for Sandringham's matter of public importance that this house condemns the financial mismanagement and economic recklessness of the Allan Labor government, which is causing a cost-of-living crisis for Victorian families and businesses. From the outset, can we make it very clear that the cost-of-living crisis here in Victoria and that Victorians are suffering every single day is a result of the Allan Labor government's inability to manage money.

We have a budget next week which will be a culmination of 10 years of Labor's economic mismanagement – 10 years of rising taxes, 10 years of greater pressures on Victorian families and Victorian businesses. Next week the Victorian people will be looking to the government to provide cost-of-living relief, and unfortunately, it looks very unlikely that that is going to be delivered in this budget. We have had the Treasurer come out already and flag the fact that there are likely to be cuts in this budget – cuts to education, cuts to health services, that this is going to be a horror budget at a time that Victorians can least afford it.

I thought I would start by just addressing a few of the falsehoods that have been put by those opposite – to start, the proposition that this government continuously creates new jobs. It is the private sector – it is businesses in this state – that creates jobs, not the government. It is also not the case that it is the Allan Labor government's money; it is the Victorian taxpayers money that is being spent, that is being wasted at every opportunity by this government. We hear about programs like free kinder and free TAFE. It is certainly on the talking points of those opposite today, but these programs are not free. Unless there is a magic money tree that the Allan Labor government has access to, then these programs are being funded by the Victorian taxpayer. The Victorian taxpayer may well fund a range of programs, but it is not the government's money. It is their money that this government continuously wastes and then comes back and taps again and taps again through higher taxes.

We are seeing Victoria's debt levels increase, to \$177 billion by 2027. That is going to be more than \$24,000 per person. Each Victorian is going to carry the burden of \$24,000 of that debt. This government continues to spend. It continues to rack up that debt. We see deficit after deficit, and to the government that is of no consequence. But perhaps that would have more weight if we were not in a situation where Victorians have come off the back of 12 interest rate rises and understand and feel the pain of interest rate rises. They understand what debt means and what interest rate rises mean to their mortgage repayments.

That \$177 billion of debt by 2027 is going to represent a whopping 25 per cent of the Victorian economy. If we cast back to the Cain–Kirner recession, a government that is widely held as the worst in the state's history, net debt as a percentage of gross state product back then peaked at 16 per cent, in 1993. Victoria's net debt at the time of the Cain–Kirner recession was \$18.8 billion in 1995. That is equivalent to around \$35 billion today, so compared to the worst recession in Victoria's history, we are now \$100 billion further in debt than at the worst time in our state's history.

The Shadow Treasurer the member for Sandringham has rightly pointed out time and time again that Victorians are paying more than \$15 million a day in interest, and our net interest bill is set to reach \$8.8 billion by 2027. That means by 2027 Victorians will be paying \$24 million a day of taxpayer money in interest repayments alone. No Victorian household would run their budget in this way. It is simply not possible. No business, no family, would run their budget in this irresponsible way, because they simply would not have the capacity to do so.

As we look at that \$15 million a day in interest repayments, climbing to \$24 million a day in just a few years time, as many of us on this side of the house have pointed to, the consequence of that is that we will have less funding for essential services – less funding for education, less funding for health care, less funding for our police services. That means that we are not going to have the ability to ensure investment in our schools. We have crumbling schools across the state, schools with toxic mould, schools with walls that are falling down and schools that do not have the capacity for students in their classrooms, and we will not be able to make investments for those students.

If we look at health care, we see a situation where ambulances are not meeting the state's own targets when it comes to being able to call an ambulance and have confidence that it will turn up in time and your health will not be put further at risk. We are not going to be able to make the investment in our paramedics and in our ambulances to make sure that our health services are meeting the needs of Victorians.

When it comes to our police, we know that our police are under-resourced. We understand that they need more support on the beat. We understand that we are seeing youth crime in particular increase, and time and time again police will say to you, 'We simply don't have the resources to respond.' These are all the consequences of having a debt that is continuing to rise, a debt that is tracking towards \$200 billion and beyond in this state. The fact is that with that climbing debt we have to spend millions and millions of dollars of Victorian taxpayers money to make sure that we can service that debt alone.

Coming with that record rise in debt under the Allan Labor government, Victorians continue to pay the highest taxes in the country. Whether it is property taxes or whether it is a broad range of taxes, Victorians are paying the highest taxes in the country. We all know that on the eve of the 2014 election the then Leader of the Opposition Mr Andrews made that bold call that there would be no new taxes under his government. Since 2014, with the culmination of 10 years of this Labor government next week with their budget, we have seen 53 new or increased taxes under this government – 53 new or increased taxes hitting Victorians at a time that they can least afford it. We know –

**The DEPUTY SPEAKER:** Order! The time has arrived for the joint sitting to fill the Senate vacancy. The member for Kew will have the call when the MPI resumes.

**Sitting suspended 6:00 pm until 6:05 pm.**

**Jess WILSON:** In the time remaining on this contribution, as I was previously saying, Victorians are paying the highest taxes in Australia. That is particularly flowing through to the property sector, as we have seen more than half of those 53 new or increased taxes flow through to housing and property in this state. We know the impact that is having on rising rents, we know the impact that the government's increase in land tax is having on investment properties right across Victoria and of course we know the impact that the Allan Labor government's increase in payroll tax is having on businesses across Victoria. Whether it is housing and increasing housing costs, whether it is rent or house prices or whether it is energy and seeing a 25 per cent increase in electricity bills, we are seeing small businesses in particular being hit by the cost of electricity and we are seeing families being hit by the cost of electricity at a time they can least afford it. And we are seeing the impact on education. We saw the Allan Labor government in the last budget impose a tax on education – a tax on choice – which has seen school fees rise by an average of \$1000 across the state, with more schools to be hit in the coming years as that tax is not indexed and more schools will be added to the list and more families will be hit with that education tax.

I finish where I started: the Allan Labor government need to realise that when they are putting taxes on Victorians they are hitting the cost of living, and when they are wasting taxpayer money they are wasting Victorians' money, not their own money.

### *Bills*

#### **Commercial and Industrial Property Tax Reform Bill 2024**

##### *Second reading*

**Debate resumed.**

**Richard RIORDAN (Polwarth) (18:07):** We are back to the Commercial and Industrial Property Tax Reform Bill 2024. I think for most Victorians the concept of reforming stamp duty is in fact a worthy cause for us to talk about here in this chamber. Moving from our reliance on the endless cash cow of property is an important and noble objective of government. With higher taxes on land and property and people's ability to invest, if we get out of sync with other states, it becomes a huge disadvantage of doing business in Victoria.

This bill being presented by the government, to start in only a couple of months time, has as its essence a recommendation that says you should get rid of stamp duty – it is an inefficient tax, it does not add value to decision-making or investment decisions here in Victoria. If you get rid of it, it will free up the property market and allow investors to more quickly and nimbly move from a good investment to a better investment. What we know about stamp duty is that it is a huge inhibitor of mobility in property. What this means is that businesses that may have been set up somewhere but market conditions have changed or business opportunities have altered can more quickly move from one property to another without being lumbered with a massive tax impediment that may distort or alter their decision-making process. We know, for example, on a relatively simple commercial property worth perhaps \$3 million-odd, a business would be currently paying many tens of thousands of dollars

in stamp duty. If they were to move on from that property in a short amount of time and go to another property, they will have paid a lot of tax for very little benefit.

What this commercial and industrial property tax seeks to do is make the market more nimble. It will mean that businesses will have a smaller annual fee to pay and that therefore big up-front tax costs, hopefully, will not be an inhibitor. However, as with most things this government does, have they got it 100 per cent right? I would contend today in this chamber that, no, this tax has been tinkered with in isolation and without full context of the other tax regimes that currently exist in the state.

One of the great concerns I have got with this tax is it is going to be another 1 per cent on the land tax bill that you have already got. We get the land tax bill at the start of the year, and now, for many people, that is already a very significant bill. I did some sums earlier today of what people might expect to pay on land tax at the moment. For example, for a property of around a million dollars, you are looking at \$5800 or thereabouts. If you are looking at that property being owned by a trust – and let us face it, many, many corporate structures will be buying their business properties in trusts or some other sort of corporate mechanism – your bill is considerably more; it is nearly twice as much, at \$9800. For every million dollars of property value in this, you are adding another \$10,000. Depending on the corporate entity or the entity that owns the property, you are getting a very large starting figure of land tax with another 1 per cent on top. There are many not large businesses that are going to wake up on 1 January each year and go, ‘We’ve got 14 days to pay another \$20,000, \$30,000 for what are quite simple commercial properties.’ This government will say, ‘Oh, wow, they didn’t have to pay up-front.’ But if anyone on the government side has ever run a business, it is not what you have done over the course of the time, it is the cash flow that you have available at the time that matters most. Of course, turning up with quite large bills to pay in 14 days at the start of any year – at the Christmas break – and with all the other considerations that arrive at that time of year, this tax will be seen as another large imposition.

The government has demonstrated that over a 10-year period the average punter will not expect to pay that much more than what they would have under existing circumstances, and based on the current rates, that may in fact be fairly true. However, overwhelmingly, a lot of small businesses in particular own their properties for a lot longer than the average of 10 to 12 years. They may in fact own them for the lifetime of the business; they may own them for a very long time. What this means is the new tax that this government proposes, the new commercial industrial property tax – an extra 1 per cent on the land tax you already pay – will in fact go on for perpetuity, which means over the course of owning your commercial property you will in fact pay a lot more tax, a considerably larger amount of extra tax, than what you would have paid under the old system. On top of that, you will also be paying normal land tax.

What we have seen, tragically, in this state – and this has ended up costing renters, people in homes; this has cost people right across the economy – is this government cannot be trusted to leave the tax settings where they are. We know, for example, that under the current regime, under their current *modus operandi*, it is 1 per cent today, but the question is: what is the tax rate going to be in three years time or four years time? Will they creep it another 0.25 per cent, another 0.3 per cent, another 0.5 per cent? In a state where we know that debt exceeds that of the combined debt of the three other eastern seaboard states, what confidence could Victorians possibly have that this tax is not just a Trojan Horse, that it is not prying the door open to put yet another tax on property owners here in the state of Victoria? This of course is a huge concern to me, and I know it will be a huge concern to the voters and the investors and the commercial property owners right throughout the electorate of Polwarth.

The other issue of course is that land tax is not always the most efficient way of judging the return on investment or the value of a property. For example, land in some regional communities – such as in mine, in some of my coastal communities along the Great Ocean Road – has had quite distorted value. But at the end of the day they are still trying to provide very basic regional community services, such as a cafe, a local builder or plumbing supplier, or a hardware shop or other essential service in country towns, where the land value can in fact be high relative to the normal operation of the business. Once

again, this tax will inadvertently hit some people and some businesses harder than it should otherwise, if sharing the burden of tax across the state of Victoria.

It also concerns me that the government is not guaranteeing that the 1 per cent stays in place. The opposition has recommended that it looks at offering a lower starting point that actually more accurately reflects the longer term tax burden of a property owner, so at least you could argue that this was a revenue-neutral tax replacement. It could, for example, also put in a sunset clause which meant that after you paid the tax for a certain amount of time it maxed out. Both those suggestions would make this tax immeasurably more efficient and immeasurably fairer to property owners in the state of Victoria, but they would also make it a tax that truly was tax reforming rather than tax increasing.

Therein lies the challenge that this government has. It fails time and time again to present to this Parliament real reform – reform, particularly of tax, that actually makes a difference to the lives of people in Victoria, to businesses in Victoria and – increasingly, we are seeing – to general investment in Victoria. Victoria is currently suffering a flood of capital out of it. The Property Council of Australia and developers – everyone you talk to in Victoria now – talk about how Victoria is just no longer an attractive place to invest because you just do not know from one minute to the next what impact this government is going to have on your investment through its taxation regime, and, most importantly, its increasing taxation regime.

The opposition will not be opposing this bill because we support the concept of stamp duty tax reform, but we caution Victorians, we caution this Parliament, on the hidden dangers that this bill may propose.

**Dylan WIGHT** (Tarneit) (18:18): It gives me great pleasure to rise this evening to speak on the Commercial and Industrial Property Tax Reform Bill 2024. Just before I get to the substantive content of the bill I thought I would address some comments made by the member for South-West Coast. A little bit earlier I was in my office and had the pleasure of watching her contribution. She came in and quoted me. Yesterday I absolutely stood in this place and spoke about the fact that Victoria is one of the most attractive places to invest in all of Australia. The member for South-West Coast came into this place not too long ago and rebutted that by saying that 8000 businesses had left Victoria. Firstly, I would like to point out to the member for South-West Coast that from time to time businesses do close, and 99.9 per cent of the time they close for reasons that have absolutely nothing to do with the state, federal or local governments. What I thought that I would do, given the member for South-West Coast enjoys quoting me so much, is give her a little bit more information that she might be able to use in her next contribution.

In February of this year there was a report by Deloitte, the Deloitte Access Economics *Business Outlook* report. That report predicts that Victoria will lead all Australian states in economic growth over the next five years. The report forecasts Victoria's growth in gross state product in 2023–24 at 2.5 per cent, outpacing all other states and territories. Victorian economic growth will lead all states over the next five years to 2027–28 at an average rate of 2.3 per cent. But it does not stop there. The forecast follows recent ABS figures showing Victoria's economic growth outpaced New South Wales, outpaced Queensland, outpaced Western Australia and outpaced Tasmania over the previous two years. Victoria's strong economy has also enabled record job creation. Employment levels are just shy of the all-time high that we achieved late last year, a total amount of employed people of 3.68 million. Almost 530,000 Victorian jobs have been created since September 2020. Currently we have a labour force participation rate at 67.4 per cent, which is also a record high.

Victoria has long been and will continue to be one of the most robust drivers in Australia's economic landscape. That strong economy, our strong economy, the Allan Labor government's strong economy, has been as I said driven by an incredibly strong labour market creating over 500,000 jobs since 2020. It is absolutely no surprise to any of those on this side of the chamber that that is the case, because investing in infrastructure and investing in large-scale projects is good for productivity and good for getting people from A to B, and they are also enormous economic drivers and they are job creators, and that money goes back into the pockets of Victorians and goes into the Victorian economy. That is

why those on this side of the house have had such a large infrastructure agenda over such a large period of time, while those on the other side want to cancel projects. When they were in government between 2010 and 2014 –

**Bridget Vallence:** On a point of order, Acting Speaker, we are, I understand, talking about the Commercial and Industrial Property Tax Reform Bill, but I believe that the current speaker on his feet has strayed well beyond that and is not talking to the tax bill whatsoever. I would request that you bring him back to speaking on the tax bill.

**Ros Spence:** On the point of order, Acting Speaker, I put to you that this has been an incredibly wideranging debate. In fact it has been so wide that when I came in earlier today when we were previously debating it I had to check with those opposite what bill we were on, because the speaker who was on at the time was making no relevant comments whatsoever. So I would say this has been very wideranging and the member could continue.

**The ACTING SPEAKER (Iwan Walters):** I will rule on the point of order. It has been a wideranging debate. I have been listening very intently to the member for Tarneit's contribution, which has been dwelling upon dimensions of the bill, which has been a wideranging contribution. There is no point of order.

**Dylan WIGHT:** Thank you, Acting Speaker – a great ruling in my opinion. As we know, from 2010 to 2014, the last time those opposite had an opportunity to govern this state, there was not one major infrastructure project – not one. Just before an election in fact they decided to rush the signing of a contract of an infrastructure project that made absolutely no sense but had four –

**Bridget Vallence:** On a further point of order, Acting Speaker, the member on his feet is talking about infrastructure projects, which have absolutely nothing to do with the tax bill. I would ask that you call him back to –

**The ACTING SPEAKER (Iwan Walters):** Member for Evelyn, I have ruled on this point of order. I encourage the member to continue to ensure that his comments are germane to the bill.

**Dylan WIGHT:** Yes, I will wind up that part of it. Those opposite build nothing. Those on this side of the house have created a massive pipeline of infrastructure, which has been fantastic for Victorian business. Anyway, to the substantive content of the bill – how long have I gone? Seven minutes. Where I started was that yesterday I spoke about the fact that there is no better place to invest for business than Victoria. I have rattled off all of the stats, which I hope the member for South-West Coast uses next time she comes in here. I am sure she will. I am sure she is watching. But this is just another example of how the Allan Labor government are making it easier for businesses to invest in Victoria. By replacing stamp duty with the commercial and industrial property tax, as I said, it will encourage business to expand or set up in the best location – for example, closer to their consumers, saving on logistical costs, or where there is a growing workforce. It supports business to invest in buildings and in infrastructure, because they have got more money in their pocket to do so. It also promotes more efficient use of commercial and industrial land. Put simply, the change means a retailer will be more likely to buy the new premises they need for their business to take the next step, or a transport company will have a reason to move into a larger warehouse.

I know that these changes will be fantastic news for businesses in my electorate, particularly those in Hoppers Crossing. There is a large industrial precinct in Hoppers Crossing – which employs a significant portion of my electorate – as well as the neighbouring Laverton business precinct. If I could just indulge the house for a moment to give a little bit of a plug: we are about to run a bus route from the Tarneit station out to that Laverton employment precinct, which was announced earlier last week – absolutely amazing. By making it easier for new or expanded warehouses and businesses to open up in the outer west, this legislation will help make life more convenient for my constituents in Tarneit and Hoppers Crossing by bringing jobs closer to their homes. By removing a key barrier to more effective investments, the benefits will multiply across the economy.



As I said at the beginning of my contribution – and I have said it many, many times in this place – there is no better place to do business than the state of Victoria, whether it is the examples that we have just given of making it easier to invest, making the settings easier to invest, or whether it is our renewable energy pipeline making energy prices cheaper. I commend the bill to the house.

**Jess WILSON** (Kew) (18:28): I too rise to speak on the Commercial and Industrial Property Tax Reform Bill 2024, and I will try to keep my comments more confined to the tax bill at hand. But I will take up the member for Tarneit's last point: that there is no better place than Victoria to do business. We could take the member for Tarneit at his word, but I am not sure that that is the authority we should go on. I would rather look at the Victorian Chamber of Commerce and Industry, whose *Cost and Ease of Doing Business in Victoria* report reported that more than half of national businesses said Victoria was the hardest place to do business and revealed that Victorian businesses pay the highest national and state taxes relative to gross state product in the country. So I am not sure that we should take the member for Tarneit at his word; I would rather look to the Victorian Chamber of Commerce and Industry and their continual comments in this space and warnings to the government that it is simply getting harder to do business in the state of Victoria.

If we turn to the bill at hand, as the Shadow Treasurer the member for Sandringham said in his leading contribution on this bill, the opposition does not oppose this bill, because we see the importance of trying to move away from stamp duty and looking at ways to reform our tax system. We know that stamp duty is among some of the most efficient taxes available to the states and territories. It strongly discourages people from transacting property, and in the case of commercial property this impacts on the business's ability to grow, to create new jobs and to employ more people, and importantly to increase productivity in this state.

But only under this government would we have a situation where we have tax reform on the table and a suggestion that we should move away from stamp duty, but not in a way that will reduce the tax burden. We are not seeing the stamp duty for commercial and industrial properties replaced with no tax, we are simply seeing it replaced with another tax, and over time there is a real possibility that businesses in this state will not only end up being taxed twice but will end up paying more under this reform. They could end up paying higher taxes under this reform, unlike under the South Australian government, which undertook a similar reform a number of years ago and instead of replacing stamp duty with another tax actually just abolished the tax all together.

But as I said, we will always support reforms that try to reduce the tax burden on Victorians, and we are seeing a situation here where for 265,000 commercial and industrial properties in Victoria we will look to remove the up-front costs of property transaction and provide an opportunity to allow for businesses to grow and create those new jobs. I know the member for Sandringham spoke extensively on this in his contribution and on the amount of consultation that he has done, speaking to the Victorian Chamber of Commerce and Industry, the Grattan Institute and the Property Council of Australia. They are all broadly supportive of removing stamp duty on commercial and industrial transactions but have concerns regarding the proposed scheme before us today. For that reason I support the member for Sandringham's reasoned amendment, which highlights some of these concerns and proposes improvements to the legislation before us today to ensure that we are not seeing a situation where businesses end up getting taxed twice or paying more under this tax reform than they would have otherwise, provides investors with certainty and confidence against any future tax increases and actually provides some transparency not only for the underpinning \$50 billion of economic uplift that the government claims this reform will deliver but also for the rationale when it comes to the risk margin component of the proposed 10-year transitional government loan and how the Treasurer will actually make that decision and what that decision will be based on.

I will turn to some of the concerns that have been raised by industry and by the opposition members on this side of the house. The government have stated that they are anticipating that \$50 billion in economic value will be generated over the next 40 years due to this reform. We have no sense of the modelling or the assumptions that are underpinning this figure, and it is unclear why the government

is unwilling to provide further detail. So through our reasoned amendment we have called on the government to provide the public with their assumptions and provide more confidence and certainty about these reforms.

Another concern that has been consistently raised by industry around the proposed scheme is the risk of double taxing Victorians. Under the proposal before us, the first purchaser of a commercial and industrial property transacted after 1 July this year will need to pay stamp duty for one final time. Then after that 10-year transition period, commercial and industrial property tax, the CIPT, is set currently at 1 per cent. But we have no confidence that that is where the rate will remain, given this state's record debt levels and this government's particular addiction to property taxes and increasing property taxes. The CIPT, set at that initial 1 per cent of unimproved land value, will need to be paid for every subsequent year of ownership. This means that investors that hold onto a property over that 10-year period and beyond will be hit twice. They will be paying stamp duty and then after that ten-year transitional period they will be paying the CIPT under Labor's proposal, essentially resulting in the fact that while the initial stamp duty burden has been removed, they will continue to pay more tax than they would have otherwise under the current arrangements. So while this reform provides incentives for short-term holders and encourages transactions on commercial and industrial property, it does not actually benefit the large percentage of investors who purchase commercial property with the intention of holding it for the long term.

Regarding the high rate of tax that the government has put in place for the CIPT, there has been no transparency around how that rate was chosen, and this will, as I have said, impose a much higher tax burden over time than would have been otherwise paid through stamp duty. The major concern from this side of the house is around the removal of the stamp duty concession on regional, commercial and industrial property. At the moment stamp duty concession is currently available for commercial and industrial properties purchased in regional Victoria, but under the proposal in this legislation, under the Allan Labor government's proposal, the CIP tax rate will remove the regional stamp duty concessions essentially by stealth and impose an ongoing 1 per cent tax on unimproved land for all properties regardless of whether they are based in metro or regional areas.

This proposal will erode the very incentive that this piece of legislation, this so-called tax reform, is designed to incentivise, and particularly it is going to hit regional Victoria. We know how important it is to drive investment in regional Victoria and not just here in inner-city Melbourne, so that is why the member for Sandringham has called for a lower rate for the CIPT for regional commercial and industrial properties, creating a much lower, fairer and simpler rate for investors and businesses of commercial properties in regional Victoria.

One of the other concerns that the industry has raised is the overly complex nature of this bill. Given the market uncertainty at this time, given the pressure on property owners more broadly, particularly due to the Labor government's increase in land tax, we need to understand how this complex regime will actually impact transactions of property. There is a risk that, given the complexity of the regime, what we are likely to see is that investors in Victoria actually may avoid transactions after 1 July this year, instead opting to hold onto existing properties, and in the coming years this could create a commercial property market with multiple tiers – properties that have not entered the scheme, properties that have entered the scheme, properties that are exempt from the CIPT and properties now paying the CIPT indefinitely.

We on this side of the house will always support tax reform, but it is only under a Labor government that you could put tax reform on the table and end up taxing Victorians and Victorian businesses more.

**Josh BULL** (Sunbury) (18:38): I am pleased to have the opportunity to contribute to debate on the Commercial and Industrial Property Tax Reform Bill 2024, of course another significant and important piece of legislation that comes before the house this evening. This government is indeed committed to ensuring that we are delivering for each and every Victorian, making sure that as our state and our local communities grow and thrive we are providing businesses, those that want to start

up new businesses and operate existing ones, the circumstances which promote and encourage employment and also foster the opportunity for them to grow, thrive and develop.

In the context of this bill, I am reminded of a visit from the Treasurer some time ago, where the Treasurer and I heard from a number of small business owners within my community to discuss the contribution that each of those businesses was making to the local economy and also to discuss broadly the work of this government. I want to take the opportunity this evening to thank all of those businesses for their work and what they provide our community, knowing that the opportunity for security, for dignity and for a good, stable job and good employment is something that this government will always fight for. We know that a job is more than just a pay cheque. It means being able to provide for your family and plan for the future.

Since 2014 our economy has generated more than 800,000 new jobs, including 170,000 jobs in regional Victoria. Employment, as we know, provides so much. It is a partnership of course, and it is an opportunity for contribution. When the horrors of the pandemic hit in early 2020, this government invested in jobs and invested in people and saved lives. We heard a response from the Treasurer today in question time that went exactly to that. We have of course had a target to create 400,000 jobs by 2025, half of them created by 2022. But the good news is exceeding that ambitious goal, being well ahead of schedule, with employment rising by more than 560,000 jobs since September 2020. We know that by investing in and providing that certainty, that confidence and those opportunities we will continue to support all of that employment, if you like, right across the state.

I just want to touch on last year's budget as we head to next week. This government in the last budget foreshadowed a whole series of tax reforms, and they form the basis or the genesis of today's legislation. Those announcements included increasing the payroll tax threshold, the abolition of business insurance duty and, as mentioned and as is before the house this evening, the commercial and industrial stamp duty reforms. These reforms build upon a strong record of financial reforms aimed, as I mentioned previously, at supporting businesses and creating jobs. This is a government that is strongly focused on delivering the biggest transformations within this state that we have ever seen.

Right across each and every portfolio area, whether that be transport, whether that be health, whether that be education, we are getting on with delivering the projects that Victorians have now on three occasions voted for and projects that are widely supported right across communities – that is, the exciting opportunity to build and deliver and next year open the Metro Tunnel, five new stations, the direct connection between –

**Bridget Vallence:** On a point of order, Acting Speaker, I am pretty sure that in the Commercial and Industrial Property Tax Reform Bill the West Gate Tunnel Project is not a feature whatsoever. The speaker on his feet is straying far from the bill. I would ask that you call him back to the bill, please.

**Ros Spence:** On the point of order, Acting Speaker, those of us that have been listening for more than the last little while know that this has been an incredibly wideranging debate, and I would suggest that there is no point of order.

**The ACTING SPEAKER (Iwan Walters):** I will rule on the point of order. There is no point of order. It has been a wideranging debate, and the member on his feet has been discussing the micro-economic dimensions of the bill. Carry on, member for Sunbury.

**Josh BULL:** Thank you very much, Acting Speaker and the minister at the table, the Minister for Agriculture. I am always very pleased to talk about tax reform and always very pleased to talk about the significant announcements that are contained within this bill. As I was foreshadowing before the member wandered in and raised a point of order – the contributions of small businesses, of job creation, of all of those things that this government each and every day works incredibly hard to deliver – the record is strong and proud and bold, and I am not surprised that the opposition does not want to hear about some of those announcements and that is fine.

This is a piece of legislation before the house that forms part of a range of reforms – increasing the payroll tax threshold, abolishing the business insurance duty and of course implementing the commercial and industrial stamp duty reforms announced in the 2023–24 budget, progressively abolishing stamp duty on commercial and industrial property and replacing it with a more efficient annual tax based on unimproved land value, to be called the commercial and industrial property tax, as I mentioned earlier. The new tax will apply to commercial and industrial property transactions with both the contract and settlement date on or after 1 July 2024. For these properties, stamp duty will be paid one final time on the property if and when transacted and the new commercial and industrial property tax payable after 10 years and the final stamp duty payment regardless of whether that property has transacted again.

There are a number of significant and important benefits that are contained within these reforms. Many of those I foreshadowed earlier, but as we move towards delivering and handing down next week's budget, this government knows and understands that it is the certainty, it is the confidence and it is the ability to deliver a series of reforms that enable the provision of all of those things, which of course those opposite certainly do not want to talk about, to make sure that we are delivering right across all of our portfolio areas. Acting Speaker Walters, you know and understand, and members on this side of the house know and understand, when moving around local communities, when speaking to businesses, when having that positive and strong engagement, as we did when the Treasurer was in town locally with me, that having a range of measures that go to providing economic growth, economic activity and essentially at its very core making sure that we are delivering a framework for business in this state to be the best it can be is something that we are focused on, and we continue to build on the strong and important record of all of those investments.

What we have heard through the debate on this piece of legislation today is a range of measures that go to much of that certainty and much of that confidence to ensure that we are making sure we are supporting all of those businesses and building upon a really strong and consistent record of jobs growth within this state. That does not mean by any stretch that the work is finished, that the work has been concluded. We will continue to work with local businesses to make sure that we are supporting them in each and every way.

In summing up, in conclusion, we are focused on making sure that we are investing in jobs, we are investing in education, we are investing in health, we are investing in transport. All of those things go to the provision and the administration of many of our tax reforms that we have delivered, but we will continue to make sure that we are providing all of the framework to make this state – this amazing state that we live in – better, fairer and stronger. I commend the bill to the house.

**Jade BENHAM** (Mildura) (18:48): I too rise this evening to speak about the Commercial and Industrial Property Tax Reform Bill 2024. At first glance, as I have heard many members on this side of the house say today, the Liberals and Nationals will always support tax reforms that enable people to do business in Victoria, but there are a few concerns with this. I have been speaking with some local stakeholders today in my electorate. Mildura is a very unique part of the state. It is actually a tri-state area, so we have a lot of visibility with New South Wales and a lot of visibility with South Australia, which I will get to shortly when I talk about their move away from and abolition of stamp duty on commercial properties in 2018.

As I said, at first glance a removal of stamp duty can be a really big inhibitor of businesses expanding and shifting premises and in fact continuing to do business in Victoria. As I said, we have got a lot of visibility on New South Wales. It is a 5-minute drive away for the communities – and we are talking from border to border here. The cross-border communities are literally over a river, and the rules are so different. We can see it now. And it is not only different for businesses doing business when you go from the highest taxing state in the country to a state that actually has been making it much easier. You see it also with housing developments and all sorts of things. You can literally see it expanding before your very eyes. So it has been an inhibitor. When I was speaking to people today, particularly real estate agents, eyebrows were raised and they went, 'Well, this is interesting.' However, the

response that I got after discussing in some detail what we have been given was remarkable to say the very least.

I actually spoke to one of our major players in the commercial and industrial space in Mildura, Ryan Tierney from Tierney Real Estate, and he sent me an email afterwards and then called me with some great concerns. He has given me permission to quote what he has said to me today, because he is really concerned, because of course he can also see, and his books illustrate, that not only is he losing commercial businesses from his books, from his property management portfolio, but the rate at which he is losing rental properties in particular from his books is alarming. What he does say, and I will quote this, and I will pass it on, is:

Jade,

This blows me away!

The uncertainty and complexity will simply force a mass exodus from our regional market.

I heard the member for Kew mention how complex this all is, which is a really big concern for industry:

We have witnessed residential investors leave the market due to the governments poor management and decision making from 130 plus rental reforms and land tax.

These changes have delivered further outgoings that quashes affordability, reasoning to own an investment property, but for those fortunate to ride the wave pass costings onto the renters! Via rental increases that naturally feeds the current rental crises.

That backs up exactly what we have been saying. You need to incentivise the private market to solve a housing crisis, because that is where houses come from; that is where rental properties come from. To continue Ryan's email, he says:

The commercial sector took a massive flogging during the pandemic, is now/finally performing well and the government wish to attack it!

This is totally wrong and UN-Australian!

As a licensed agent in VIC & NSW, I'm seeing investors leaving VIC for our cross border state, becoming time I consider making the move on the home front, investment and business front.

This is a real estate agent, one of the biggest in the region, considering moving his entire family out of the state and his business out of the state because it is becoming too hard. The last line that he left me with is unparliamentary, so I will paraphrase it, but he says the government is pretending to rain on investors' backs. It would be unparliamentary of me to quote exactly what he said, but after that phone call it was very clear. I have other real estate agents in particular that I speak to often because of the rate at which commercial properties are being taken off the market. And they will sit empty or they will be used as storage. Something that could be productive for a business incubator, allowing small businesses in their infancy to expand at a decent rate, is not happening because it is not worth it to investors. They are moving across the river. We can see it even in the agriculture sector and the farm machinery sector and manufacturing – they are moving to South Australia.

I said I would touch on the South Australian reforms. Victoria would be the second state in the country to legislate commercial duty reform, with South Australia being the first, and they did it in July of 2018. They managed to abolish commercial stamp duty in three years. When South Australia abolished commercial and industrial stamp duty, they did not replace it with any tax, which would explain why the South Australian economy had a really big uplift in their commercial and industrial investment. Again, we can see this because there is a lot of industry in the far north-west of Victoria that borders these two states that weigh up their options and go, 'Well, we have to pay stamp duty here, it's overregulated.' It is far easier when weighing up the options between South Australia and New South Wales. The location then becomes, 'Well, where do we actually want to be? Do we want to be in New South Wales or do we want to be in South Australia?' because it's much easier. Victoria is just completely cut out of the conversation when you talk about setting up these bigger commercial, industrial or manufacturing businesses, particularly for the ag sector, which does continue to boom,

but again we see that moving over the river, or moving over the South Australian border. It is really quite alarming.

Honestly, if anyone wants to come to Mildura – I know the Minister for Agriculture, who is at the table, is coming to Mildura at the end of this month, which will be fantastic. Being the Minister for Agriculture, we will organise some really interesting meetings and tours of some farms, so she can see how close it is and what kind of an impact things like this have.

While I am on that, let me just touch on, with the couple of minutes that I have got left the removal – this is another one of those reforms that is one size fits all, and it just does not. It rarely does. The lack of consideration for the regions again – by abolishing the stamp duty concession that is currently available for commercial and industrial properties purchased in regional Victoria, the government's proposed commercial and industrial property tax completely gets rid of it, or gets rid of it by stealth, if you like. Imposing that ongoing 1 per cent tax on unimproved land for all properties regardless of whether they are in the regions, unlike how it is now, just seems like, again, it is a one size fits all. If it fits in the city, then it must be okay with the regions, and it is just not, especially when you get up to the tri-state area like we are in and it is so easy to move to New South Wales or South Australia. You can still live in Victoria if you happen to own your home there. The housing stock is zero at the moment because of red tape with housing development and all sorts of things, so they are building over in New South Wales. But if you are lucky enough to live in Victoria and not pay land tax, then you can stay there and still work over the border in New South Wales and South Australia. Like Ryan Tierney said, it just blows him away and he cannot understand it. He is really concerned, as are other real estate agents in the regions, about what next week's budget will hold and what that will also do to their business, because not only is it now hard for commercial and industrial industries to do business, but real estate agents are finding it really hard. They are losing properties at a rate of knots from their books, because it has just become too hard.

With the amendments the member for Sandringham has put forward, we support those of course. Like I said at the beginning, the Victorian Liberals and Nationals will always support reforms that enable people to do business in Victoria, and maybe we will get to a point where we can bring some back.

**Nathan LAMBERT** (Preston) (18:58): It is always good to follow the member for Mildura. I note her comments there from Mr Tierney. I would have thought that commercial real estate agents of all people would be the most unambiguous winners from a reform that will increase the volume of commercial real estate transactions, but Mr Tierney is of course entitled to his views.

It is a more general pleasure I should say to rise to speak about a Georgist land tax, which as some of us know has been a very popular economic reform discussed in this chamber for a long, long time. In fact looking back at *Hansard*, it was first discussed in 1857 by Augustus Greeves, who was at the time the first lower house MP for the area now covered by Preston. It has been a popular topic ever since, and I know that when I was working for the Treasurer we would often attend business events and we would find afterwards that an enthusiastic young person would come up and say they had a great idea to share with the Treasurer. More often than not that great idea was to replace stamp duty with a broad-based land tax.

Of course the bill that we have in front of us today is a very important and groundbreaking partial implementation of that widely canvassed proposal. As the Treasurer would sometimes point out in those conversations, it is important to recognise that we of course already have land taxes in this state, including the vacant residential land tax, the fire property services levy and most notably council rates, which very closely resemble the classic broad-based land tax. Collectively those taxes raise about \$14 billion, which is roughly twice the amount raised each year by stamp duty. With this bill that we have in front of us, the Treasurer is migrating a further portion of stamp duty, around 15 per cent, to a land tax.

**Business interrupted under sessional orders.**

*Adjournment*

**The DEPUTY SPEAKER:** The question is:

That the house now adjourns.

**Tourist visas**

**Matthew GUY** (Bulleen) (19:00): (621) My adjournment matter tonight is to the Minister for Multicultural Affairs, and I am seeking for her to contact the federal minister for immigration, Andrew Giles, in relation to what is now very clear to Victoria's Indian community, and that is straight-out discrimination against the Indian community and Indians trying to come to Australia, in particular to Victoria. There are some examples I have been made aware of, in fact researched myself, and I know they are true. One in particular, an older couple in their 60s, very professional – both of them work in government back in Delhi, where they have plenty of money, a reasonable life, they have family overseas, they have been to the United States, they have been to Great Britain, to Canada – applied for a two-week holiday visa to come to Australia, to Melbourne, for a wedding and found themselves being knocked out for no reason whatsoever. They are being excluded and being knocked out. Another example is of a young female health worker – Indian passport, based in London, would be a huge asset to our health network here in Victoria – who applied to come, again on a tourist visa sponsored by her family here in Victoria, and she for no reason is knocked out.

How can this be being done to one community? How is it possible the Indian community are being clearly, clearly discriminated against for tourist visas to Australia at a time when we are meant to be engaging the world's biggest democracy, what is now the most populous country in the world? People, including me as an MP, go to represent our state to India, seeking as much as we can to engage India, and we have a situation where these people are being knocked out in terms of their tourist applications. I want the minister to intervene and – on behalf of Victoria, on behalf of the investment, on behalf of the human factor that there is in this – contact her federal counterpart to seek an explanation why this is occurring, to provide that explanation to Victoria's Indian communities and to act – not to do nothing, but to stand up for Victoria and for Victoria's Indian community to get the answers they need and that I think this Parliament needs. Our state needs to ensure that the minister is acting on behalf of Victoria to represent our interests with the national Parliament and the national minister and protecting our Indian community and their families wanting to visit Victoria.

**Laverton electorate public transport**

**Sarah CONNOLLY** (Laverton) (19:03): (622) My adjournment is for the Minister for Public and Active Transport, and the action I seek is that the minister join me in my fantastic electorate of Laverton for a public transport forum that I will be hosting in upcoming weeks. As the minister knows, folks across the west have been vocal and active in their support for buses and improvements to our bus network. It is a passion I wholeheartedly share with them, as I have been running the electorate's bus campaign over the past year, asking constituents to let me know where and when they need buses most. The campaign quite recently celebrated the addition of six new school buses for Truganina's first and only high school, Bemmin Secondary College, plugging a vital hole in our transport network out in Truganina and saving many, many parents from that dreaded morning drop-off and after-school pick-up.

But of course there is so much more to go ahead and do, be it plugging those transport black spots or improving frequencies on some of our most popular bus services. That is what these forums are all about; it is a chance to hear real stories from real people about how we can make our bus network more accessible, more often. The forum I will be hosting will be a great opportunity for the minister to sit down with members in my local community and hear directly not only about their experiences using our public transport network but also how we as a government can continue to improve upon it.

### Gippsland health services

**Danny O'BRIEN** (Gippsland South) (19:04): (623) My adjournment matter is for the Minister for Health, and the action I seek is for the minister to immediately rule out forced amalgamations of rural and regional health services, in my case particularly in Gippsland. I am becoming very concerned – and the concern is growing in my community – at the prospect of forced amalgamations in the wake of a health services plan that has been underway for quite some time. It has been done largely in secret – there has been very little if any consultation with any communities. I note an article that was published in ACM papers, including the *Bendigo Advertiser* a week or so ago, that indicates that ‘no decisions have been made’ and that:

The government said any merger process would have to include community consultation “as a legislative requirement”.

I can only assume that that is going to happen after the decision has been made, a bit like many of the things that this government does. I am very concerned that these mergers will go ahead as a cost-saving exercise – I actually think they will cost money in first place anyway – but that will actually mean lesser services for smaller rural health services in particular. One that I will give as a bit of a poster boy, because it is on the front page of the *Foster Mirror* today, is the South Gippsland Hospital in Foster. It is what I would call the pin-up boy for the best rural health offering you could have. We have got a good local hospital that still has theatre services and still has maternity services. It has an excellent relationship with the clinic right next door. As a result of having those theatre and maternity services, the clinic is able to attract doctors. There are about a dozen full-time equivalent doctors there – around about 19 I think at the moment is the total number of GPs, which is extraordinary for a small rural area. It has a very good relationship with Prom Country Aged Care, the nearby aged care facility. It works well, just as it does with different degrees of success at the Yarram and District Health Service, Central Gippsland Health in Sale and Maffra, and at Gippsland Southern Health Service in Leongatha and Korumburra.

The story in the *Bendigo Advertiser* – and it has been reported elsewhere as well – indicates that Gippsland would be amalgamated into one single health service. That will absolutely lead to a loss of local control, and no question it will lead to a loss of local services. To put those four hospitals that I have mentioned in with Latrobe Regional, Bass Coast, West Gippsland health, Bairnsdale, Orbost, Omeo and potentially even Koo Wee Rup I think would be a disaster. It would be a disaster for health services particularly in the more isolated rural parts of our state and in Gippsland. I ask the minister to rule out these forced amalgamations as quickly as possible.

### Greenvale electorate multicultural communities

**Iwan WALTERS** (Greenvale) (19:07): (624) The adjournment matter I wish to raise this evening is for the Minister for Multicultural Affairs. The action I seek is for the minister to meet with me to discuss the joint public statement that has been issued by a broad range of Assyrian, Chaldean and Syriac community organisations in my electorate. This statement exemplifies our shared values as Victorians and Australians in its call for peace, social cohesion, freedom of faith and support for law enforcement and its promotion of democracy, freedom and the rule of law. This statement was prompted by the deeply concerning attack last month on Bishop Mar Mari Emmanuel in Sydney. I want to thank all of the signatories to this statement for their profound leadership in rejecting all acts of violence and their commitment to ensuring that all Australians have the freedom to practise their faith without fear or hindrance, a commitment that the Victoria government shares.

I also thank my local Assyrian, Chaldean and Syriac community organisations for their unstinting support of law enforcement officials, who diligently conduct their duties to protect all Victorians and indeed all Australians. Similarly, I would like to thank all the reverend clergy who minister to faith communities in Greenvale and across Melbourne’s north for their true leadership. Their ceaseless commitment to peace, harmony and social cohesion and to supporting communities which have



experienced profound trauma and persecution in other parts of the world is deeply inspiring and makes such an immense contribution to our community and its multicultural diversity.

I also thank the minister for her deep concern for the faith communities in my patch and for having personally reached out to so many community and faith leaders in recent weeks. I similarly thank Victoria Police and its officers in the north for their sensitive and proactive community policing and the Victorian Multicultural Commission and the Ethnic Communities Council of Victoria for all playing their part in sustaining the interfaith respect and harmony that is so important in our state. At a local level can I also take this opportunity to thank Hume City Council, led by mayor Naim Kurt and also particularly councillors Joseph Haweil and Sam Misho, for their vital community leadership and for working tirelessly to sustain the safety, dignity and freedoms of all religious communities. I look forward to meeting with the minister.

### Housing

**David HODGETT** (Croydon) (19:09): (625) My adjournment is for the Minister for Housing, and the action I seek is for the minister to fix the priority public housing waitlist so that my constituent in the following circumstances can be placed into priority and stable housing, which she urgently requires. Bronwyn is 66 years old and has been on the priority access list – special housing needs for over-55s – for over three years now. Bronwyn has also been looking for an affordable private rental for over 10 years. In recent years Bronwyn’s 92-year-old mother has had to leave the family home and move into an aged care facility. The family are looking to sell the family home to finance Mum’s ongoing care moving forward, which will leave Bronwyn homeless.

Bronwyn is a type 1 diabetic who requires dialysis at Maroondah Hospital three times a week. She has significant hearing loss and has a cochlear implant which is in desperate need of an upgrade, which she cannot afford. Bronwyn does not drive and relies on public transport to get to her frequent dialysis appointments. She pays for private health insurance to ensure she receives the additional care she requires for her diabetes and dialysis; however, this depletes a large portion of her income.

In the past she has been told by housing support services to seek accommodation at caravan parks as far away as Warburton. This is not an option for Bronwyn as she requires access to Maroondah Hospital for her dialysis. My office has inquired in the past if Bronwyn can be accommodated in one of the brand new social housing apartments built in Lusher Road, Croydon. With this new facility now open, this space would be perfect for Bronwyn as it is close to public transport and the hospital and would ensure that she would not become homeless before she is placed in a suitable home.

Minister, I urge you to fix the priority public housing waitlist and help change the circumstance of Bronwyn by providing her with priority housing, which she urgently requires and deserves. I would be happy to provide further details of my constituent to you in order for you to provide assistance.

### Angliss Hospital

**Daniela DE MARTINO** (Monbulk) (19:11): (626) My adjournment matter is for the Minister for Health, and the action that I seek is for the minister to join me at the much-loved Angliss Hospital in Upper Ferntree Gully to turn the sod and mark the commencement of works for the eagerly anticipated stage 2, \$112 million expansion project. The Angliss Hospital is a crucial link in the outer east healthcare network, serving as a vital lifeline for the entirety of my electorate of Monbulk and beyond. Its reach extends far and wide, ensuring that all in my electorate have access to essential medical care. I know the member for Bayswater’s constituency also rely upon this hospital to provide the critical care when they need it, and he is ‘absolutely stoked’ about this too.

The recent completion of the \$20 million intensive care and short-stay unit has been transformative. It has delivered acute life-saving interventions closer to patient’s homes and loved ones, alleviating the burden of travel time during times of medical crisis. The forthcoming expansion will include a multistorey building housing a 32-bed inpatient unit with cutting-edge facilities. Four state-of-the-art

operating theatres will be at the forefront of medical innovation. A pristine central sterile supply department will ensure the utmost safety and hygiene standards, while ample spaces for outpatient services will cater to the diverse needs of my community. This expansion is about ensuring that the residents of the outer east have access to world-class health care on their doorstep.

I am eagerly looking forward to this transformative phase for the Angliss. This hospital holds a special place in the hearts of many in our community, with so many being born there or having welcomed their own children into the world within its walls. I look forward to celebrating the commencement of this important construction with the minister and my good friend the member for Bayswater.

### **Surf Life Saving Victoria**

**Richard RIORDAN** (Polwarth) (19:13): (627) My adjournment this evening is an action I seek from the Minister for Emergency Services. The action I seek from the Minister for Emergency Services is to, in this budget, make a full and proper allocation of funds to Surf Life Saving Victoria so that they can continue to support the many volunteer surf lifesaving clubs right across the electorate of Polwarth to make sure that we have lifesavers on hand during the busy Christmas through to Australia Day period. Currently smaller clubs like Kennett River and Wye River do not always have enough volunteers towards the last half of January, when so many people finish their holidays and head back to work, and so providing proper patrolling of our beaches during this time can be very problematic. This funding was cut with very little notice to surf clubs before last summer, which unfortunately may in part be responsible for the record number of deaths on our beaches this summer. It is untenable in this day and age that we actually have an increasing level of beach fatalities when there is so much technology and so much capacity within our surf lifesaving and beach communities to make our beaches safer. It is inexcusable. But the one big factor that keeps people safe on beaches is well-trained people at the ready to help, particularly if they are swimming at patrolled beaches.

The Great Ocean Road is of course a highlight of my electorate. It is a centrepiece of the tourism strategy of this state, and it is essentially untenable that the state expects local communities and volunteers to pick up the slack and provide a necessary service to all the visitors that come along the Great Ocean Road, particularly over the busy summer period. It is a bit akin to tourist resorts and other places that provide swimming pools and other water activities, where there is a responsibility to help provide some of the surf lifesaving or the lifeguard services. The Great Ocean Road Coast and Parks Authority now run all the caravan parks along the Great Ocean Road. It is a direct benefit to the state. It is run by the state; they have their caravan parks and their camp sites on the beach. The state government is in lock step with this agency in terms of promoting our region, which on one hand is a good thing, but there is also an obligation on the state to absolutely help contribute to making sure that these beaches that the state government promotes, the state of Victoria promotes and our local community promotes are safe when they can be. Time and time again this government continues to cut funds to volunteer agencies, removes resources and continues to rely on small local communities to keep everybody safe. Minister, the action I seek is for you to please restore funding to Surf Life Saving Victoria for patrolled beaches.

### **Kindred Clubhouse**

**Paul MERCURIO** (Hastings) (19:16): (628) My adjournment matter is for the Minister for Disability, and the action I seek is for the minister to come down to Hastings and meet with members and staff of Kindred Clubhouse. Kindred Clubhouse is a not-for-profit organisation focused on mental health support and was founded in 2016 to provide individuals with mental illness access to a safe, welcoming space – a space where members can come in and get involved in projects with others or sit quietly, knowing they are amongst friends and have their support. The clubhouse aims to create a strong community, a network of support and lasting friendships, with opportunities to access employment and education. It operates in line with the internationally recognised clubhouse model, an evidence-based model for mental health recovery.

I have been to many functions at the clubhouse and have personally witnessed new members come in very shy, reserved and frightened, and over subsequent visits I have seen them bloom into wonderful, confident people who feel safe and valued. Kindred Clubhouse is run by and for its members, and this means members work side by side as peers and partners with the staff to run every facet of the clubhouse. Earlier this year 72 recipients of the Victorian government's 2023–25 disability self-help grants program were announced, and I am very happy to say that Kindred Clubhouse was one of them. This funding will be used for promotional materials to assist and encourage local GPs to social prescribe it to any of their patients that they feel would benefit from going to the clubhouse for a free coffee and a chat. I and the members of Kindred Clubhouse look forward to the minister's visit.

### **Mooroolbark–Hull roads, Mooroolbark**

**Bridget VALLENCE** (Evelyn) (19:18): (629) The Mooroolbark Road and Hull Road intersection under the railway bridge in Mooroolbark is dangerous and congested, yet after years of our community campaign the Allan Labor government refuses to allocate any funding to widen this state government road and upgrade this intersection to make it safer. It is unacceptable that such a busy suburban intersection used by thousands of commuters every day only allows one lane of traffic to pass at any one time under the bridge. The Labor government would rather spend hundreds of billions of dollars on the inner-city Suburban Rail Loop with no business case than fix a known dangerous intersection in Mooroolbark – to allow two lanes of traffic to pass safely under the rail bridge, which would help prevent accidents and protect pedestrians. The Mooroolbark and Hull roads intersection is hazardous. It is a single-lane bottleneck with low visibility as you approach on Mooroolbark Road – always congested and with regular accidents, including on numerous occasions cars crashing into the fence of households at the T-intersection. Rather than upgrade the intersection to make it safer, the Labor government has instead opted for the cheap option of a so-called safety barrier to – apparently – stop cars careering into people's homes. Cars still have crashed into this barrier, and those home owners are living in fear. I have raised this in Parliament on numerous occasions and still the Labor government fails to act. The government should just fix this known dangerous intersection before there is a tragic fatality.

The action I seek is for the Minister for Roads and Road Safety to allocate much-needed funding in the upcoming state government for a major safety upgrade to Mooroolbark Road at the Hull Road intersection, widening Mooroolbark Road to make a dual carriageway under the rail bridge. I would be happy to host the minister on a visit to this intersection so they can see firsthand how dangerous and congested this intersection is and that it is no longer fit for purpose. Unless it is fixed soon, congestion and risks to safety of motorists and pedestrians will only worsen, and the risk of a fatality increases as thousands of more cars come into the area as a result of the thousands of new homes being built at the Kinley housing development right next door to this intersection. It makes sense to fix it before these houses are built. The government has already confirmed to this Parliament that the low height of the rail bridge is not a limitation on the ability to widen this underpass, so it makes no sense that Labor have taken no action after 10 years in government. The Labor government knows that this state road and intersection is unsafe and that it is their responsibility to fix it, to make it fit for purpose, to make it safer. Our community deserves to have the dangerous and congested intersection at Mooroolbark and Hull roads in Mooroolbark fixed.

### **Keysborough Gardens Primary School**

**Tim RICHARDSON** (Mordialloc) (19:20): (630) My adjournment this evening is to the Minister for Roads and Road Safety and Minister for Local Government, and the action I seek is for the minister to ensure the Department of Transport and Planning work with the City of Greater Dandenong council to assess the safety of the site and potential interventions around Keysborough Gardens Primary School to support the safety of our kids. Keysborough Gardens Primary School is a wonderful school in the south-eastern suburbs of Melbourne. It was opened in 2020 and has grown to have more than 400 students – 430 students at recent count – and it is estimated over time that the school will grow to around 650 students. It has people that moved directly into Keysborough South to make sure that they

get the best education and outcomes led by principal Sherri Jenkins. This is an outstanding school – some of the best leaders, some of the most inclusive and supportive educators and education support staff. Anyone that visits the school on the tour is inspired when they hear from student leaders of the journey of their learning and outcomes and what has been achieved.

But we want to make sure that safety at our schools is always paramount, and anyone that has been through Chapel Road, Homeleigh Road, Abercrombie Avenue or Cunningham Parade knows that this is a congested area. They have got one crossing supervisor that at times looks after two particular intersections, and for years the community has called for an assessment of safety and upgrades through here. After trying for an extended period of time with the City of Greater Dandenong council, we took a petition to the community, and the response has been overwhelming. Thousands have engaged with our call for safety improvements and upgrades, and hundreds have put their name to a petition that asks for the basics to keep our kids safe, to make sure that they have the safest passage into their school so parents, grandparents and guardians have the confidence that their kids can walk, ride and access our school safely. We need that assessment and that work to be undertaken, and I am calling on the Minister for Roads and Road Safety and Minister for Local Government to instruct the Department of Transport and Planning to make those assessments, to engage with our local community and to hear the calls for the community to be consulted and engaged. That is the basic ask any constituents or any residents put forward.

I want to again give a big shout-out to principal Sherri Jenkins, her principal leadership team and Sharna Woods, who is the school council president. They have been leading this charge for an extended period of time, and it was the community that campaigned for a school to be established in Keysborough South. It was a community that stood up and campaigned for Keysborough South community hub. When the going gets tough or where there are things that need to be done, it is the Keysborough South residents that stand up and get on with it and advocate for that. It is a privilege to join with them, to share their views and the values and to ask for those safety improvements to be considered and for every available option to keep our kids safe and to make sure they have the safest passage into school, into their place of learning to be accessed.

### Responses

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (19:24): The member for Bulleen raised a matter for the Minister for Multicultural Affairs, seeking that the minister contact the federal minister in relation to discrimination regarding Indians who seek to come to Australia. It may be an issue I did not want to raise at the time because of the genuine nature of the request, but there is a previous ruling that may well engage that member's adjournment item, which might be worth taking to the Speaker to reflect on, given previous rulings around issues that have been raised in relation to federal matters. But I will leave that to your discretion, Deputy Speaker.

The member for Laverton raised a matter for the Minister for Public and Active Transport to join the member in her electorate at a forum on public transport, and I will ensure that matter is referred to the minister. The member for Gippsland South raised a matter for the Minister for Health to immediately rule out amalgamations in rural and regional Victoria. The member for Greenvale raised a matter with the Minister for Multicultural Affairs to meet and discuss a joint statement by faith leaders that is to be made by the Assyrian, Chaldean and Syriac communities in the Greenvale area and across the northern suburbs, and I will ensure that that matter is passed on to the Minister for Multicultural Affairs. The member for Croydon raised a matter for the Minister for Housing, seeking that the minister fix the priority public housing waiting list. He referred to his constituent Bronwyn and I think her desire, given some health issues, to move into some apartments that had been built in the Croydon area, which I am assuming have been built recently. I will pass that matter on to the minister.

The member for Monbulk – a hardworking local member of Parliament – raised a matter for the Minister for Health to join her at the Angliss Hospital to turn the sod for the stage 2 expansion of that

wonderful hospital. I will definitely pass that matter on to the Minister for Health. The member for Polwarth raised a matter for the Minister for Emergency Services to allocate funds in this budget for Surf Life Saving Victoria. I think we would all agree surf lifesaving volunteers are hardworking and well-respected members of our community, and we thank them for their work. The member for Hastings – another hardworking member of this place and another stand-out performer in this place for his local community – raised a request for the Minister for Disability to meet with him and also staff at Kindred Clubhouse. It sounds like a wonderful organisation. They have received some grant funding recently, so I am sure the minister will be keen to engage with that group.

The member for Evelyn raised a matter for the Minister for Roads and Road Safety, seeking that the minister allocate funds in the budget for a major upgrade at the Mooroolbark and Hull roads intersection in her electorate in the suburb of Mooroolbark. I will ensure that that matter is passed on to the minister. The member for Mordialloc, a hardworking, stand-out performer here and just an incredible representative for his community, is seeking that the Minister for Roads and Road Safety ensure that the department work with the local council – I think it was City of Greater Dandenong that he mentioned – to ensure the safety of local children in Keysborough South. It is a really important issue, and I absolutely will make sure that matter is passed on to the minister.

**The DEPUTY SPEAKER:** Thank you, Minister. In regard to your point, the relevant ruling from the Chair relates to Speaker Maddigan from 2005, if I understand it correctly:

Matters raised during the adjournment debate must relate to Victorian government administration. It is in order therefore to ask a minister to raise an issue at the federal level which relates specifically to Victorian government administration.

However, it is not in order to request a state minister to lobby or refer matters to federal ministers that are not within the state minister's ... responsibility.

As the question was in regard to a multicultural group and also referred to nursing, which comes under the state administration, I will allow the question.

The house now stands adjourned.

**House adjourned 7:28 pm.**

*Joint sitting of Parliament***Senate vacancy**

**Members of both houses met in Assembly chamber at 6:02 pm.**

**The CHAIR (Maree Edwards):** Before we proceed, I remind everyone, including visitors in the gallery, that photos are not allowed. I now invite proposals from members for the appointment of a person to hold the vacant place in the Senate. I call the Deputy Premier.

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research): I propose:

That Stephanie Hodgins-May hold the place in the Senate rendered vacant by the resignation of Senator Janet Rice.

She is willing to accept the nomination. In order to satisfy the joint sitting as to the requirements of section 15 of the Commonwealth constitution, I also advise that the Speaker has advice from the state director of the Australian Greens Victoria that Stephanie Hodgins-May is the selection of the Australian Greens Victoria, the party previously represented in the Senate by Senator Janet Rice.

**The CHAIR:** Who seconds the proposal?

**John PESUTTO** (Hawthorn – Leader of the Opposition): I second the proposal.

**The CHAIR:** Are there any further proposals?

As only one person has been proposed, I declare that Stephanie Hodgins-May has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator Janet Rice.

I now declare the joint sitting closed.

**Proceedings terminated 6:03 pm.**