

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Thursday, 3 April 2014

(Extract from book 5)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

Premier, Minister for Regional Cities and Minister for Racing	The Hon. D. V. Napthine, MP
Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
Treasurer	The Hon. M. A. O'Brien, MP
Minister for Innovation, Minister for Tourism and Major Events, and Minister for Employment and Trade	The Hon. Louise Asher, MP
Minister for Local Government and Minister for Aboriginal Affairs.	The Hon. T. O. Bull, MP
Attorney-General, Minister for Finance and Minister for Industrial Relations.	The Hon. R. W. Clark, MP
Minister for Health and Minister for Ageing	The Hon. D. M. Davis, MLC
Minister for Education	The Hon. M. F. Dixon, MP
Minister for Sport and Recreation, and Minister for Veterans' Affairs	The Hon. D. K. Drum, MLC
Minister for Planning, and Minister for Multicultural Affairs and Citizenship	The Hon. M. J. Guy, MLC
Minister for Ports, Minister for Major Projects and Minister for Manufacturing	The Hon. D. J. Hodgett, MP
Minister for Housing, and Minister for Children and Early Childhood Development	The Hon. W. A. Lovell, MLC
Minister for Public Transport and Minister for Roads	The Hon. T. W. Mulder, MP
Minister for Energy and Resources, and Minister for Small Business.	The Hon. R. J. Northe, MP
Minister for Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention	The Hon. E. J. O'Donohue, MLC
Assistant Treasurer, Minister for Technology and Minister responsible for the Aviation Industry	The Hon. G. K. Rich-Phillips, MLC
Minister for Environment and Climate Change, and Minister for Youth Affairs.	The Hon. R. Smith, MP
Minister for the Arts, Minister for Women's Affairs and Minister for Consumer Affairs	The Hon. H. Victoria, MP
Minister for Higher Education and Skills	The Hon. N. Wakeling, MP
Minister for Agriculture and Food Security, and Minister for Water.	The Hon. P. L. Walsh, MP
Minister for Police and Emergency Services, and Minister for Bushfire Response	The Hon. K. A. Wells, MP
Minister for Mental Health, Minister for Community Services, and Minister for Disability Services and Reform	The Hon. M. L. N. Wooldridge, MP
Cabinet Secretary	Mrs I. Peulich. MLC

Legislative Assembly committees

Privileges Committee — Ms Barker, Mr Clark, Ms Green, Mr Hodgett, Mr Morris, Mr Nardella, Mr O'Brien, Mr Pandazopoulos and Mr Walsh.

Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Ms Barker, Mr Hodgett, Ms Kairouz, Mr O'Brien and Mrs Powell.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.
(*Council*): Mr D. R. J. O'Brien and Mr Ronalds.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Ms Asher, Mr Clark, Ms Hennessy, Mr Merlino, Mr O'Brien and Mr Walsh. (*Council*): Mr D. Davis, Mr Drum, Mr Lenders, Ms Lovell and Ms Pennicuik.

Economic Development, Infrastructure and Outer Suburban/Interface Services Committee — (*Assembly*): Mr Burgess and Mr McGuire. (*Council*): Mrs Millar and Mr Ronalds.

Education and Training Committee — (*Assembly*): Mr Brooks and Mr Crisp. (*Council*): Mr Elasmarr and Mrs Kronberg.

Electoral Matters Committee — (*Assembly*): Mr Delahunty. (*Council*): Mr Finn, Mrs Peulich, Mr Somyurek and Mr Tarlamis.

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Mr Pandazopoulos and Ms Wreford. (*Council*): Mr Koch and Mr D. D. O'Brien.

Family and Community Development Committee — (*Assembly*): Ms Halfpenny, Mr Madden, Mrs Powell and Ms Ryall. (*Council*): Mrs Coote.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Ms Thomson and Mr Weller. (*Council*): The President (*ex officio*), Mr Eideh, Mr Finn, Ms Hartland, Mr D. R. J. O'Brien and Mrs Peulich.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Ms Kanis, Mr Kotsiras, Mr McIntosh and Mr Weller. (*Council*): Mr Viney.

Law Reform, Drugs and Crime Prevention Committee — (*Assembly*): Mr Carroll, Mr McCurdy and Mr Southwick. (*Council*): Mr Ramsay and Mr Scheffer.

Public Accounts and Estimates Committee — (*Assembly*): Mr Angus, Ms Garrett, Mr Morris, Mr Pakula and Mr Scott. (*Council*): Mr O'Brien and Mr Ondarchie.

Road Safety Committee — (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson. (*Council*): Mr Elsbury.

Rural and Regional Committee — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr D. R. J. O'Brien.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Ms Barker, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes and Mr Watt. (*Council*): Mr Dalla-Riva.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

Speaker:

The Hon. CHRISTINE. FYFFE (from 4 February 2014)

The Hon. K. M. SMITH (to 4 February 2014)

Deputy Speaker:

Mr P. WELLER (from 4 February 2014)

Mrs C. A. FYFFE (to 4 February 2014)

Acting Speakers:

Mr Angus, Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Mr Languiller, Mr McCurdy, Mr McGuire, Mr McIntosh, Ms McLeish, Mr Morris, Mr Nardella, Mr Northe, Mr Pandazopoulos, Ms Ryall, Dr Sykes and Mr Thompson. (to 2 April 2014)

Mr Angus, Mr Blackwood, Mr Burgess, Mr Crisp, Mr McCurdy, Mr McIntosh, Ms McLeish, Mr Morris, Ms Ryall, Dr Sykes and Mr Thompson. (from 3 April 2014)

Leader of the Parliamentary Liberal Party and Premier:

The Hon. D. V. NAPHTHINE (from 6 March 2013)

The Hon. E. N. BAILLIEU (to 6 March 2013)

Deputy Leader of the Parliamentary Liberal Party:

The Hon. LOUISE ASHER

Leader of The Nationals and Deputy Premier:

The Hon. P. J. RYAN

Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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

The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Languiller, Mr Telmo Ramon	Derrimut	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lim, Mr Muy Hong	Clayton	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McCurdy, Mr Timothy Logan	Murray Valley	Nats
Asher, Ms Louise	Brighton	LP	McGuire, Mr Frank ⁶	Broadmeadows	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	McLeish, Ms Lucinda Gaye	Seymour	LP
Battin, Mr Bradley William	Gembrook	LP	Madden, Mr Justin Mark	Essendon	ALP
Bauer, Mrs Donna Jane	Carrum	LP	Merlino, Mr James Anthony	Monbulk	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Miller, Ms Elizabeth Eileen	Bentleigh	LP
Blackwood, Mr Gary John	Narracan	LP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield ¹	Broadmeadows	ALP	Naphtine, Dr Denis Vincent	South-West Coast	LP
Bull, Mr Timothy Owen	Gippsland East	Nats	Nardella, Mr Donato Antonio	Melton	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Neville, Ms Lisa Mary	Bellarine	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Newton-Brown, Mr Clement Arundel	Prahran	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carroll, Mr Benjamin Alan ²	Niddrie	ALP	Northe, Mr Russell John	Morwell	Nats
Clark, Mr Robert William	Box Hill	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Crisp, Mr Peter Laurence	Mildura	Nats	Pakula, Mr Martin Philip ⁷	Lyndhurst	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pandazopoulos, Mr John	Dandenong	ALP
Dixon, Mr Martin Francis	Nepean	LP	Perera, Mr Jude	Cranbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Pike, Ms Bronwyn Jane ⁸	Melbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Eren, Mr John Hamdi	Lara	ALP	Ryall, Ms Deanne Sharon	Mitcham	LP
Foley, Mr Martin Peter	Albert Park	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Fyffe, Mrs Christine Ann	Evelyn	LP	Scott, Mr Robin David	Preston	ALP
Garrett, Ms Jane Furneaux	Brunswick	ALP	Shaw, Mr Geoffrey Page ⁹	Frankston	Ind
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Kenneth Maurice	Bass	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Smith, Mr Ryan	Warrandyte	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Southwick, Mr David James	Caulfield	LP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Sykes, Dr William Everett	Benalla	Nats
Helper, Mr Jochen	Ripon	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Hennessy, Ms Jill	Altona	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Tilley, Mr William John	Benambra	LP
Hodgett, Mr David John	Kilsyth	LP	Trezise, Mr Ian Douglas	Geelong	ALP
Holding, Mr Timothy James ³	Lyndhurst	ALP	Victoria, Ms Heidi	Bayswater	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Hulls, Mr Rob Justin ⁴	Niddrie	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Hutchins, Ms Natalie Maree Sykes	Keilor	ALP	Watt, Mr Graham Travis	Burwood	LP
Kairouz, Ms Marlene	Kororoit	ALP	Weller, Mr Paul	Rodney	Nats
Kanis, Ms Jennifer ⁵	Melbourne	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Katos, Mr Andrew	South Barwon	LP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 18 February 2013

⁴ Resigned 27 January 2012

⁵ Elected 21 July 2012

⁶ Elected 19 February 2011

⁷ Elected 27 April 2013

⁸ Resigned 7 May 2012

⁹ LP until 6 March 2013

CONTENTS

THURSDAY, 3 APRIL 2014

BUSINESS OF THE HOUSE

<i>Notices of motion</i>	1265
<i>Adjournment</i>	1267

PETITIONS

<i>Para–Ratray roads, Montmorency</i>	1265
<i>Inner west secondary schools</i>	1265
<i>Melton Highway level crossing</i>	1265
<i>Sunshine Hospital children’s multidisciplinary assessment</i>	1265
<i>Mill Park trams</i>	1265
<i>Respite care</i>	1266

AUSTRALIAN CATHOLIC UNIVERSITY

<i>Report 2013</i>	1266
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UNIVERSITY OF DIVINITY

<i>Report 2013</i>	1266
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DOCUMENTS

ACTING SPEAKERS

RULINGS BY THE CHAIR

<i>Member for Pascoe Vale comments</i>	1267
--	------

MEMBERS STATEMENTS

<i>Ann Nichol House</i>	1267
<i>Opposition</i>	1267
<i>Kangaroo Flat RSL</i>	1267
<i>Circus Oz</i>	1268
<i>Rotary Club of Bayswater</i>	1268
<i>Ringwood Highland Games</i>	1268
<i>Ivanhoe electorate government performance</i>	1268
<i>Knox Chinese Elderly Citizens Club</i>	1269
<i>Knoxbrooke</i>	1269
<i>Wattleview Primary School</i>	1269
<i>Ferntree Gully electorate youth council</i>	1269
<i>Ferntree Gully electorate sports forum</i>	1269
<i>Child sexual abuse</i>	1269
<i>State Emergency Service</i>	1270
<i>Frankston and Kananook railway stations</i>	1270
<i>High-capacity trains</i>	1270
<i>Johnny Famechon</i>	1270
<i>Frans Timmerman</i>	1270
<i>Flemington & Kensington Bowling Club</i>	1271
<i>Building costs</i>	1271
<i>City of Boroondara planning zones</i>	1271
<i>International Women’s Day</i>	1271
<i>Clarinda Molyneux</i>	1271
<i>Heavy vehicle regulation</i>	1272
<i>Danny Dunn</i>	1272
<i>Rural City of Wangaratta</i>	1272
<i>Labor Party union affiliation</i>	1272
<i>Murray Valley electorate football and netball</i>	1273
<i>St Joseph’s Primary School, Numurkah</i>	1273
<i>VicRoads Ballarat relocation</i>	1273
<i>Luke Batty</i>	1273
<i>Lifestyle Hastings</i>	1273
<i>Somerville police station</i>	1273
<i>Healthcare Imaging Services</i>	1274
<i>Australian Grains Genebank</i>	1274
<i>Landcare</i>	1274
<i>Rural councils summit</i>	1274

<i>Emergency services female volunteers</i>	1274
<i>Posh Opp Shoppe</i>	1274
<i>Rabbi Gersh Lazarow</i>	1275

SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014

<i>Statement of compatibility</i>	1275
<i>Second reading</i>	1275

STATE TAXATION LEGISLATION AMENDMENT BILL 2014

<i>Second reading</i>	1278, 1310, 1320
<i>Circulated amendments</i>	1321
<i>Third reading</i>	1321

QUESTIONS WITHOUT NOTICE

<i>Boeing</i>	1300
<i>School funding</i>	1301, 1303
<i>Woolworths milk contract</i>	1302, 1304
<i>Regional and rural employment</i>	1305
<i>Employment</i>	1305, 1306, 1308
<i>Police and protective services officers</i>	1307
<i>Construction, Forestry, Mining and Energy Union</i>	1309, 1310

SUSPENSION OF MEMBERS

<i>Member for Footscray</i>	1303
<i>Member for Kororoit</i>	1306
<i>Member for Monbulk</i>	1307
<i>Member for Ivanhoe</i>	1307
<i>Member for Yuroke</i>	1308
<i>Member for Ripon</i>	1310

WITNESS PROTECTION AMENDMENT BILL 2014

<i>Second reading</i>	1315
<i>Third reading</i>	1319
<i>Clerk’s amendment</i>	1321

JURY DIRECTIONS AMENDMENT BILL 2013

<i>Second reading</i>	1319
-----------------------------	------

VEXATIOUS PROCEEDINGS BILL 2014

<i>Second reading</i>	1320
<i>Third reading</i>	1320

HONORARY JUSTICES BILL 2014

<i>Second reading</i>	1320
<i>Third reading</i>	1320

FENCES AMENDMENT BILL 2013

<i>Second reading</i>	1320
<i>Third reading</i>	1320

ADJOURNMENT

<i>Broadway, Reservoir</i>	1321
<i>Forest Hill electorate manufacturing</i>	1321
<i>Motorcycle lane filtering</i>	1322
<i>City of Glen Eira Crown land</i>	1322
<i>Westwood Drive, Burnside</i>	1323
<i>Goulburn Valley fruit industry</i>	1323
<i>Macedon railway station</i>	1324
<i>Prahran electorate secondary school</i>	1325
<i>Glencairn Avenue, Coburg, development</i>	1325
<i>Bulleen electorate languages education</i>	1326
<i>Responses</i>	1326

Thursday, 3 April 2014

The SPEAKER (Hon. Christine Fyffe) took the chair at 9.33 a.m. and read the prayer.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notices of motion 9 to 23 will be removed from the notice paper unless members wishing their notices to remain advise the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Para–Ratray roads, Montmorency

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the dangers that motorists and pedestrians face at the intersection of Para Road and Ratray Road, Montmorency, and calls on the government to install full traffic signals at this site.

By Mr HERBERT (Eltham) (107 signatures).

Inner west secondary schools

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house that:

the public primary schools in Seddon, Yarraville and Kingsville have doubled in student numbers in the last 10 years;

capacity in surrounding high schools is limited with two of the four closest schools already zoned; and

the Department of Education and Early Childhood Development acknowledges that Footscray City Secondary College will need to be zoned in the near future.

The petitioners therefore request that the Legislative Assembly of Victoria immediately start planning to build additional capacity in the inner west public secondary school network.

By Ms THOMSON (Footscray) (236 signatures) and Mr NOONAN (Williamstown) (335 signatures).

Melton Highway level crossing

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house, the Naphthine state government's failure to properly manage the Melton Highway level crossing.

In particular, we note that:

- (1) the boom gates are down for 52 minutes every 2 hours during peak times;
- (2) during peak hours journey times are 20 minutes longer;
- (3) there is an increased risk for children crossing Melton Highway to get to school.

The petitioners therefore request that the Legislative Assembly urges the Naphthine state government to guarantee that they will urgently fix the Melton Highway level crossing so that the issues noted above are addressed.

By Ms HUTCHINS (Keilor) (197 signatures).

Sunshine Hospital children's multidisciplinary assessment

To the Legislative Assembly of Victoria:

The petition of the following residents of Victoria, draws to the attention of the house that:

1. the Children's Allied Health Service (CAHS) at Sunshine Hospital is no longer accepting multidisciplinary assessment referrals for preschool children with disabilities starting school in 2014;
2. multidisciplinary assessments are vital to ensure children with disabilities receive the appropriate support they need to participate fully in life and society. It is especially vital prior to entry to school so that children can get the most out of their education;
3. families in the western suburbs who are now unable to have this multidisciplinary assessment conducted by Sunshine Hospital will need to access private assessments costing about \$1500.

The petitioners therefore request that the Legislative Assembly of Victoria urgently call on the Naphthine government to urgently restore multidisciplinary assessments at Sunshine Hospital for children beginning school in 2014.

By Ms HUTCHINS (Keilor) (8 signatures).

Mill Park trams

To the Legislative Assembly of Victoria:

The petition of the residents of the city of Whittlesea, their families and friends draws to the attention of the house of the need for the no. 86 tram route that ends on Plenty Road near McKimmies Road in Bundoora to be extended to the South Morang rail station in Mill Park in recognition of the city's booming population.

There are growing fears that without the extension, car dependency, social isolation, pollution and a lack of job opportunities will rise and Plenty Road will become completely congested. And your petitioners, as in duty bound, will ever pray.

By Ms D'AMBROSIO (Mill Park) (2306 signatures).

Respite care

To the Legislative Assembly of Victoria:

The humble petition of the undersigned residents of the city of Whittlesea, their families and friends in the state of Victoria show our concern at the failure of the state coalition government to provide overnight facility-based respite beds located in the municipality sufficient to meet the need of residents aged under 12 and over 24 despite repeated requests to do so since 2010.

We humbly request that the government allocate funding for these respite beds in the next state budget.

And your petitioners, as in duty bound, will ever pray.

By Ms GREEN (Yan Yean) (697 signatures).

Tabled.

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

Ordered that petitions presented by honourable members for Williamstown and Footscray be considered next day on motion of Mr NOONAN (Williamstown).

Ordered that petition presented by honourable member for Mill Park be considered next day on motion of Ms D'AMBROSIO (Mill Park).

Ordered that petition presented by honourable member for Yan Yean be considered next day on motion of Ms GREEN (Yan Yean).

Ordered that petitions presented by honourable member for Keilor be considered next day on motion of Ms HUTCHINS (Keilor).

AUSTRALIAN CATHOLIC UNIVERSITY

Report 2013

Mr WAKELING (Minister for Higher Education and Skills), by leave, presented report.

Tabled.

UNIVERSITY OF DIVINITY

Report 2013

Mr WAKELING (Minister for Higher Education and Skills), by leave, presented report.

Tabled.

DOCUMENTS

Tabled by Clerk:

Adult Multicultural Education Services — Report 2013

Auditor-General — Access to Education for Rural Students — Ordered to be printed

Ballarat University — Report 2013

Bendigo TAFE — Report 2013

Box Hill Institute — Report 2013

Central Gippsland Institute of TAFE — Report 2013

Centre for Adult Education — Report 2013

Chisholm Institute — Report 2013

Deakin University — Report 2013

Driver Education Centre of Australia Ltd — Report 2013

Gordon Institute of TAFE — Report 2013

Goulburn Ovens Institute of TAFE — Report 2013 (two documents)

Holmesglen Institute — Report 2013

Kangan Institute — Report 2013

La Trobe University — Report 2013

Melbourne University — Report 2013 (two documents)

Monash University — Report 2013

RMIT University — Report 2013

South West Institute of TAFE — Report 2013

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 9

Sunraysia Institute of TAFE — Report 2013

Swinburne University of Technology — Report 2013

Victoria University — Report 2013

Wildlife Act 1975 — Wildlife (Prohibition on Game Hunting) Notice No 2/2014

William Angliss Institute of TAFE — Report 2013

Wodonga Institute of TAFE — Report 2013.

ACTING SPEAKERS

The SPEAKER tabled warrant nominating Neil Angus, Gary Blackwood, Neale Burgess, Peter Crisp, Tim McCurdy, Andrew McIntosh, Lucinda McLeish, David Morris, Dee Ryall, Bill Sykes and Murray Thompson to preside as Acting Speakers

whenever requested to do so by the Speaker or the Deputy Speaker.

BUSINESS OF THE HOUSE

Adjournment

Ms ASHER (Minister for Innovation) — I move:

That the house, at its rising, adjourns until Tuesday, 6 May 2014.

Motion agreed to.

RULINGS BY THE CHAIR

Member for Pascoe Vale comments

The SPEAKER — Order! Before calling for statements by members, I have reviewed the contribution by the member for Pascoe Vale as recorded in *Hansard*, and I do not consider it was a reflection on the Speaker. I believe that the remarks were made in the third person.

MEMBERS STATEMENTS

Ann Nichol House

Ms NEVILLE (Bellarine) — The announcement by Bellarine Community Health of its intention to sell Ann Nichol House, the last not-for profit aged-care facility on the Bellarine Peninsula, has caused widespread community distress and anger. This facility was built by money raised solely by the local residents, and it was opened debt free. The land on which it sits was gifted by the state to enable the building to be erected and to ensure that costs were kept down. Subsequently the community handed it over in good faith to Bellarine Community Health for management purposes, and in 2002 it was extended and refurbished with money from the health centre, the community and the Labor government. It has for all that time operated with the highest quality of care, great staff and strong support from the community and the friends group.

At no time until the last few months has there been any indication that there were any issues or that there was any need to consider selling off the facility. The decision by the health centre has occurred with no community consultation or any opportunity for members of the community to have a say. This is a wrong decision that is not in the community's interest. There is a role and place for public sector and not-for-profit aged care. The one way that is available for this to be stopped or at least for the sale to be halted — and the community supports this — is for the

Minister for Health to step in and indicate that he will not approve the transfer of the Crown land and management to a private operator.

Instead of listening to the community, which has made its view loud and clear on this issue, and instead of taking action at no cost to the government, the minister is more interested in playing politics by seeing this as a political request as opposed to a genuine request on behalf of the Bellarine community. I again say to the minister that he has a way to act in the interests of this community at no cost and with no politics, and I ask him to put the interests of the community first.

Opposition

Ms ASHER (Minister for Innovation) — I draw attention to the rabble that masquerades as an opposition in this Parliament. What a disorganised bunch of hopeless MPs they are. Yesterday the house debated the Sale of Land Amendment Bill 2014 for a very long time. We had 19 Labor speakers who, to a man and woman, said, 'We do not oppose this bill'. However, when it came to the vote on the bill, with a clear indication that the house would move into a consideration-in-detail stage to answer the questions that opposition members had raised, they called for a division and voted against the bill.

This raises a much broader question. Victorians cannot trust Labor members because they will say one thing and then do another. At the moment they are running around the state promising money to schools. Members on this side know what they will do: they will come back into their party room after they have promised money to a school and they will vote against it. What they say in this chamber counts for nothing, and what they say in their electorates counts for nothing. What they do is what the public should look at. As I said, 19 Labor MPs spoke in support of the bill and then turned around and voted against it. The public cannot trust members of the Labor Party. They cannot even be consistent in this place.

Kangaroo Flat RSL

Ms EDWARDS (Bendigo West) — With Anzac Day approaching, I would like to place on the record a significant milestone for the Kangaroo Flat RSL sub-branch. Bill Hosking, the senior vice-president, recently went through the membership records of the branch at my request and found that this year 22 veterans at the Kangaroo Flat sub-branch will be aged 90-plus and that two of them were born in 1917.

Those turning 90 this year include William Clarke, who served in the army; Moreen Dixon, who served in the Australian Women's Army Service; Frederic Hibbert, army; Ivon Hutcheson, army; William J. Hosking, Royal Australian Air Force; Kath Jarvis, Australian Women's Army Service; Warrick Johanson, navy; Alfred Loble, army; Ronald McHardy, army; and Clarence Rogers, Royal Australian Air Force. Next year they will include Mervyn Beames, Royal Australian Air Force; and George Todeschini, army. This is a remarkable milestone. We should never forget these amazing men and women who gave so much in the defence of our country in a number of wars and on battlefields across the world. I want to thank them and wish them all a very healthy and enjoyable 90th birthday year.

The Kangaroo Flat RSL is also on a mission. It is calling on anyone with the names of local World War I veterans to come forward. The trees along the original Avenue of Honour no longer bear the plaques with the soldiers' names; only the trees remain. Replacing the plaques is an important project for the Kangaroo Flat RSL. The sub-branch is focused on returning the plaques on the trees, which would not only be a fitting tribute to the fallen soldiers but also a great monument of respect in Kangaroo Flat.

Circus Oz

Ms VICTORIA (Minister for the Arts) — Last week it was my great pleasure to officially open the fabulous, new, coalition government-funded home of Circus Oz. Although I did not get to do a triple somersault, double pike with a half-twist off the ladder into a very small bucket of water, it was an opening filled with much celebration and many talented circus artists and musicians. To the management team, the board and all those who continue to bring top quality shows to Australians and the people of the world, I say, 'Congratulations, well done, and enjoy your new home'.

Rotary Club of Bayswater

Ms VICTORIA — Yet again those magnificently community-minded members of the Rotary Club of Bayswater have put on a sensational art show — their 48th. The quality of work on offer shows the esteem in which this show is held by the arts community, and I congratulate all contributing artists. The show is a wonderful opportunity for the public to purchase original art pieces at very affordable prices. Most importantly, the proceeds are distributed to local organisations, where Rotarians can really see their hard work pay off. Well done, everyone.

Ringwood Highland Games

Ms VICTORIA — With a shift to a new location the crowds turned out in their finest tartan apparel for this year's Ringwood Highland Games, with kilts and bonnets in abundance. Haggis hurling and Highland flings kept everyone on their toes. As usual the massed pipe bands heralded the official opening of the games. It was a real sight to behold and a heart-warming sound to kick things off. President Sue MacLeod ensured that all were entertained, and I commend her for her amazing energy and organisational skills. Congratulations to Sue and all who helped to put on this wonderful day. I look forward to next year.

Ivanhoe electorate government performance

Mr CARBINES (Ivanhoe) — I rise to condemn the government as we approach the fourth budget under its reign, a budget which seems likely to again ignore the Ivanhoe electorate. Just this week we have seen the incompetence of the government's health system management, as 49 000 outpatients at the Austin Hospital received either 11 letters, 4 letters or no letters informing them of their outpatient appointments at the Heidelberg Repatriation Hospital and the Austin.

As reported in the *Age* last week, a 22-bed mental health facility funded by Labor and ready to treat vulnerable people with mental illness in the northern suburbs has sat idle for nine months because of the incompetence of this government in managing the health system. We have seen \$18 million in cuts to the Austin Hospital by the Abbott federal government, but state government members are silent and refuse to stand up for Victorians. We stopped them trying to merge the Austin Hospital with the Northern Hospital. We know they hate the public health system in Victoria.

We have seen education cuts in the Ivanhoe electorate, including a \$25 million cut to the Northern Melbourne Institute of TAFE in West Heidelberg. We have seen public schools in West Heidelberg, Bellfield and Heidelberg Heights in the Ivanhoe electorate sold off to the tune of \$20 million. A \$2 million children's hub in West Heidelberg was announced two years ago by this government and still not one sod has been turned and not one contractor has been appointed to build that children's hub for the vulnerable communities in my electorate.

Peak services have still not been provided on the Hurstbridge rail line despite other projects being done. We are getting people shot to death in my electorate because the West Heidelberg police station was closed under this government.

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

Knox Chinese Elderly Citizens Club

Mr WAKELING (Minister for Higher Education and Skills) — I recently had the pleasure of visiting the Knox Chinese Elderly Citizens Club. I was impressed with the level of activity taking place, as over 200 people participated in tai chi, fan dancing and table tennis. It was wonderful to see so many members remaining active every day, and I congratulate club president, William Wai, and club members for the great work they do for the Knox community. I look forward to improving my table tennis skills with the members soon.

Knoxbrooke

Mr WAKELING — I thank the Honourable Andrea Coote, the Parliamentary Secretary for Families and Community Services and a member for Southern Metropolitan Region in the Council, for recently visiting Knoxbrooke in Ferntree Gully to announce a \$77 000 grant from the Victorian government. This funding will facilitate consultation for the future planning of a possible three-stage redevelopment of the facility. Knoxbrooke provides a vital service for local people with disabilities, and I would like to pay tribute to Pat Dalton, Rad Kilian, the staff and clients of this great facility.

Wattleview Primary School

Mr WAKELING — I was honoured to recently present certificates to the school captains, vice-captains and house captains of Wattleview Primary School. I wish all the students a great year ahead as they complete their final year of primary school. It was also great to view the \$4 million rebuilding works at the school which were funded by the state government. Students in Ferntree Gully will be the major beneficiaries of these building works.

Ferntree Gully electorate youth council

Mr WAKELING — I welcomed the opportunity to meet with the Ferntree Gully electorate 2014 youth council last week to discuss a range of issues involving young people, and I thank the participants. We had a robust discussion on many issues, and I look forward to future meetings. Local schools including Wantirna College, St Joseph's College, Waverley Christian College and Fairhills High School were represented on the day.

Ferntree Gully electorate sports forum

Mr WAKELING — I was also pleased to co-host a local sports forum with the Minister for Police and Emergency Services. Also in attendance was the former Minister for Sport and Recreation, the member for Lowan, and the new Minister for Sport and Recreation, Damian Drum. It was well attended by local sporting clubs.

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

Child sexual abuse

Ms BARKER (Oakleigh) — As we all know, the work of the national Royal Commission into Institutional Responses to Child Sexual Abuse is progressing, and the recent hearings in Sydney regarding the Catholic Church, particularly with respect to its treatment of John Ellis, resulted in intensive questioning of Cardinal George Pell. Chrissie and Anthony Foster, whose two daughters were abused by a Catholic priest in Oakleigh, have campaigned for 18 years, with immense knowledge, courage and dignity, for justice and compensation for all victims of clergy sexual abuse.

Chrissie and Anthony attended the hearings in Sydney and met with Cardinal Pell last Thursday. That meeting resulted in an agreement from Cardinal Pell that the internal Catholic Church system known as the Melbourne Response should be reviewed, with the current limit on compensation payments eliminated and brought into line with civil claims. Any changes to the Melbourne Response will need to be agreed to and undertaken by Archbishop Hart, and I sincerely hope he also accepts that changes must be made. This does not mean I have changed my view that compensation and support must be dealt with by an independent tribunal, but, regrettably, I expect that this appropriate and transparent system is still some way off.

What is still very clear to me is that those whose lives have been destroyed by the crime of clergy sexual abuse need support now, and the constant requirement to go to different agencies and organisations to find that support could very easily be solved. It is vital that a holistic approach to needs such as housing, education, training, employment et cetera can be accessed at one point, and that support is provided on an ongoing basis to assess which area needs adjustment from time to time. The state can help now to put this in place and help the victims.

State Emergency Service

Mr WELLER (Rodney) — I raise a matter today with respect to the responsibility of ownership and maintenance of State Emergency Service (SES) units in Victoria. It is my understanding that local government is responsible for providing accommodation for Victoria State Emergency Service units and for their matching contribution to the municipal subsidy, which is based on an informal agreement and a historical relationship between SES and the local councils. Although this may be the case, the Campaspe Shire Council in my electorate of Rodney is looking to implement a different model in the future, and this is creating uncertainty for the volunteers of four SES units which fall within the local government area of the Campaspe shire. Campaspe Shire Council has agreed to provide a level of funding for all four SES units until the 2016–17 year, after which time it is looking to wind back its annual contribution. The volunteers of the SES units in my electorate are trying to negotiate their way through this quite complex issue, and I am keen to do what I can to assist them to resolve it and to move forward with future planning,

I have written to the Minister for Police and Emergency Services on this matter, seeking clear direction with regard to the expectation of local government in relation to the housing and funding of SES units in their local government area. I thank the minister for agreeing to personally meet with representatives of Campaspe Shire Council and local SES units to resolve these issues as a matter of urgency. I look forward to resolution of this matter so that SES members can get on with doing what they do best — that is, responding to emergencies in our community and looking after our community.

Frankston and Kananook railway stations

Mr SHAW (Frankston) — On the matter of public importance before the house yesterday I incorrectly stated that there were two bridges between the Frankston and Kananook railway stations. I should have said that there were two bridges — one at Kananook station and one just before Frankston station.

High-capacity trains

Mr SHAW — The government has accepted a rail transformation offer from the Rail Transformation Consortium, which is made up of MTR Corporation, John Holland and UGL Rail. The integrated package includes the design, supply and maintenance of 25 high-capacity trains for Metro Trains Melbourne — that is, 150 train carriages, amongst other things. My

question is: where will they be built? The government must mandate local manufacturing content. It should be mandated that the body shell at least is built in Victoria. This would ensure at least 60 per cent local manufacturing content. With jobs being shed at an exponential rate in the manufacturing sector, I believe, as do industry experts, that workers from auto suppliers, car manufacturers and Qantas could be retrained to do this work.

I am aware that businesses create jobs and that government should provide the environment for them to do that. Here is an opportunity for the government to provide that environment to keep jobs in Victoria. I am also aware that businesses need to be competitive, but with the extra red tape, and the industrial relations and occupational, health and safety burdens in Australia, which are not worn by many other foreign countries, it is not a level playing field. We spend over \$50 million on a three-day race, but I believe peoples' livelihoods and jobs are more important. Victoria has the experience, skills and capacity to do this work. The government needs to ensure a large percentage of local manufacturing content in this exciting project.

Johnny Famechon

Mr SHAW — I was pleased to visit former world boxing champion Johnny Famechon at his home recently. With the media in attendance the former champ showed us his charm and humour. Last year a committee was formed to raise funds to build a statue to the champion, a man who has called Frankston his home for over 40 years.

Frans Timmerman

Ms KANIS (Melbourne) — I rise with sadness to note the passing of Frans Timmerman, who died on the morning of Friday, 28 March 2014. Frans was a life member of the Australian Labor Party, and he worked for over 15 years for six state and federal members of Parliament. Frans was an outspoken supporter of social justice, especially the Palestinian cause, and the peace and environmental movements. Early in 2013 Frans was diagnosed with an aggressive form of motor neurone disease, progressive bulbar palsy, and he deteriorated rapidly. I first met Frans as a new member of the Labor Party, and I will always be thankful for his thoughtfulness, insight and wisdom. Frans is survived by his partner, Anitra, his three brothers Julius, Peter and Herman, and his mother, Margje. We think of them at this time.

Flemington & Kensington Bowling Club

Ms KANIS — On Saturday, 29 March, I went to the club fours championship final and presentation afternoon at Flemington & Kensington Bowling Club. The club acknowledged the work of member Barry Pratt by awarding him club member of the year in recognition of his efforts in welcoming so many guests and new members to the club. I too would like to acknowledge Barry for his volunteer work and thank him for his contribution.

Building costs

Mr BAILLIEU (Hawthorn) — Australia needs a rigorous and independent examination of the escalating cost of construction. Our cities are being shaped more by the cost of construction than by our planning schemes. Family-size apartments in higher density developments are unaffordable for young families relative to the cost of equivalent single-storey small-lot cottages in greenfield areas. In turn the quality and size of inner city apartments is continuing to plummet. The Gillard Labor federal government opposed a Productivity Commission inquiry into construction costs that was supported by industry, and with the support of the states that had Labor governments it torpedoed an independent inquiry that had been agreed upon by the Council of Australian Governments.

These costs are being locked in by non-competitive tendering and crippling site agreements for buildings of more than three storeys. Recent events highlighting the brutal and criminal behaviour of building unions have reinforced the urgent need for an inquiry. Despite clear statements from leading industry players about the cost of this conduct, Labor leaders across the country continue to turn a blind eye to this behaviour and stand shoulder to shoulder with the Construction, Forestry, Mining and Energy Union.

City of Boroondara planning zones

Mr BAILLIEU — I urge the Minister for Planning to approve new residential zones in accordance with proposals advanced by Boroondara City Council. To determine which of the new zones should be applied to particular areas, Boroondara used the results of its neighbourhood character study, which it adopted in 2012 after two years of community consultation. That strategic work allowed the council to use the fast-track process. The minister has advised council to set aside additional land for the residential growth zone and that this land will be subject to a separate advisory council process. The exclusion of this land and changes to the original proposal and process have raised concerns in

the community. Given the city of Boroondara already has an enormous amount of higher density properties, I share those concerns.

International Women's Day

Ms GRALEY (Narre Warren South) — As part of International Women's Day I had the pleasure of attending a special event held at Dandenong Uniting Church. It was the result of a collaborative effort between the Victorian Immigrant and Refugee Women's Coalition, the Australian Hazara Women's Friendship Network and the Women's Interfaith Network Foundation. The theme for the event was inspiring change. Organisers of the event issued the following statement:

Together we can change the world by inspiring the old, the young and each other, drawing on the wisdom of faith, community and culture. We can share the stories that make us laugh, make us cry, make us think, motivate us and inspire us to be better mothers, daughters, sisters, workers, friends, carers, partners, people.

Women from different cultural and faith backgrounds came together to celebrate this auspicious day in the spirit of sisterhood. Women offered prayers in their own native custom, tradition and language.

Joy Murphy, known to all of us as Aunty Di, from the Wurundjeri Aboriginal community spoke of the endurance and passion of her female ancestors and the struggles they had to overcome to protect future generations. All women were encouraged to participate in gentle breathing and relaxation exercises with a qualified instructor, and we all felt better for the experience.

Participants were engaged in constructive discussions and explored in groups their hopes and aspirations for the future of Australia and our multicultural community. The passion and energy exhibited by the women was palpable, and for many participants the event proved to be highly motivational and inspiring. The main organisers of the event were Jessiee K. Singh, Fatima Haidari and Nga Hosking. The event was extraordinarily well done. It was truly a wonderfully creative and beneficial experience for all of us on International Women's Day. We were inspired to take up the challenge to change the world.

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

Clarinda Molyneux

Mr McINTOSH (Kew) — I rise today to note the passing of a distinguished barrister Clarinda Molyneux,

who died on 3 March. I knew Clarinda and her husband, Hugh Fraser, from my days at the Victorian Bar. Clarinda was always a high achiever. She was called to the bar in 1984 and established a large family law practice before branching out into more equitable issues such as wills, trusts and estates, appearing successfully in a number of significant cases and eventually taking silk.

Clarinda was diagnosed with pancreatic cancer three years ago and faced death on four occasions before finally succumbing this year. She was a deeply religious person, which was reflected in the packed requiem mass held at St Patrick's Cathedral on 7 March. It was attended by the assembled might of the judiciary, members of the Victorian Bar and her many friends.

While she was described as a formidable advocate and a vocal contributor to the life and conversation of family and friends, Clarinda's calm and inner peace was also remarked upon. Her Christian values were reflected in the way she lived her life. Her husband, Hugh, said in tribute that she accepted every brief without hesitation, never shirking what others might have regarded as an unpopular or difficult brief where the client had a just cause. On her diagnosis she reflected that she had had a most marvellous life. She said, 'I have achieved all that I wanted to achieve. I regret nothing'.

Clarinda will be much missed by those fortunate enough to know her. My sincere condolences to Hugh, her family and her many friends.

Heavy vehicle regulation

Mr HELPER (Ripon) — I want to highlight another piece of job-destroying incompetence by the Victorian Liberal-Nationals government. In 2011 the Minister for Roads signed Victoria up to the intergovernmental agreement on heavy vehicle regulatory reform and thereby established the National Heavy Vehicle Regulator. I am sure the signing ceremony would have seen much self-congratulation by federal and state officials because ministers that yet again, on the altar of national uniformity, a piece of regulatory lead weight had been cast and had commenced its race to the bottom.

And so it turned out when the Queensland-based national regulator had to concede it had ground Australia's heavy transport industry to a halt as it was incapable of issuing permits in a timely manner. Along came the loud-mouthed Victorian minister to the rescue, no doubt wearing his Superman underpants for

the occasion. His press release had a dot point saying 'Victorian coalition government easing stress on operators'. This scene greeted the temporary takeover of processing heavy vehicle permits by Victoria in February this year.

Earlier this week Cliff Fraser, a heavy vehicle pilot from my electorate, copied me in on a letter he wrote to the minister in which he explained that he and many others in his line of business are going out of business because permits that used to take hours to obtain now take many days, indeed weeks. The flow-on consequences are too frightening to contemplate. They include wharfs clogged up because freight cannot move and massive industry hold-ups because heavy and oversized equipment cannot be moved. Despite this, Cliff stands ready to work with the government to help sort this out.

Danny Dunn

Mr McCURDY (Murray Valley) — Congratulations to Cobram resident Danny Dunn, whose perseverance has seen his dream of building and operating a paddle steamer tourist boat on the Murray River at Cobram realised. The paddle-steamer, named *Cobba*, was launched on the weekend. Danny started building the 12-metre tourist boat about six years ago. It has the capacity to carry 200 people per day and will make trips along the river, offering something for tourists and locals. I encourage all members to come to Cobram to try the *Cobba*.

Rural City of Wangaratta

Mr McCURDY — Wangaratta residents are eagerly awaiting the announcement of the winner of the Australian Tidy Towns title. A group of Wangaratta residents will attend the Keep Australia Beautiful Awards in Victor Harbor in South Australia tomorrow night. Wangaratta won the right to contest the national title after taking out the Keep Australia Beautiful Victoria award last year. Wangaratta Community Pride Committee members, including Marg Pullen, have put in an enormous effort.

Labor Party union affiliation

Mr McCURDY — It disturbs me to see Labor linked so closely to the unions in Victoria. The Construction, Forestry, Mining and Energy Union was this week fined \$1.25 million, and there are civil actions pending. But Labor refuses to distance itself from this criminal element that still believes thuggery is the only way to get things done. It is true that the people you associate with define your true character. Victoria is not

ready to fall back into the days when union leaders decided our future. I urge all Victorians to think long and hard about who is at the helm of Victoria's Labor Party. They simply cannot trust Labor.

Murray Valley electorate football and netball

Mr McCURDY — It is great to have football and netball getting under way again in our local regions. Campbell Brown will pull on the boots for Greta this Sunday and take on the mighty King Valley. I wish the teams all the best for an enjoyable and successful 2014 competition.

St Joseph's Primary School, Numurkah

Mr McCURDY — Well done to the organisers of and participants in the recent St Joseph's Primary School Kinnaird's Wetlands fun run in Numurkah. More than 500 people took part, running down the main street of Numurkah.

VicRoads Ballarat relocation

Mr HOWARD (Ballarat East) — In the first term of the Bracks government Labor identified the opportunity to relocate the State Revenue Office to Ballarat. Labor acted immediately and the new site at Mount Helen opened within two and a half years of its coming to office. By contrast, this government has done nothing for Ballarat in its three-plus years in office. On jobs, not only has it sacked nearly 500 government employees in the Ballarat area but it has sat on its hands while hundreds of more jobs have gone. It has presented no jobs plan, and last week the Premier came to Ballarat and announced:

... if the coalition is re-elected — we'll be looking at doing expressions of interest for the development of this site —

meaning the Civic Hall site —

to provide accommodation —

for the VicRoads office. No costings were provided, nor was there a time line for completion. This can only be described as a cynical stunt.

If this government were serious about providing jobs in Ballarat, it would have acted before now. This government has no credibility on jobs provision, and it has no credibility in working with government staff involved to move VicRoads. This is why it is not acting now and is instead offering this up as a half-baked plan as a desperate re-election ploy. This lacklustre Napthine government does not deserve to be re-elected. The people of Ballarat deserve better.

Luke Batty

Mr BURGESS (Hastings) — I was very pleased to attend the Luke Batty T20 celebrity cricket game at the Tyabb Reserve last Sunday, which was held to commemorate the life of the wonderful young Tyabb boy, Luke Batty. The event was organised by the Tyabb Cricket Club in conjunction with Cricket Victoria, Cricket Australia and the Mornington Peninsula Shire Council and with the invaluable assistance of Tyabb businesses and community. Luke's mum, Rosie Batty, tossed the coin at the start of the match and during the day led the way in helping the community heal. The event was also held to raise funds to replace the club's cricket nets, and judging by the attendance and generosity of heart of the Tyabb community, I am sure the new nets will be in place very soon.

While many contributed a great deal on the day, there were also in attendance local families who wanted badly to honour this special young man but who were financially unable to. I was honoured to be able to announce on the day that on behalf of all those who wanted to contribute but could not their state government would contribute \$20 000 towards the new cricket nets. Luke's number of years was small but his life was big. Anyone who attended the gathering of more than 4000 people on Sunday could not have avoided being affected by a community thinking as one in tribute to a special young man and his courageous mum.

Lifestyle Hastings

Mr BURGESS — I was pleased to join with the Parliamentary Secretary for Health and a member for Southern Metropolitan Region in the Legislative Council, Georgie Crozier, in opening Lifestyle Hastings on Friday, 28 March. Lifestyle Hastings is a \$40 million development located in Hastings for the over-55 community and on completion it will contain 142 homes and over 250 residents. Construction commenced in early 2013 and the first home owners moved in last September. At the centre of the community is the \$2.6 million home owners clubhouse, which contains 5-star amenities including a gymnasium, indoor pool, bowling green, computer centre, cinema and more.

Somerville police station

Mr BURGESS — It was a great pleasure to join the Minister for Police and Emergency Services to open Somerville police station — —

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

Healthcare Imaging Services

Ms HALFPENNY (Thomastown) — I rise to declare my support for health workers and their union, the Victorian Health Professionals Association, for standing up against intimidation and bullying from their employer, Healthcare Imaging Services. The employer provides the radiology and imaging services at the Northern Hospital and at smaller private hospitals. The Northern Hospital arrangement is a lucrative one for the company. Last year employees and their union commenced negotiations with HIS for a new enterprise bargaining agreement, as is their democratic right — a right that I am sure the other side of this house would love to get rid of. The company response has been to lock out a small group of workers, including union delegates, in an effort designed to frighten and intimidate.

The HIS workforce is a highly skilled and highly trained group of radiologists, and they have a great commitment to their patients. However, the company's actions are putting patients' care at risk. The Northern Hospital has many patients who are elderly and frail, as well as many young children. This is on top of the crisis that has been created by the state government in cutting funding, resulting in waiting lists and all the other problems created by the government at this hospital. I call on the minister to insist that Healthcare Imaging Services stop this dangerous lockout and negotiate properly and in good faith with its workers.

Australian Grains Genebank

Mr DELAHUNTY (Lowan) — Last Friday the \$6 million Australian Grains Genebank in Horsham was officially opened by the Minister for Agriculture and Food Security. This is the national seed bank and will store grain used for research to prevent disease and enhance the climate resistance of plants and lift productivity. The state government and the Grains Research and Development Corporation each provided \$3 million towards the project, and this government has also committed \$600 000 a year for the next five years to maintain the genebank. This is great news for not only the grains industry but also western Victoria.

Landcare

Mr DELAHUNTY — The Hamilton, Penshurst and Lake Bolac areas recently hosted a visit by Japanese researchers to gain knowledge of Australia's world renowned Landcare program. Landcare started in

1986 as a community-based volunteer movement to help farmers work through environmental challenges in groups. Landcare has gone from strength to strength, with notable projects in the area, including the award-winning Glenelg River restoration, which is highly acclaimed and has been nominated as a finalist for the 2014 International Riverprize.

Rural councils summit

Mr DELAHUNTY — Last week more than 180 people attended the Rural Councils Victoria rural summit held in Nhill. The summit promoted the Hindmarsh shire and provided an economic boost to the region. The conference theme was Small Communities, Big Opportunities — Facing the Future and Embracing Change, with this year's summit focused on stimulating the economy for smaller communities and highlighting job creation and young people as the future of small communities. This was supported by the Regional Growth Fund and was a great outcome for western Victoria.

Emergency services female volunteers

Mr SOUTHWICK (Caulfield) — I praise our emergency services volunteers, particularly women volunteers. The Life Saving Victoria 'Ordinary women achieving extraordinary things' leadership breakfast was an event which I was proud to attend this morning. Whether they are part of a lifesaving patrol, on the back of a fire truck or in a Victoria State Emergency Service rescue crew, female volunteers play a front-line role in dealing with emergencies. We still have a long way to go to encourage more women into leadership roles, and I commend Nigel Taylor, Catherine McCraith and the team at Life Saving Victoria for establishing this program and for the opportunity to meet our future female emergency services leaders.

Posh Opp Shoppe

Mr SOUTHWICK — On my birthday, 31 March, the Posh Opp Shoppe opened its doors at its new premises in Glenhuntly Road, Elsternwick. It is a bigger and better laid out shop in a great location, but most of all it has the same dedicated volunteers, particularly my Aunty Rosalie, who established the shop 16 years ago and has committed a lifetime to charity. This organisation has raised millions of dollars for kids with disabilities, and I commend its members for the great work they do.

Rabbi Gersh Lazarow

Mr SOUTHWICK — Next week will see the swearing in of Rabbi Gersh Lazarow as chief rabbi of Temple Beth Israel. Gersh is a passionate educator with a strong commitment to progressive Jewish values, tradition and community. He is a can-do leader who leads by example and brings everybody along on the journey. I have no doubt that he will make his mark on and transform one of Melbourne's biggest synagogue congregations into an even more active and welcoming one.

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

SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014

Statement of compatibility

Mr CLARK (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the 'charter act'), I make this statement of compatibility with respect to the Sentencing Amendment (Baseline Sentences) Bill 2014 (the bill).

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

Overview

The bill introduces baseline sentences for the offences of murder, sexual penetration of a child under 12, persistent sexual abuse of a child under 16, incest with a child and culpable driving causing death in the Crimes Act 1958. It also introduces a baseline sentence for the offence of trafficking in a large commercial quantity of a drug or drugs of dependence in the Drugs, Poisons and Controlled Substances Act 1981.

The bill amends the Sentencing Act 1991 to provide that the baseline sentence for an offence is the sentence that Parliament intends to be the median sentence for sentences imposed for that offence under the baseline sentencing provisions. This means that Parliament intends that sentencing practices will adjust so that, over time, half of the sentences imposed for the offence will be less than the baseline sentence and half will be greater.

When sentencing an offender for a baseline offence, regardless of whether the court is imposing a custodial sentence, the court must act compatibly with Parliament's intention. If the court is sentencing an offender who has committed multiple offences including one or more baseline offences, it must still consider the baseline sentence for each of the baseline offences.

The bill requires the courts to consider the baseline sentence, in addition to all other sentencing considerations, when

sentencing an offender found guilty of a baseline offence. A court will be required to provide reasons as to why it has imposed a sentence equal to, greater or lesser than the baseline sentence, as the case requires.

If a court is imposing a sentence of imprisonment in respect of a baseline offence or a case that involves a baseline offence, it must fix the non-parole period in compliance with the new minimum ratios introduced by the bill.

Human rights issues

Section 21 of the charter act relevantly provides that a person must not be deprived of his or her liberty except on grounds, and in accordance with procedures, established by law. Section 24 relevantly provides that a person charged with an offence has the right to have the charge decided by an independent and impartial court after a fair hearing.

These rights are not limited. Any deprivation of liberty will arise, as it does now, from a sentence imposed after conviction for an offence by an independent court after a fair hearing. The bill introduces an additional statutory consideration (the baseline sentence) into the sentencing process. The bill also introduces minimum ratios for the non-parole period to the individual sentence for baseline offence or to the total effective sentence for offences which include a baseline offence — these ratios are consistent with the ratios under current sentencing practices. The bill does not introduce mandatory sentences and the bill does not alter the existing instinctive synthesis process for sentencing.

The bill contains a number of safeguards to protect the rights provided for in sections 21 and 24. For example, the bill does not limit the process for appeals against sentence. Also, the bill requires the provision of reasons for the sentence being greater or lesser than or equal to the baseline which promotes transparency and consistency in sentencing.

Robert Clark, MP
Attorney-General

Second reading

Mr CLARK (Attorney-General) — I move:

That this bill be now read a second time.

This bill delivers the government's commitment to introduce a baseline sentencing regime for serious crimes. This groundbreaking reform will for the first time give Parliament on behalf of the community a far greater say in the overall level of sentences that are imposed in our courts, while still allowing the courts to take into account the facts of individual cases in determining the sentence for each case.

The government has already introduced a range of significant sentencing reforms to ensure stronger and more effective sentencing in Victoria. These include abolishing home detention, replacing the previous range of community orders with a new flexible community correction order, introducing statutory minimum non-parole periods for offences of gross violence and abolishing suspended sentences.

With the introduction of baseline sentences, the government is acting to ensure that sentences for a wide range of serious crimes will better deter offending and protect the community.

Traditionally, it has been Parliament's role to define a criminal offence, and to set the maximum penalty for that offence. The maximum penalty indicates the sentence that can be imposed for the very worst instance of a crime, and is also intended to set the relative severity of crimes. However, the maximum penalty itself is rarely imposed.

Below the maximum, the sentencing court imposes a penalty that it considers appropriate, by reference to a range of aggravating and mitigating factors specific to each case, and by reference to cases that have gone before, in accordance with current sentencing practices. Other than setting the maximum penalty, Parliament at present has little say as to what sentences the common or mid-range instances of any particular crime should receive.

It is clear that sentences for a number of crimes are out of step with community expectations and out of step with what is required to deter crime effectively and protect the community. Child sex offences are considered to be amongst the worst kinds of offences and this is reflected in the maximum penalties. Sexual penetration of a child under 12 and persistent sexual abuse of a child under 16 are both punishable by a maximum penalty of 25 years.

Despite the high maximum penalties, between 2006–07 and 2009–10, the median sentence for the offence of sexual penetration of a child under 12 was three and a half years in jail. The median sentence for persistent sexual abuse of a child under 16 was six years imprisonment. These figures are unacceptable.

The baseline sentencing reform changes this. Through this bill, the Parliament is asked to set baseline sentences for six serious crimes that will serve as a guidepost for judges whenever they impose a sentence for those crimes.

The baseline sentence is the figure that Parliament expects will become the median sentence for that offence. This requires sentencing practices to change so that, over time, for sentences to which baseline sentencing applies, half the sentences imposed for the offence should be less than this figure, and half should be greater.

Thus, the sorts of instance of the offence concerned that have in the past incurred a sentence of median length — that is, at the midpoint of relevant sentences

imposed for that offence — should in future receive a sentence equal to the baseline sentence. In other words, the bill requires courts to increase sentences for the sorts of cases that incur a midpoint sentence from the current median sentence length to the sentence length specified as the baseline sentence. Sentences for cases that deserve to incur a higher or lower sentence than the median will then be set having regard to the median sentence length required by the baseline sentence.

This bill sets baseline sentences that are unashamedly higher than the current median sentences. This will serve to influence the entire range of sentences imposed for each baseline offence so that most sentences imposed for baseline offences under this bill will move higher to a greater or lesser extent as a result of the change to sentencing practices that the bill requires.

To the extent that current sentencing practices are inconsistent with the baseline sentence, the court must depart from current sentencing practices and give effect to Parliament's intention. Acting compatibly with the Parliament's intention that the baseline sentence should be the median sentence is to prevail over consistency with existing sentencing practices.

The bill does not seek to specify what factors involved in a particular instance of an offence should result in a sentence greater or lower than the median. This is something that will continue to be determined in accordance with existing sentencing principles. Judges will be able to have regard to the sorts of instances of the offence that have incurred a median sentence and then determine whether the instance of offending before the court is deserving of a greater or lesser sentence than instances of offending that have incurred a median sentence. However, the individual sentence imposed must be consistent with the baseline sentence being the figure that Parliament expects will become the median sentence for that offence, and the court will be required to state its reasons as to why a sentence imposed for a baseline offence is equal to or greater or lesser than the baseline sentence.

It is expected that judges may draw on their experience in sentencing for that offence and may seek submissions from counsel as to where the instance of offending before them stands in relation to an instance that would incur a median sentence. Judges may also have regard to sentencing data and other materials relating to the relevant offence published by the Sentencing Advisory Council, the Judicial College of Victoria or other sources to ascertain instances of offending that have incurred a median sentence. It is the government's intention that relevant statistical records will continue to be updated and that statistics will be

prepared and published on a basis consistent with section 5B as proposed to be inserted by the bill.

The bill introduces baseline sentences for the following offences:

murder — 25 years;

trafficking in a large commercial quantity of a drug or drugs of dependence — 14 years;

incest with a child under 18 — 10 years;

sexual penetration of a child under 12 years — 10 years;

persistent sexual abuse of a child under 16 years — 10 years; and

culpable driving causing death — 9 years.

The government has selected these offences as they are serious offences that the community has particular concerns about. This is the first tranche of baseline legislation. Once this legislation has commenced and the use of baseline sentences has become established, the government intends to extend baseline sentencing progressively to apply to a wider range of serious offences.

The baseline sentence lengths set by the bill are higher than those recommended by the Sentencing Advisory Council in its 2012 report on baseline sentencing. This is because the model being put forward in this bill is different to the model initially recommended by the SAC. Amongst other differences, the baseline sentences in the bill apply to the actual sentence imposed for an offence, rather than to the non-parole period that must be served.

However, the bill ensures that baseline sentences are reflected in the minimum non-parole periods that offenders must serve by requiring that when the court is imposing a sentence for a baseline offence, or for a bundle of offences that includes one or more baseline offences, it must ensure that the relationship between the sentence and the non-parole period is consistent with ratios that are being introduced in this bill.

The bill provides that:

for a life sentence, the non-parole period must be at least 30 years;

for sentences 20 years or greater, the non-parole period must be at least 70 per cent of the sentence (for example, a sentence of 25 years for murder,

must have a non-parole period of no less than 17½ years);

for sentences under 20 years, the non-parole period must be at least 60 per cent of the sentence (for example, a sentence of 10 years for culpable driving must have a non-parole period of no less than 6 years).

The ratios do not prevent the courts from setting a longer non-parole period than the minimum required by these rules if that is appropriate.

In every case, the court will be required to explain why it has imposed a particular sentence that is equal to, greater or lesser than the baseline sentence, as the case requires.

The baseline sentence regime will not apply to any offence determined summarily, or if the offender was aged under 18 when the offence was committed. The regime will apply to offenders who are aged 18 to 20 who would be eligible for a youth justice centre order or youth residential centre order, but it does not prevent young adult offenders from receiving these orders unless that cannot be done consistently with the requirements of the regime.

Appeals against sentences will proceed in the normal way, and the Court of Appeal is expected to ensure the baseline sentence requirements for an offence have been properly applied in deciding an appeal against a particular sentence. Similarly, the guideline judgement provisions will be available, so that the Court of Appeal may provide guidance on the operation of the baseline sentence scheme if the requirements for guideline judgements are met.

As mentioned earlier, the government requested advice from the Sentencing Advisory Council when developing this reform. The council produced a comprehensive report with valuable analysis and advice on many aspects of the implementation of baseline sentencing. I thank the council for its assistance.

With this reform, the government is enabling Parliament to make clear the level of sentences it expects to be imposed across a range of serious offences, while still providing flexibility for the courts to apply the law to individual cases in accordance with the intentions expressed by Parliament.

I commend the bill to the house.

Debate adjourned on motion of Mr NOONAN (Williamstown).

Debate adjourned until Thursday, 17 April.

STATE TAXATION LEGISLATION AMENDMENT BILL 2014

Second reading

**Debate resumed from 6 February; motion of
Mr O'BRIEN (Treasurer).**

**Government amendments circulated by
Mr O'BRIEN (Treasurer) under standing orders.**

Mr PALLAS (Tarnait) — I rise to speak on the State Taxation Legislation Amendment Bill 2014 and also in passing to make reference to the amendments circulated by the Treasurer. To make it clear, Labor opposes this bill because at a time when Victoria is losing jobs we do not support a cash grab that will cost thousands more jobs. We will take the government to the evidence of that from the industry, which actually knows a little bit about the jobs that it provides and the impact that these taxes will have on it.

Our unemployment rate is well above the national average already. There are more than 50 000 more unemployed people now than when this government came to office. Youth unemployment is the highest on the mainland, and of course the *Age* today has reported that Victoria has become the hardest place on the mainland to find a job. The latest vacancy count from the Australian Bureau of Statistics puts the chance of an unemployed Victorian landing a job in the state at close to one in nine. That means that there are about nine unemployed Victorians in competition and scrambling for each job vacancy as it occurs. That is not even counting those who have given up looking for work or who are underemployed.

The Premier has spent more time fighting the South Australian Premier than he did fighting for the 500 jobs that were announced yesterday as being lost at Boeing and Philip Morris, yet there has been no action and no acknowledgement that there is a problem. There is also no jobs plan. This dysfunctional minority government, weakly led by the Premier, has no plans to fix the jobs crisis. The Premier is asleep at the wheel. His government is directionless, while jobs bleed out of the Victorian economy. This bill does nothing more than exacerbate that situation, as the state of the Victorian economy is a direct consequence of this government's incompetence.

This bill is a jobs killer from a jobs-destroying government. The Premier of South Australia has made it clear that the Victorian Premier does too little, too late in his approach to fighting for industry and for jobs, and that will cost Victorians dearly. The latest action of this

job-destroying, delicate minority government of hypocrites is the dirty deal that it has done with the member for Frankston to enable it to gouge community, not-for-profit clubs with massive tax increases. This is another example of the Treasurer's addiction to these particular sources of revenue. He obsessively keeps coming back to these sources of revenue over and over again.

The car park tax take has nearly tripled under this government. The Treasurer and staffers are constantly tramping up to level 3 of Parliament House. They are on their way to go to see the member for Frankston to ingratiate themselves with him because they know who runs this government. We can barely get around the hordes of Liberal staffers and ministers making their way up to see the member for Frankston. We know who actually runs this government, and it is the member for Frankston. What a paltry alteration the member for Frankston has been able to achieve: he has been able to change the word 'April' to 'May'. That is a pretty sad indictment of somebody who said he was concerned about this legislation and the impact it would have upon jobs in his community. That impact will be real; it is going to happen.

The Treasurer told the *Australian Financial Review* that there were no plans to amend the legislation, but now he has capitulated, at least in part. However, I have to say that the member for Frankston has not negotiated particularly well. Nobody on the opposite side of the chamber is covered in any amount of glory. The Treasurer says, 'I am not changing', and then he changes. The member for Frankston says, 'I am worried about jobs and the impact of this on my community', and then he gets little for it. What a demonstration that this government has no capacity to impact issues that genuinely affect Victoria.

The Premier can clearly battle with the best of them when it comes to the member for Frankston. In this case he swayed like a tree in a high wind. We know he is Jeeves, the butler to the member for Frankston — and we know who the footman to the member for Frankston is! That is exactly where this government has left Victorians.

Having said that we oppose this bill, I move:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to:

- (1) take into account the outcome of extensive public consultation about the proposed amendments to the Congestion Levy Act 2005 and the Gambling Regulation Act 2003, as many are strongly opposed to these provisions; and

- (2) retain the remaining provisions relating to the proposed amendments to the Fire Services Property Levy Act 2012 and the Valuation of Land Act 1960.’

Placing in the same bill on the one hand the job-killing gambling taxation amendment and the unjust, gerrymandered congestion levy measures and on the other hand the changes —

Mr O’Brien interjected.

The DEPUTY SPEAKER — Order! The Treasurer will stop interjecting.

Mr PALLAS — Your protection yet again is greatly appreciated, Deputy Speaker. What we see is the botched fire services levy and a Treasurer who has been dragged kicking and screaming by Labor’s campaign to make amendments to this tax. What a joke this is. We have seen members of this government get up time and again and say, ‘There is nothing wrong with our awesome fire services property levy. It’s working well’. Now here the government is fixing up its problems, or at least it is making a desperate effort to do so. How sad that its insufferable arrogance has led it to this point, but government members did not listen to the concerns Labor members put forward time and again. Even now they have failed in a substantive way to address all of the problems created by this unfair charge. The government is trying to hold the Parliament to ransom here. It should be prevented from doing so in order that its legislative program can truly be considered on its merits rather than as this higgledy-piggledy, hodgepodge amalgam of ideas and legislative efforts.

However, there is one thing we know about this government, and that is that you do not get between it, a bucket of money and taxpayers pockets, because this is the highest own-source revenue-raising government in this state’s history. The revenue-raising measures in the bill involve expanding the congestion levy area into mostly Labor-held electorates and increasing gambling revenue in part by reducing the return-to-player ratio required of electronic gaming machines. These changes are unfair to those affected. They amount to gross hypocrisy on the part of the coalition, and the opposition does not consider that they should be implemented. If there is any consistency in politics — that is, if the pontificating we heard from those opposite while they were in opposition were to be translated into consistency of action in government — then these bills would never see the light of day. This government is good at finding other people to blame for the things it is actually doing. This is a government addicted to revenue raising that will not lose any opportunity to consistently touch up the Victorian taxpayer.

I turn now to the gaming regulation changes, and I will put this into a broad context: dirty deals done dirt cheap. Let us consider part 1 — dirty deals. The Premier and Treasurer have done some kind of deal with the member for Frankston, but Victorians do not know exactly what deal has been made, to get the bill passed. After having panicked and pulled the bill from the business program when it was first scheduled to be debated, they have somehow appeased the member for Frankston, but pubs and clubs right across this state — clubs in particular — are outraged. They remain outraged about this government’s craven attempts to garner more and more revenue.

The dirty backroom deals done with the member for Frankston will simply provide a minor delay to the financial pain that will be inflicted on local clubs and pubs and their staff. The Premier has proven once again that he is willing to put his own job ahead of those of the thousands of workers who will be negatively impacted by this. It is thousands of jobs in the hospitality industry done dirt cheap. Part 2 is dirty deals done dirt cheap.

The Community Clubs Association of Victoria said it was disappointed the government had not rethought the tax burden on clubs, but it had not.

Mr Shaw interjected.

The DEPUTY SPEAKER — Order! The member for Frankston! If the member for Frankston puts his name on the list, he will be able to speak on the bill. I ask him to desist from interjecting.

Mr PALLAS — We would all seek illumination from the man who calls the shots in the Napthine government. As I have said, the Community Clubs Association of Victoria was disappointed that the government had not rethought the tax burden on clubs. Clubs Australia was even more scathing in its assessment. In a press release dated 28 March it said:

The unprecedented tax grab, which will cost community clubs \$75 million over four years, is essentially a fundraising measure for the Napthine government in an election year — at the expense of clubs, community groups and charities.

You could not get more scathing than that. This tax grab is from the people who said they would not increase taxes as their commitment to the people of Victoria. We know what commitments from this mob amount to: they are not worth the paper they are written on. The *Age* has reported today that clubs are furious with the government and have warned that jobs will be lost and sporting and community clubs will lose

funding. They are predicting that not-for-profit clubs in Victoria will lose \$75 million over four years.

The changes to be made by the government in order to appease the member for Frankston will not make any substantive difference. They are a failure if their intention was to assist clubs to deal with the pernicious burden of this unfair tax. The changes to be made are a failure, a dramatic failure that demonstrates that the relationship between this government and the member for Frankston is foul and unfair and hurts Victorians. The changes made, about which Clubs Australia is scathing in its assessment, are referred to as 'a small stay of execution for not-for-profit community clubs'. The Clubs Australia press release also says:

... the Napthine government was putting the future of the Victorian club industry, along with the jobs of thousands of people, at risk.

When unemployment in this state rises, as it has done inexorably from 4.9 per cent to 6.4 per cent under this government's watch, who is to blame? We know exactly who is to blame.

Mr O'Brien interjected.

Mr PALLAS — Here we have the genius Treasurer saying, 'It wasn't 4.9'. Seasonally adjusted, in December 2010 it was 4.9, you clown! That just demonstrates how little this bloke knows about the economy. Clubs Australia also said:

The Napthine government's plan shows that they either don't understand or don't care about — —

Mr O'Brien interjected.

Mr PALLAS — Lord Farquhaad here, going on — —

The DEPUTY SPEAKER — Order! We will not have name-calling in this chamber.

Mr PALLAS — Clubs Australia said:

The Napthine government's plan shows that they either don't understand or don't care about the financial stress —

that it has already inflicted on many Victorians and that is —

already suffered by many clubs as well as the important contribution clubs make to their local communities.

That seems to have been lost on this government but it is not lost on the communities and the clubs whose representatives are out there speaking to their local papers, to those who go to their clubs and rely upon the services that those clubs provide and also to the people

whose jobs those clubs provide. Those are jobs lost through a craven, callous cash grab.

Let us talk about hypocrisy because this bill is the legislative embodiment of hypocrisy. In 2009, when he was merely the member for Malvern and was developing the Malvern doctrine, the Treasurer complained about the previous government's so-called 'addiction to gambling revenue'. With pomposity and self-righteous indignation he explained that he did not believe that a government 'could claim to care about problem gambling when its tax take from gambling is increasing'. Can members believe that that is what he said? What has he done in the legislation he has introduced? Year on year, time after time, he has been cranking up the tax take, getting into the pockets of gamblers and putting people out of work. That is what this Treasurer is good at and what this government specialises in: robbing Victorians of opportunities. It is a sad and callous act.

The Treasurer went on to say, 'We know it is problem gamblers who contribute a disproportionate share of revenue to gambling' He also said:

Governments like gambling taxes —

and he has demonstrated that —

but when you see the amount of gambling tax revenue that is contributed by problem gamblers, that tells you that we really have an ethical obligation as legislators to take all reasonable steps to try to minimise the extent to which problem gamblers are encouraged to pursue that destructive behaviour.

The most destructive behaviour we have seen from members of this government has been their desire to squeeze more and more revenue from gamblers, their desire to continue to plunder the pockets of gamblers. The Treasurer went on to say that the Victorian community does not condone the former government's insatiable appetite for gambling revenue. What overblown pomposity and self-righteousness that is. What a joke! This bloke must stay awake at night wondering how he can get away with the hypocrisy of what he has done to the people of Victoria.

Even before this new tax, gambling revenue under this government had increased by 15 per cent since 2010. Local community not-for-profit clubs are losing out because of the action this government has taken. The fact that the government is taxing as no other government before has taxed, that its revenue is higher from own-sourced tax revenue than it has been from any other government, demonstrates the government's desire simply to plunder the pockets of Victorians.

Not-for-profit community sporting clubs in my community are being devastated by this tax. People at the Hoppers Club have told me that this deal done with the member for Frankston will not fix their problems and that it will not come even close to fixing their problems. They were hoping for something much more substantial, and this will do nothing for them. They are terminating about five equivalent full-time positions in management, and they are reducing their hours of operation. That is a demonstration that this tax is at least in part having an impact upon those clubs. They are also terminating sponsorship of local sporting clubs and refusing requests for donations — and they get many of those every week.

People at the Hoppers Club tell me that the yearly impact of this tax on them will be \$171 477 in extra tax. They tell me that this has serious implications on their cash flow, resulting in, among other things, \$100 000 being cut from their annual wages budget, a hold on all community sponsorships and donations, reduced members services and a 100 per cent increase in membership fees. More recent announcements of the ability to extend gaming entitlement payments by six months on an opt-in basis does little to ease the burden. A further and major financial impost is the introduction of voluntary precommitment in August 2015, which will require approximately \$170 000 in set-up fees plus annual monitoring fees.

Mr O'Brien interjected.

Mr PALLAS — We do not support this bill. If I have not made myself clear to the Treasurer or those on the other side, we do not support this bill.

This is what the Hoppers Club had to say:

In closing, this extra tax, in my humble opinion, is just another kick in the guts to clubs and comes off the back of a number of major reforms which have hurt the club sector to a stage where its viability is seriously threatened. Further, gaming as a product is under serious threat and it is questionable as to its viability going forward.

I am personally saddened that our club, a club with a proud 40-year history of serving its community, now finds itself in such an unenviable position that it has to cut jobs, reduce services to members and discontinue with valuable support to the community.

They are not the only ones in my community. The Werribee Tigers football club is the biggest football club in the fastest growing area in the state. The club estimates that this new tax will cost it \$264 000 a year, which will affect its community sport sponsorship activities. One of the more important community activities this club undertakes is to support multicultural sporting programs, including the Wyndham Sporting

Opportunities Project. This project encourages young people from culturally diverse backgrounds to get involved in sport, and the club works with both primary and secondary schools to encourage participation in sport and involvement at a local level. The club is now worried that it will not be able to continue to fund programs like this.

Both the Hoppers Club and Werribee Tigers say that the return-to-player ratio is an absolute furphy, impossible to implement and in no way capable of providing compensation for the additional tax. There they are — writ large — some real examples of clubs. These types of clubs exist throughout all our communities, and they will be losing funds and losing staff as a consequence of the tax.

That is not all. Let us turn now to the gerrymandered congestion levy. Last year the coalition government expanded the congestion levy to all car parks, not just long-stay car parks, expanding the area into Docklands and increasing the rate from \$950 to \$1300. Now the government is going even further, expanding the congestion levy area far beyond its original intentions, brazenly gerrymandering the area to exclude the Liberal-held electorate of Prahran but happily slugging a group of people who had the temerity to vote for Labor at the last election. This is legislation by rank hypocrisy. The affection this government has for increasing the congestion levy is astonishing, considering its total opposition to it when the legislation was first introduced by the previous Labor government.

The now Attorney-General and Minister for Finance, the member for Box Hill, told the Parliament on 20 October 2005 that the coalition opposed the Congestion Levy Bill 2005 because it was:

... purely and simply a grab for extra revenue, dressed up with a fabricated claim that it will ease inner city congestion.

According to the now Attorney-General, the coalition was apparently opposed to the idea of imposing a substantial compliance burden on not only car park operators and the owners of large city buildings but on everybody who owns a car parking space within the area to which this levy applies. He also said on that day:

It is going to be yet another tax on motorists on top of the increases in registration charges and drivers licences, and on top of the ever-present misuse of speeding fines as a revenue raising device.

What an amazing Damascus-like version this government went through! The hypocrisy is dripping off members from the other side of the chamber. On 25 October 2005 he directed a question without notice to the then Treasurer:

... will the Treasurer guarantee that there will be no future extension of his tax to residential parking and no extension of this tax beyond its current boundaries?

What a load of codswallop! We are forced to listen to the hypocrisy of those opposite as they garner revenue from any source, as they turn over any stone, in order to line their pockets by taking it from the pockets of Victorians.

On 16 November 2005 the now Deputy Premier called the congestion levy 'thievery' and complained about the \$40 million that the levy would raise. However, following the changes his government made in the last budget and budget update the levy is set to be \$123 million next year — more than triple the amount. If that is not thievery, what is it? It is insufferable arrogance and hypocrisy, and every Victorian will know it.

This tax will hurt councils. Moreland City Council, which supports the idea of a congestion levy in principle, noted that it had no consultation with the State Revenue Office until it was notified by the Municipal Association of Victoria. The council is concerned about the impact on traders and user groups, especially when there was little notice and of course no negotiation or benefits to the local area. Moreland council even supports the idea of a levy as a means to encourage sustainable transport — Moreland wants to get on board — but it has been poorly applied. The council estimates that it will be worse off under the new scheme, as the levy and the subsequent charge on businesses would have to increase 887 per cent from \$83 to \$736, if the council were to pass on the cost. If that is not job destroying, I do not know what is. The new charge means it is not financially viable for Moreland council to retain its off-street paid parking meters and will require changes to the council's parking management policy and the Brunswick integrated transport strategy.

In my last 2 minutes I will turn to the fire service property levy measures. I lament the insufferable arrogance displayed by the Treasurer who insisted for so long that the fire service property levy was a brilliantly handled gift to the people of Victoria. He has finally been forced to turn around and fix up, albeit in a botched fashion, a problem of his own making. It was the height of arrogance for him to have claimed in his announcement of the change that the government was pleased to be able to deliver this tax relief for Victorians — tax relief from what? Their own tax! — when he was the one who made the problem in the first place. This is the deranged tactic of a bully seeking gratitude from a group of people for having the

compassion to only charge this eye-wateringly exorbitant levy for one year rather than into perpetuity.

The amendments to the Fire Services Property Levy Act 2012 and the Valuation of Land Act 1960 are long overdue. Not one of the problems with this scheme has been solved. The Treasurer's amendments are finally an acknowledgement of the classification of residential use investment properties as commercial rather than residential. The practical result of what was a manifold increase in the amount of the fire services levy due was deeply unfair. The opposition raised these issues countless times with the Treasurer, and of course we were accused of standing up for the asset rich. What a joke! This government fails to acknowledge that it is the principal inflictor of the pain Victorians are feeling. This is a job-destroying government and a job-destroying bill.

Mr ANGUS (Forest Hill) — I am pleased to rise to speak in support of the State Taxation Legislation Amendment Bill 2014. I am always pleased to rise in this place to speak on any financial or taxation bill because there is one thing we can be sure about when we are looking at anything to do with finances or state taxes, and that is that the contrast between the coalition government and the Labor government could not be more stark.

A range of economic indicators is indelibly etched into the history of Victoria where we can see the absolute incompetence of state Labor governments in relation to financial management matters. I do not want to spend all my time looking at those matters, but I must refer to a couple of them so I can provide some context for the debate this morning. The standout matter, and I have spoken on it countless times in this place, is the white elephant desalination plant, an extraordinary millstone which hangs around the neck of every Victorian and will do so at the rate of \$1.8 million a day for 27 years. What an unbelievable financial millstone —

Mr McGuire — On a point of order, Deputy Speaker, I ask you to bring the member for Forest Hill back to the bill.

Mr O'Brien — On the point of order, Deputy Speaker, the member for Forest Hill is barely into his contribution on the bill. He is allowed to set the scene.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. The member for Forest Hill was setting the scene and will be getting to the bill directly.

Mr ANGUS — That is certainly the case in my contribution. It is very important that I do set the scene

because we cannot look at these things in isolation. As I was saying, there will be a cost to Victorians of \$1.8 million a day for 27 years. I will come back to the bill now, but that was just one component of the many financial disasters we saw under the previous government.

The purposes of the bill are clearly laid out. It will amend the Congestion Levy Act 2005, the Fire Services Property Levy Act 2012, the Gambling Regulation Act 2003 and the Valuation of Land Act 1960, and I will not go into the various requirements within those amendments. One thing I want to say early in my contribution is that Labor has come out to say it will vote against the bill. That represents, in real dollar terms, in the vicinity of \$500 million to the economy of Victoria over four years.

Today the Labor Party will vote against this bill. In doing so it will be voting for cuts to hospital funding, voting for cuts to school funding and voting for cuts to every area of state funding. In the next breath Labor Party members will be complaining that there are certain things in their electorates that need to be attended to. The previous speaker on the bill mentioned hypocrisy, but Labor Party members personify hypocrisy. On the one hand they will vote today to slash \$500 million from the state budget and on the other hand they will be putting their hands out begging for more funds, as they always do. That is the stark contrast here this morning as we consider the bill.

It is important that I give some context to the bill and look at the positive outcomes that have resulted from the sound economic management of the coalition government. One thing sets this side of the house apart from the other side, and that is the ability to manage the economy well. History shows that unequivocally. Over generations of government we can clearly see the strength, skill and ability of the coalition to manage the economy well. That is in stark contrast with what happens when the other side is in government, when we are left with financial millstones, disasters and legacies that cannot be forgotten. Here we are today over three years into the coalition government after the 11 dark years of Labor — —

An honourable member interjected.

Mr ANGUS — I take up the interjection. We can see that Victoria stands today with the strongest state finances in Australia. We are the only state with a AAA credit rating and a stable outlook from both major international ratings agencies.

An honourable member interjected.

Mr ANGUS — Labor knows it had a structural deficit that was propped up by the feds. Let us not get into that. We can see that structural deficit.

In December 2013 Moody's Investors Service reaffirmed Victoria's AAA credit rating with a stable outlook. It confirmed that the Victorian coalition government is managing Victoria's finances well in challenging times. A Moody's credit analysis of Victoria from December 2013 says at page 1:

Victoria's credit quality reflects a long-term historical record of sound financial performance, ample financial flexibility and a diverse economic base that supports its operations. The state's financial performance weakened in 2008–09 —

under Labor —

when it moved into a deficit position (net borrowing result).

The government has implemented a budgetary redress program to narrow the deficit and stabilise the debt burden and its continued commitment to achieve these targets is important to the state's credit outlook.

Another leading assessment agency, Standard and Poor's, said last November:

The state has continued to demonstrate fiscal discipline through its response to ongoing revenue challenges. The government has made difficult political decisions, including containing wage growth and reducing the number of public servants.

It goes on to say that in its view:

Victoria's own financial strength is evidenced by its prudent approach to debt and liquidity management, as well as the development of medium and long-term fiscal and economic strategies. It has a history of economic reform that will over time increase the productivity of the state. We don't expect the commitment to fiscal discipline to change over the life of the current Parliament.

What an outstanding endorsement of the strong and sound financial management under the current coalition government in Victoria, and that assessment was made by those outside this arena looking into the state.

As I have said many times in this place, there is nothing surer than the fact that good economic management is the cornerstone of a sound economy. To have an economy running well and to have good management of the law and order and health and financial matters of the state contributes and flows on to every other area. That is the only way you can deliver the services that residents in Victoria want. When we think about that we can see that if we did not have to pay \$1.8 million a day for 27 years for a desalination plant that we will probably never use, that money could go out to services, which could result in more hospitals and all sorts of other infrastructure assets and other things

throughout the state. Sound economic management is vital, and under the coalition government we see strong management and infrastructure investment.

As I have mentioned many times in this place, one of the standout examples in my view is Box Hill Hospital out in the eastern suburbs. As members representing the eastern suburbs, you and I both know, Acting Speaker, what a vital state asset that is going to continue to be as the new building is brought online. That project is under the great management of the coalition government, the minister and his team, and we are getting 10 floors for the price of 9. What a magnificent outcome that is for all Victorians and particularly Victorian taxpayers. I could go on for hours on other infrastructure investments, but I will not. The Forest Hill police station is being built out in my patch. It is a \$12 million fully costed, fully funded project on the way to being ready to service the needs of the people in my electorate and more broadly the eastern suburbs. We have grade separations happening in your seat, Acting Speaker, and what a marvellous outcome that is for your residents and for mine. Responsible economic management enables those projects to be properly funded and delivered on time and on budget. In summary that is a concept that is completely foreign to those opposite. I commend the bill to the house.

Mr SCOTT (Preston) — It gives me pleasure to rise to speak on the State Taxation Legislation Amendment Bill 2014. I rise to support the reasoned amendment moved by the member for Tarneit, which states:

That all the words after ‘That’ be omitted with the view of inserting in their place the words ‘this bill be withdrawn and redrafted to —

- (1) take into account the outcome of extensive public consultation about the proposed amendments to the Congestion Levy Act 2005 and the Gambling Regulation Act 2003, as many are strongly opposed to these provisions; and
- (2) retain the remaining provisions relating to the proposed amendments to the Fire Services Property Levy Act 2012 and the Valuation of Land Act 1960.’.

Much of the bill has been ably covered in the response to the second reading by the member for Tarneit, but I particularly want to discuss the aspects that relate to the Congestion Levy Act 2005. If members have the bill, I draw their attention to the map at substituted schedule 1 on page 10. It is a very interesting map. It is important to understand the comparison between the existing boundaries and those that will be enforced for the next election, because since last election we have had a redistribution conducted by the Electoral Boundaries Commission. If the map on page 10 is examined in the

context of the new boundaries to apply at the next election, which are the politically germane boundaries, it makes for a very interesting comparison.

I note my colleague the member for Richmond is beside me and that there is significant expansion of the category 2 levy area. I know very well the fine electorate of Richmond. It contains the suburb of Richmond, where there is no expansion of the boundary, and also areas in Collingwood and Clifton Hill, which are certainly included in the category 2 area. For the benefit of the house, although members may be aware, there will be an expansion of the congestion levy in the category 2 area which will see it charged at \$950 with effect from 2015.

The electorates surrounding the original category 1 area include the districts of Melbourne, Brunswick, Richmond, Albert Park and perhaps a tiny sliver of Brighton — I do not think so, but it is close to the boundary.

However, there is a very striking feature to the analysis of the changes in that the expansion of category area 2 reaches into the electorate of Melbourne, the electorate of Brunswick, the electorate of Richmond and the electorate of Albert Park, which are all Labor held seats, but strangely enough I cannot seem to find any expansion into the electorate of Prahran, which adjoins area 1. It is a quite striking correlation. I am sure the Treasurer would like us to believe the correlation does not equal causality, but in this case I am afraid we on this side take a cynical view of the action of the government.

Mr O’Brien interjected.

Mr SCOTT — I will not respond to the interjection. This is a very serious matter. How the members of a community vote, who they choose as their elected representatives, should absolutely not influence the level of taxation they pay or the taxation which relates to property held in that electorate. In this case we have a direct example where there is an adjoining Liberal electorate and there are adjoining Labor electorates. As I said, and I would like to check the map more closely, a tiny sliver of Brighton might be included, but we are talking literally a tiny sliver. It is not good enough that the taxation expands if you vote Labor but it does not expand if you do not. How any person votes or how any community votes collectively and who they elect to be their representatives should not increase the level of taxation that is paid by that community.

This is a very serious issue, and it is not something that arises regularly in our political discourse. I would say

that in the normal political discourse there is not the allegation, as is the case in other jurisdictions, that electorates or communities are punished for their electoral behaviour.

Mr O'Brien interjected.

Mr SCOTT — No, I am talking about the new boundaries.

The ACTING SPEAKER (Ms Ryall) — Order! The member will not respond to interjections.

Mr SCOTT — I will not respond.

An honourable member — We have had this debate.

Mr SCOTT — We had this debate. If you look at the new boundaries and the area of category 2, you see that there is an expansion of the area of payment. That area of expansion includes areas from the electorates of Melbourne, Brunswick, Richmond and Albert Park but there is no area in the new category 2 from the electorate of Prahran. I ask members to look at it. I am sure members are familiar with the former Governor of Massachusetts, Elbridge Gerry, who gave life to the term 'gerrymander'.

Honourable members interjecting.

Mr SCOTT — Again I will not respond to interjections, as tempting as it is.

The ACTING SPEAKER (Ms Ryall) — Order! I thank the member for Preston; I would appreciate his not responding to the interjections.

Honourable members interjecting.

Mr SCOTT — I will again not respond. The interjections from both sides are very tempting to respond to, but I will resist. This is a very serious issue. It appears from the maps that have been provided that when you compare the new boundaries, you see that there is a significant expansion of the areas in which the congestion levy will apply and that those expansions follow very strongly a direct correlation with how the communities choose to vote in elections. I find that very disturbing. It is a very serious matter which the Parliament should consider.

I ask members, through the Chair, to consider whether this would occur in other contexts. If a similar situation was occurring in relation to a tax, and there was an expansion of the taxation provision that related to members who the government relied upon in order to form government, I ask whether we would be seeing

such a bill before the house, particularly in the context of the current Parliament. This is a grave matter. I hope that in the future we will not see similar maps appear. I hope that the government will have the wisdom to take up the reasoned amendment moved by the member for Tarneit and that I will never again see maps of physical areas as they relate to taxation that correlate with how communities vote.

Mr O'Brien interjected.

Mr SCOTT — I will not respond to the interjection, but I hope I will not see examples of where there appears to be an imposition on one community which happens to vote for members of Parliament who belong to the opposition and there is not an imposition on a marginal government-held electorate that adjoins the same area. There are other jurisdictions where politicians from elected parties openly boast, 'If you don't vote for us, we'll punish you'. I would hate to see a similar discourse in the community in our good state. While there will always be a debate about the appropriate distribution of resources in our community and about the appropriate taxation of members of the community, whether they be business owners or property owners or persons paying other forms of taxation or charges, it should never be the case that the political alignment of a community as expressed through the free democratic electoral process which we have in Victoria would influence such a decision. I would be seriously concerned and frankly deeply fearful if such maps appeared in the future because it would ensure that Victoria would be travelling down a very dark path.

Mr MORRIS (Mornington) — I am delighted to rise to support the State Taxation Legislation Amendment Bill 2014. I am pleased to support it because this is a bill about strong economic and financial management. That is what this government is all about. We have worked very hard to ensure that Victoria has strong state finances. We have worked hard, and we have achieved that despite the structural deficit that the Brumby government left behind it.

It has been interesting listening to the contributions of opposition members, particularly the contribution of the member for Tarneit, because clearly he has learnt absolutely nothing from his experiences. This is the man who gave us the \$1.8 million a day desalination plant. This is the man who presided over a \$1 billion overrun on myki. Clearly he has learnt nothing. If there is hypocrisy in this house, it comes from the opposition.

In just over three years this government has transformed Victoria into the state with the strongest

finances. We have a AAA credit rating with a stable outlook. We have that rating from Standard and Poor's, we have that rating from Moody's Investors Service, and we have had it affirmed again and again, as the member for Forest Hill indicated. One of the reasons we have that AAA credit rating and that stable outlook is that we are the only state in the commonwealth with a surplus budgeted for every year of the forward estimates.

We will have surpluses next year, the year after, the year after and the year after that. That is why we have that AAA credit rating, and that is why we have that stable outlook. Unlike other states, we are not paying millions of dollars every year in extra interest, and if you are paying less money in interest, you have more money to invest in services and you have more money to invest in infrastructure. Strong economic and financial management feed confidence, feed investment and build a strong local economy.

The national economic scene is a bit tough, and, as night follows day, tough conditions follow Labor governments. Yet again that longstanding experience has been repeated. It is fair to say, however, that Victoria is very much punching above its weight. You only have to look at the labour force statistics: there are 64 200 more jobs in this state now than in 2010. This is the strongest performance of any of the non-resource states and is the second strongest performance overall. It is second only to Western Australia, and anyone who has been in Western Australia in recent years knows what is happening there.

Members can compare that 64 000-plus jobs growth with what has happened in South Australia, where 5000 jobs have gone. The labour market in South Australia has contracted by 3000 jobs. Similarly, more than 3000 jobs have gone in Tasmania, and when you consider how relatively small that state's economy is, the impact must be absolutely horrendous. That has not happened in Victoria. We have 64 200 extra jobs. That does not happen by accident. It happens because we are investing in infrastructure — this year \$5.8 billion, next year \$7.2 billion.

We are investing in schools, we are investing in hospitals and health care, we are investing in roads, we are investing in public transport and we are investing in police stations and fire stations; we are investing in infrastructure right across the state. That investment is what feeds the economy. We understand that only if we invest in the future and only if we provide strong state finances can the Victorian economy continue to grow and can we continue to provide opportunities for employment, opportunities in Melbourne, opportunities

in regional Victoria and opportunities right across the state.

This bill is very much about continuing that work. Its passage will allow that work and the state's strong financial position to continue. The bill is very much about implementing revenue measures. They are moderate, and they are targeted. The first is an expansion of the congestion levy boundary. The second introduces tax changes with respect to hotels and clubs with gaming machines. That is very much about fixing the problem of the decline in the state's share of gaming tax revenue that directly followed Labor's botched auction of gaming machine entitlements. That stuff-up put Tricontinental and the State Bank of Victoria — for those of us with long memories — absolutely in the shade. It was a \$3 billion stuff-up.

There are some changes, as I said, to the congestion levy. The area covered by the Melbourne CBD congestion levy will be expanded. I am not going to speak about this at great length, but I think it is worth responding to the comments of the member for Preston. He did not seem to understand — and I am surprised, because normally his contributions are considered and based on fact. Clearly the CBD is not defined by state electorates. You do not draw a line around state electorates and say, 'This is the CBD'. The CBD is a freestanding area of its own.

The second point is about the claim of the impact on residents. Clearly the member for Preston does not understand the legislation already in place, and clearly he does not understand the bill before the house. The exemptions in the current legislation, which will continue to apply in the expanded area, include residential parking. Residents in the new areas are not affected by this change, and to suggest otherwise — and to suggest that these changes are an attempt to bludgeon people into voting in a particular way — is absolutely beneath the member and a gross misrepresentation of what is intended. The member for Preston should be absolutely ashamed of himself for trying to mount that argument.

In terms of the electronic gaming machine (EGM) reforms, we are very much fixing another mess left by the Labor government. When it comes to gaming, the legacy of Labor is one of failure and waste. Members need only to look at the \$3 billion debacle that was the pokies auction to remember that. Members need to only look at the Auditor-General's comments from June 2011 where he said:

The audit found that the allocation was not value for money for taxpayers. The amount of revenue raised was only a quarter of the fair market value of the EGM entitlements.

An amount of \$3 billion in potential revenue was foregone — —

Mr O'Brien — Three billion!

Mr MORRIS — It was \$3 billion, as the Treasurer says, that was forgone as a result of this Labor stuff-up. It was a 'windfall gain', as the Auditor-General said, for large venue operators. It was an outcome that constituted a great penalty for the taxpayers of Victoria. The incompetence did not stop with the auction. Once the auction was out of the way the government allocated the licences and legislated new tax rates. It indicated to the industry that the tax rates were designed to recover funds and would be broadly similar to the historical average government share of 36 per cent to 38 per cent. The industry was advised that the tax rates would be reviewed, so what happened? Since August 2012 the government's share of electronic gaming machine player losses has fallen to 34 per cent. Clearly Labor got it wrong again.

This bill is about taking corrective action, and it is about fixing yet another Labor stuff-up to restore the government's share to the historical average, which is what Labor thought it was achieving when it set the rates in the first place. At the same time the government will adjust the minimum return to player from 87 per cent to 85 per cent, which will allow the venues to recover some of the impact of these charges. We are very much about fixing Labor's mistakes.

We are not blind to the impact on clubs, and to reduce that impact we have announced a six-month extension on payment terms, and of course there are opportunities for others who are experiencing cash-flow difficulties in any case. The bill is very much about financial management, it is about strong economic management and it is about making sure that Victoria continues to have the strongest state finances in the commonwealth. I commend the bill to the house.

Mr WYNNE (Richmond) — I rise to make a contribution to the debate on the State Taxation Legislation Amendment Bill 2014. I am going to concentrate on one particular aspect of the bill, and that is the congestion levy and its expansion into a broader geographic scope, which certainly exceeds the area that was proposed by the Labor government. I well remember the debate that occurred when the congestion levy was announced by the previous government as an opportunity to invest funds that were derived from the levy into significant public transport initiatives. The then opposition railed against the proposal. It said it was an absolute outrage, a tax grab by the government and it ought to be repudiated by any fair-minded person.

The current Treasurer — and I am pleased he is at the table because there are a couple of issues I want to raise with him about the local impacts of the congestion levy — railed against it. The current Attorney-General in opposition railed against it, as did the now Deputy Premier. They said it was a shocking tax grab by the government when we sought to hypothecate the funds into significant public transport improvements.

Nonetheless, we now have a change of government — —

Honourable members interjecting.

Mr WYNNE — I seek your protection, Acting Speaker; I am under enormous assault here.

The ACTING SPEAKER (Ms Ryall) — Order! The member for Richmond has the call.

Mr Angus interjected.

Mr WYNNE — The member for Forest Hill; there's a contributor. The Treasurer sits smugly at the table and seeks to justify this extraordinary expansion of the scope of the congestion tax and also the increase in revenue that will flow from it.

Sadly the member for Mornington is not in the chamber. He has not quite understood that the congestion tax, as proposed by the previous government, was for the CBD, or the central activities district of Melbourne, which is generally understood to include the Hoddle grid and down St Kilda Road; in the general planning parlance and how we understand the capital city works, that is what we generally understand the CBD to be. It certainly does not include all of the city of Port Phillip down to the bay or down as far as Johnson Street in my electorate, as proposed in the bill. I submit to the Treasurer that it is drawing a pretty long bow to suggest that the tax reflects the CBD, as the member for Mornington suggested. This is more than the CBD; this is the CBD writ really large. This is a seriously — —

Mr Burgess — The inner city.

Mr WYNNE — The member for Hastings is from another part of the world. He does not perhaps understand what we perceive the CBD to be. Nonetheless, the point needs to be made that this is a very significant expansion of the geographic purview of the bill. It includes a number of areas I want to talk about. In particular I want to come back to Abbotsford Convent, because the tax will have a significant impact on it. Through the debate today I will seek a further opportunity to see if we can address some of the quite

serious issues that arise from the levy being imposed upon it.

I follow on from what the member for Preston said and make the following observation. In his contribution he suggested that there may be an element of gerrymander in the way — —

Honourable members interjecting.

Mr WYNNE — For the delectation of the Minister for Energy and Resources and the Treasurer — —

Mr Foley interjected.

The ACTING SPEAKER (Ms Ryall) — Order! The member for Albert Park is out of his seat and disorderly.

Mr WYNNE — But an excellent support to me. The member for Preston suggested that there may be a whiff of gerrymander in the way the boundaries have been framed. There is no doubt that the boundaries are included in the seat of my colleague, the member for Albert Park, who has just been admonished by you, as well as in my electorate and that of the member for Melbourne. By way of interjection across the table during the contribution of the member for Preston the Treasurer indicated that the government has used Punt Road running north. That is not quite true, because it extends right down to the river.

By any measure you would have to consider why the map has not jumped over Punt Road and gone into the seat of Prahran. Chapel Street is a major activity centre. Why would that area not be included within the broader geographic boundaries of the congestion tax? Why would you seek to expand the boundary to the north down to Johnson Street? What is the rationale — —

Mr McGuire interjected.

Mr WYNNE — As the member for Broadmeadows quite rightly says, it is a logical inclusion. If you look at the history of planning policy by the government, you see it is a logical inclusion. What can you say?

There are serious implications for this. The Treasurer would know that Abbotsford Convent is known to many people as an extraordinary success story of the great people who brought the convent back from being a wasteland to being one of the great educational and tourism opportunities in the state. For those who have not been to Abbotsford Convent — and Collingwood Children's Farm — it is truly an oasis in the centre of Melbourne. The convent is going to be impacted upon by the parking levy. People who remember the history

of the site and the advocacy of myself and others for it, will know that it is one of the great legacies of the Bracks government. One of the key requirements for the Abbotsford convent was that it had to be self-funding and self-sufficient, and by any measure it is doing a superb job.

But now, Treasurer, it has this unexpected impost which has been placed upon its car park. It is a not-for-profit organisation, as you know — —

The ACTING SPEAKER (Ms Ryall) — Order! The member should speak through the Chair.

Mr WYNNE — The Treasurer knows it is an organisation that is a not-for-profit foundation. It is doing fantastic work in terms of offering arts, cultural, tourism and educational opportunities in my electorate, and I simply say to the Treasurer that the Abbotsford Convent wrote to him in good faith in January expressing its concerns about the potential impact of this proposal on it, and it has received absolutely no response whatsoever from either the Treasurer or from his department. The convent has genuine concerns about this, and I think they are legitimate concerns. I ask the Treasurer in good faith if he will take up the opportunity to see if the concerns of the Abbotsford Convent can be addressed.

The Melbourne Zoo is exempted from this, as is the MCG. The Melbourne Olympic Park Trust is also exempted from the congestion tax, and I would simply put to the Treasurer that there is a powerful case to be made for the Abbotsford Convent to be included within that broad ambit that involves the Melbourne Zoo. It is in fact a logical exclusion. Can I say the Melbourne Zoo is a great icon for Melbourne, and the Abbotsford Convent is a similar icon, and I ask the Treasurer to look at exempting them.

Dr SYKES (Benalla) — It gives me absolute pleasure to join the debate on the State Taxation Legislation Amendment Bill 2014. I would welcome the support of the member for Broadmeadows, who obviously has a blossoming career in media and comedy; the question is whether we laugh with him or at him. But we will move on. This state taxation legislation is about the very important issue of balancing the books. This part of balancing the books is to ensure that we have revenue coming into this state that is collected responsibly and equitably to fund the services and infrastructure that people in Victoria seek, want, deserve and hope for.

Given that there is a requirement to find about \$50 billion, it is a significant challenge for the Treasurer

and the government to get that income equitably and fairly and along the way to manage our expenditure so that we retain the surplus that the Treasurer has worked so hard to retain and that we retain our AAA credit rating. That is so important from an ongoing financial management point of view because one of the most basic things is that it keeps the interest rate on the money that we borrow at a much lower level than is experienced by other states that have not retained the AAA rating.

We have had some misleading commentary during the debate and at various other times, including one comment from the member for Tarneit in which he made reference to 'dirty deals done cheap'. I was sure that they were the sorts of words that related to the desalination plant, which is a classic example of where, as a result of Labor's inability to manage money, the incoming coalition government has had a more difficult task in getting the numbers right. Of course in relation to getting the numbers right, we know that Labor still cannot manage its numbers, as was evident last night when a division was called. I have no doubt that will come back to haunt Labor in future.

A particular aspect of this bill that I would like to comment on is the fire services property levy, because my Nationals colleagues and a number of Liberal colleagues in country Victoria and I fought extremely hard for many years to have the inequitable insurance-based levy removed and to have it replaced by an equitable property-based levy. It was Nationals policy for over a decade, and I am extremely pleased that the Treasurer and the coalition government have introduced a property-based levy. It is more equitable, and it provides for the funding of our fire services.

I want to clear up a what I believe is a misunderstanding concerning the delivery of fire services. Firstly, the money collected by the fire services property levy — 100 per cent of it — goes to the delivery of fire services; and secondly, the contribution to the delivery of fire services in the current financial year is second only to the high contribution made a year ago, which was to pick up the implementation of the 2009 Victorian Bushfires Royal Commission recommendations and a spike in activity that occurred after the Ash Wednesday fires. I want to make it very clear for the sake of the member for Broadmeadows that this year's budget for fire services is greater than any budget for fire services during the 11 dark years of Labor government.

In relation to the implementation of this change, it has not been without its challenges, and I think it is a credit to our government that we put in place the

implementation monitor, Alan Fels. He has pulled into line most of the insurance companies which, through bad management or whatever, had overcharged many insurers to the tune of millions of dollars, if not tens of millions of dollars. The insurance monitor is part of a system we are implementing which marks a major change; it is one of the most significant tax changes in decades. Linked to that, some issues arose that were raised with local members. We then raised them with the Treasurer and the cabinet in relation to whether the new arrangements were spreading the costs as equitably as we sought to have happen.

As a result of getting the feedback from our constituents, some changes have been made to the classifications: in particular, residential investment flats that are currently classified as commercial and therefore attract a higher rate will in the future be classified as residential, which will reduce the rate. That will make a number of constituents very pleased, and none more so than Mr Jim Crebbin, who lobbied long and hard on this issue. He is very happy that the Treasurer and government have listened and made the adjustments necessary to ensure this contribution is equitable.

There are other changes in relation to the levy for sportsgrounds, water catchments and vacant land. They all make sense and reflect that we are a listening government that has made a major change to the taxation system, and it has gone amazingly smoothly in spite of the mischievous, ill-informed and misleading comments made by others, some of whom are in this house.

Another issue that has been very important in our area is the changes that relate to electronic gaming machines and the impacts they have on our clubs. A number of community clubs in my area rely on income from gaming machines. We have them at Mount Beauty, the Myrtleford Savoy Sporting Club, the Benalla Bowls Club, the Benalla Golf Club and the Nagambie Rowing Club. They are all relatively small clubs that are much appreciated by our communities as they are gathering places and there is a sense of community ownership. They are part of the fabric of those local communities. For example, the Benalla Bowls Club contributes to our community activities. Only last week the club confirmed that it is very generously donating \$2000 to the Benalla Young Sportspeople Trust, which supports young sportspeople and helps them overcome the costs of going to Melbourne and elsewhere for training and to participate in their sports. That is a classic example of our community clubs being very much part of our community.

Keeping in mind the background of the need for the changes, we have had it explained that in implementing the changes the aim was to balance the numbers more accurately. I cannot miss the opportunity to highlight that one of the issues with the electronic gaming machines was the missed opportunity — the botched sale of the gaming machine licences which, as the Auditor-General said, was in the order of \$3 billion.

Honourable members interjecting.

Dr SYKES — For those who are hard of hearing, including the member for Narre Warren North, \$3 billion in income was lost as a result of the Labor Party's inability to manage money. As a result of representations made by a number of people, including my colleague the member for Frankston but also a number of other MPs, the Treasurer has been able to facilitate a deferral of the introduction of some of these taxes and has made provision for hardship allowances. That would be very important for my clubs which highlighted the potential impact of the original arrangements on their budgets because they do operate on pretty tight cash flow. I am sure these measures will help our country clubs continue to operate in the black but also continue to provide a fantastic service.

I congratulate the Treasurer on what he has done to maintain a surplus, to maintain a AAA credit rating, to put in place equitable systems of collecting levies for the delivery of services and the putting in place of infrastructure. He has got the balance right, and he has demonstrated to all in this house and all in Victoria that the coalition government can manage money, unlike those on the other side, who cannot manage money.

Ms D'AMBROSIO (Mill Park) — I rise to speak on the State Taxation Legislation Amendment Bill 2014. I certainly support Labor's reasoned amendment to address what is essentially a tax grab by this government. This tax grab is taking place when there is no actual plan, understanding or appreciation of the jobs crisis confronting Victorians. What we have instead from the government are piecemeal, knee-jerk responses. When they are not knee-jerk responses, they are devilishly detailed plans that are done behind closed doors with the member for Frankston to do a smash and grab of taxes from hardworking Victorians to serve the government's agenda, which is basically to build up a bit of a war chest for the coming election. That is a hallmark of this government.

We can look at the congestion levy as one example of the smash and grab — the hit-and-run approach — this government is now notorious for. This hit-and-run involves blatantly getting out the political red pen and

drawing neatly, as per the days of the Joh Bjelke-Petersen gerrymander. This is a gerrymander of a congestion levy that targets seats other than those that are occupied by government backbench members. When you look at the category 2 boundary changes that will apply to the congestion levy, what we have in front of us is a Naphthine-Bjelke-Petersen-inspired gerrymander of a congestion levy. That is all it is. It is blatant, and this government is not even ashamed of it. It is a shameless application of changes to the boundary that are a means of extracting more money out of the pockets of hardworking Victorians, as well as from businesses, which I note the member for Albert Park called out earlier. I also include the members for Melbourne and Brunswick, who are all concerned with this blatant tax grab from parts of their constituencies.

How blatant can we be? Members of this government cried foul in 2005 when the previous government introduced the congestion levy. It was a congestion levy with rhyme and reason, which had a fair application to the way congestion was going to be tackled through the application of a levy. It was a fair and transparent way of doing that. Now we have got the same people saying, 'Thanks very much. We are now going to take the political red pen and extend those boundaries in a nicely crafted way to avoid the very sensitive marginal seats we want to hold onto in government'. They are behind closed doors doing these deals with the member for Frankston.

If we have a look at the other impacts of the bill, we know as an example that Moreland City Council is angry about this. There was no consultation whatsoever over this. It was simply a matter of, 'Here it is, take it or leave it — we're going to do it'. That is what this government represents — looking after its own interests and putting its own interests and desperation first, because it does not really have a plan to tackle congestion in Melbourne in a way that satisfies the social licence test in Victoria. It has no social licence for some of its knee-jerk, multibillion-dollar sunk costs that it is pursuing when nobody else in Victoria considers it a credible plan or set of ideas.

This is what we have come to in Victoria. Sadly the second-largest state and second-largest economy in the nation has a government that has barely proved its competence in managing the state's economy, congestion on the roads and the need to transition people who lose their jobs into new industries. Government members have no idea how to do that. Is it any wonder that Victorians are in absolute disbelief when almost every day they hear about jobs that are being lost and workplaces that are being closed down, only to find that members of this government are only

motivated by attempts to hold onto government with the tenuous support it has in this house, thanks to the member for Frankston, and is doing any grubby deal to hand onto its majority? This is a dysfunctional minority government that has not been able to rise above looking after its own grubby needs and its own grubby agenda to hang onto power and to put the interests of Victorians ahead of its own sorry and sullied interests and desperation, which know no bounds.

The fire services property levy is very important, and the reasoned amendment moved by the member for Tarneit is very salutary in this regard. The bill needs to be withdrawn and redrafted to take into account the question marks about the congestion levy and the issues to do with Gambling Regulation Act 2003. Public consultation must be undertaken for the government to get that social licence that is desperately missing from its action and its bill. The bill is not underpinned by any social licence whatsoever. The bill must be withdrawn and redrafted so it retains the remaining provisions relating to the Fire Services Property Levy Act 2012 and the Valuation of Land Act 1960.

The member for Tarneit gave a very solid and comprehensive explanation of the rationale behind his reasoned amendment, which this government must support if it is serious about showing in any way that it understands that it needs to take the community with it on these critical issues. More importantly, the government needs to be accountable and to act in a transparent manner in the faint hope that it actually might be seen not to be acting simply out of self-interest with its motivation to be re-elected in November. Tax grabs, hit and runs and grubby deals behind closed doors deliver for a government which simply limps along from one day to another and which has no agenda for Victoria, including no plan for dealing with congestion.

All we have is a government that is on the skids because it is dysfunctional and because its members are clueless. The only thing positive that I can say about members of this government is that they probably do not even realise that they are clueless. But I tell them now that they are clueless and that they need to do far better than they have done so far. They have had three and a half years and they just keep getting it wrong and digging a bigger hole for themselves as they go.

In the short time I have remaining it is very important for me to note how the government has dealt with the gambling regulations. That is of great concern to Labor, and it points to the desperation of this government to grab whatever money it thinks it can just to keep itself alive. This is not the hallmark of a good government. A

good government gets on with the business of governing in the interests of all Victorians, and it measures that as being a higher priority than doing anything to hold onto government. Government members have to go out there and explain why they believe that what they are doing through this bill is legitimate and fair and that it is being done in the best interests of Victorians right across the state.

As it is, the bill smacks simply of opportunism and rank hypocrisy. It is yet another example of members of this government saying one thing when in opposition, beating their chests and pretending that they are the champions of the Victorian community, and then once in government doing anything, whatever it takes — that is the motto of this government ‘doing whatever it takes’ — to get the support of the member for Frankston to retain the tenuous hold on power it has in this Parliament. The government will have to stand on its merits in this regard. It has got this terribly wrong. It needs to change its position, support the reasoned amendment and ensure that the changes that it is determined to make through this bill are looked at again.

Mr KATOS (South Barwon) — I am pleased to rise this morning to speak in the debate on the State Taxation Legislation Amendment Bill 2014. This bill is about sound economic management. At the start of my contribution I might just touch on issues and points raised by other members. The member for Forest Hill summed it up very well when he referred to the Box Hill Hospital project that the coalition government is managing and said that there will be 10 floors for the price of 9, showing sound economic management. Had Labor been in charge there would have been 10 floors for the price of 14, because members opposite have to do their grubby deals — the member for Mill Park referred to grubby deals — with the Construction, Forestry, Mining and Energy Union and inflate the cost of major projects in this state to make sure that down the track they get their campaign donations.

The member for Mill Park talked about taking the community with us. Perhaps the member for Mill Park should go down to Barwon Heads, where the community was taken with the members of the former government on the Barwon Heads Bridge. She might go up to Benalla or Seymour, where members of the Labor government really took the community with them on the north–south pipeline. Members of that government branded people up there quasi-terrorists. That was certainly not taking the community with them.

Victoria has the strongest financial position of any jurisdiction in Australia. Victoria has the only AAA-rated economy with a stable outlook according to both international rating agencies, and it is the only jurisdiction with surpluses. That has not happened by accident. That is happening because of sound economic management by the Napthine government. Having a AAA rating means that we are paying less interest, which means we have more money to invest in infrastructure. That is absolutely critical because to build a better Victoria we need to invest more money in infrastructure.

We are delivering a record \$5.8 billion in infrastructure in 2013–14 and that will rise to \$7.2 billion in 2014–15. Under the infrastructure program, we are building schools, hospitals, health facilities and roads. We are also investing in public transport and police. That is happening across the state, including in my electorate. There is \$50.2 million for the Waurn Ponds hospital, \$93 million for the Geelong Hospital, \$37.5 million for Surf Coast Secondary College and \$25.9 million for the Grovedale railway station. That infrastructure investment can only be done if you have sound financial management.

Speaking of sound financial management, the regional rail link is another example of a project that this government is delivering on time and on budget. It has actually been scoped and costed properly by this government. When members of the previous government proposed the regional rail link, they forgot to budget for signals, for the grade separations and for the trains as well. It highlights the level of absolute incompetence of the previous Labor administration in this state. Fancy building a new rail line and forgetting to include the cost of the trains to run on it. The previous government was an absolute joke.

The subject matter of the bill reflects the budget update that was announced in December last year. The bill makes the necessary changes to legislation to implement that budget update, including an expansion of the congestion levy boundary and tax changes with regard to gaming machines. It also makes some refinements and improvements to the fire services property levy. I was speaking before about the incompetence of the Labor government, and the mismanagement of the electronic gaming machine licences is probably one of the previous government's greatest stuff-ups. The previous government squandered \$3 billion of Victorian taxpayers money in the pokie licence auction. It is absolutely appalling that it got it so wrong.

When allocating these licences the previous Labor government legislated new tax rates to apply from August 2012. The historic tax average was around 36 per cent to 38 per cent, and basically the revenue collection from pokies was supposed to remain at that average rate. The industry was also advised by the previous government that pubs would continue to pay a higher rate than clubs and that the rates would be regularly reviewed to ensure that the government continued to receive that historic average of 36 per cent to 38 per cent. Since August 2012 the share of electronic gaming taxes has dropped to 34 per cent, which is below the historic average. The intention was to keep the tax rate at the historic average of 36 per cent to 38 per cent. Those opposite say we are making a tax grab. That is completely incorrect; we are simply maintaining the historic average, as the previous Labor government set out to do when it put the regime in place. The minimum return-to-player ratio will drop from 87 per cent to 85 per cent which sensibly puts us on the same footing as New South Wales and Queensland.

I also want to touch on the fire services property levy. This great reform was brought in by the Napthine government. It is something that the Labor government had 11 years to do something about but did absolutely nothing. It took the coalition government to implement this very successful reform. There have been 2.5 million assessments issued and some \$610 million collected in revenue. As with any new system there will always be the need for refinements. This is the most substantial tax reform in Victoria in the last 30 years. One of the issues that needed refinement was regarding rental properties.

One of my constituents, Bernd Hollander, who lives in Ceres, had this issue. For example, a set of three units which were separately titled were classed as residential. However, if the three units were on the one title, as opposed to separately titled, they were classed as commercial. Clearly that was incorrect. Residential units should not be classed as commercial, and it is important that a change be made to reflect their use for residential purposes. The commercial classification obviously attracts a higher rate. I cannot remember the commercial rate off the top of my head, but I know the residential rate is 11.5 cents per \$1000 of capital improved value, which is significantly less than the commercial rate. It also affected short-term holiday accommodation facilities, of which there are quite a few in my electorate in Barwon Heads and Torquay, for example. Because these properties were constructed as holiday rental accommodation, they were not put on separate titles. This is a very sensible change as far as that goes.

As I said earlier, this bill is very much about sound financial management, and that is something the coalition government will always do better than those opposite. We will always manage major projects better and we will always manage taxpayers money better than those opposite. When those opposite are in government it is like having a kid in a candy store — they cannot help themselves because it is someone else's money. Those opposite must realise it is taxpayers money and it has to be managed properly, whether it be from a budgetary perspective or in relation to a major project. As I said, time and again the Labor Party has shown that it cannot manage major projects and it cannot manage the budget. With that I commend the bill to the house.

Ms KANIS (Melbourne) — I rise to speak on the State Taxation Legislation Amendment Bill 2014. This bill performs two broad functions. It makes some attempts to improve the catastrophe that has been the fire services property levy and it introduces some new revenue measures. The opposition has been calling on the government to make changes to the fire services property levy since it came into effect in July last year. After months of denying that there were any problems, the government has finally taken action to resolve some, but not all, of the harm this legislation has caused.

We support the government making the changes we have asked of it. However, the revenue measures involve expanding the congestion levy area into mostly Labor-held electorates and also increasing gambling revenue, in part by reducing the return-to-player ratio required of electronic gaming machines. These changes are unfair to those affected and amount to gross hypocrisy on the part of the coalition.

The opposition does not believe they should be implemented, and for this reason the opposition has asked that the two parts of the bill be considered separately to ensure that those parts of the bill that ought to be enacted can be and that the rest of the bill can be properly debated. We have asked for this bill to go to the consideration-in-detail stage because it contains a number of quite separate measures and we think each of them ought to be considered on its own merits. In our view there is no reason that these measures should be considered together. Therefore we have moved a reasoned amendment because of our strong objections to two parts of the bill and the fact that we want to see the changes to the fire services property levy implemented.

Moving on to two parts of the bill that impact upon my electorate of Melbourne, I first want to turn to the

congestion tax and the increased size of the category 2 area. Clause 13 substitutes a new schedule 1 in the Congestion Levy Act 2005. If members look at the map of the area in schedule 1 of the bill, they will see that all of the electorate of Melbourne now comes into either the category 1 area or the category 2 area. There is some irony in the fact that earlier this week I presented a submission at the east-west link panel hearings to discuss the impact of the project on my electorate of Melbourne. One of the things I brought up was that the project will bring increased congestion into Melbourne, particularly around the Elliott Avenue interchange, which includes Elliott Avenue, Racecourse Road, Flemington Road and Mount Alexander Road. They will see increases of traffic of somewhere between 17 and 25 per cent.

On the one hand this government is hell-bent on building a project that will bring increased congestion into Melbourne, and on the other hand it is bringing a congestion levy into this area and making locals pay for some of that increased congestion. The project shows that this government is not introducing these changes because it cares about congestion; it is doing so because it cares about money. When we look at the levy area we see that the whole of the levy area — category 1 and category 2 areas, including the southern category 2 area — is located in Labor-held electorates. One can only think that this government does not care about people in those electorates because it is ripping up the environment and putting a disproportionate tax on those people.

This morning we saw the member for Prahran given an exemption that no other member in this place is given, in that he has been allowed to have political advertising at a school. When asked about that, the Premier said it was because he was such a terrific local member. Are we to think the member for Prahran is the only terrific local member because the Premier said this is a one-off exemption being given to the member for Prahran? We see another exemption given to the member for Prahran, and that is in relation to the congestion levy. Those of us who experience Melbourne's congestion will know that the roads around Chapel Street and Toorak Road in Prahran are just as congested as the roads in North Melbourne and Carlton, yet there is no congestion levy impost on those areas of Prahran.

A terrible precedent is being set here. Decisions are being made, and people are being rewarded or seemingly punished for the way they vote. No-one in their right mind could say that parts of North Melbourne are more congested than parts of South Yarra. If this was a government that was really concerned about congestion and making it easier for

people to get around in the inner city, it would be implementing measures that would apply to all areas in the inner city that experience congestion, not just areas in the inner city that are held by the Labor Party. This provision in the bill is one of the reasons why we are opposing the bill.

In the time available to me I would like to look briefly at measures in the bill in relation to gaming changes. Gambling in Victoria brings great harm to many people. A couple of weeks ago I was privileged to attend a performance held at Parliament House that was put on for members of Parliament by a number of reformed gambling addicts. It was distressing to see the impact of gaming machines and gambling addictions on people's lives.

Anyone would try to do something to reduce that harm in our community. However, we see a missed opportunity in this bill, because it does nothing to help people who are gambling addicts, people whose lives have been destroyed by gambling. The bill increases the tax take on those machines and on those people, and that will result in increased gambling losses for people, because it will reduce the return-to-player ratio from 87 per cent to 85 per cent. During the debate today government members have talked about balancing the books. This bill looks at money and nothing else. It does not look at the social consequences of what this government is doing. It is not about equity and fairness. Rather, it is about the government making a grab where it is politically suitable for it to do so.

The people of Melbourne are disappointed in this government, which has completely disregarded what the people of Melbourne want in relation to the easing of congestion. The government has gone ahead and taxed people more. That is punishing our communities, and it is a very sad indictment of this government.

Ms MILLER (Bentleigh) — I rise to speak on the State Taxation Legislation Amendment Bill 2014. At the outset I would like to congratulate the Treasurer for his hard work and effort in not only putting the finances of Victoria back on track but also fixing the mess that was left by Labor. The member for Tarneit, the shadow Treasurer, indicated that the opposition is opposing the bill. That does not surprise me, because on 6 February this year the Labor Party opposed the Parliamentary Budget Officer Bill 2013. The bill was going to scrutinise political parties and their policies leading up to the election on 29 November 2014. Labor members opposed that bill. What have they got to hide? We know Labor cannot manage money, it cannot manage infrastructure projects and it cannot manage Victoria. It is no surprise that Labor members are opposing this

bill. It is very important to know why. All Victorians need to know about the financial disarray this state was left in after the 11 years of the former government.

The bill contains amendments to the Congestion Levy Act 2005, which will expand the congestion levy boundary at the concessional rate of \$950 per car parking space from 1 January 2015. The bill amends the Gambling Regulation Act 2003 to increase the two top tax brackets for hotel venue operators by 4.2 per cent and to increase both marginal tax brackets for club venue operators by 4.2 per cent and reduce the minimum return-to-player ratio applying to hotel and club venue operators from 87 per cent to 85 per cent from 1 April 2014. The bill amends the Fire Services Property Levy Act 2012 to reallocate certain Australian valuation property classification codes to different land use classifications from 1 July 2014. Finally, the bill amends the Fire Services Property Levy Act 2012 and Valuation of Land Act 1960 to make minor technical amendments.

The bill is evidence of the Victorian government's commitment to strong financial economic management, which is something that members opposite do not understand. Victoria has the strongest financial position in Australia. It is the only state in the country that currently holds a AAA credit rating, with a stable outlook for both major and international ratings. This is supported by recent reports of Standard & Poor's and Moody's. Victoria's strong financial position builds consumer confidence, it will build the economy, it will build a better Bentleigh, it will build a better Victoria and ultimately it will create jobs. This is a very important thing, particularly in this economic climate.

This is no academic exercise. We are paying less money on interest and more on essential services. The coalition is investing in transport. It has allocated \$100 million to upgrade the Frankston line. In education the coalition has allocated funding to upgrade the Coatesville Primary School. In health it has allocated \$250 million to the Monash Children's hospital, on which construction is expected to begin in July this year. The coalition has invested \$630 million in the Bendigo Hospital. It has invested \$12.2 billion in education funding over the next six years.

The coalition has invested \$4.8 billion in the regional rail link, which is ahead of time and on budget. It has invested \$2 billion to \$2.5 billion in the upgrade of the Cranbourne–Pakenham rail corridor. The coalition delivered a record \$6.1 billion in infrastructure investments over 2013–14. I have a background in health care, and what is important is that the coalition is building a whole new floor at the Box Hill Hospital.

We are getting 10 floors for the price of 9. If Labor and the Construction, Forestry, Mining and Energy Union had their way, we would be getting 5 floors for the price of 10!

Mr Herbert — On a point of order, Acting Speaker, the member is clearly straying miles from the bill. I ask you to bring her back to the — —

The ACTING SPEAKER (Mr Morris) — Order! I do not uphold the point of order. These are matters that have been broadly canvassed during the debate this morning, and the member is absolutely entitled to discuss them.

Ms MILLER — We are talking about state taxation, and we are talking about Victoria's finances. The former Treasurer, Mr Lenders, a member for Southern Metropolitan Region in the Council, signed off on the desalination plant, which is going to cost Victorians \$1.8 million in interest every day for the next 27 years. Under Labor we saw a cost blow-out of \$35 million on the myki project, a cost blow-out of \$250 million on the north-south pipeline, a cost blow-out of \$700 million on the regional rail link and a cost blow-out of \$200 million on the Melbourne Markets relocation. Clearly Labor cannot manage money, and it is clearly not capable of managing Victoria's finances.

If Labor had its way and was able to implement its policies, Victoria would not have a AAA credit rating, Victoria would not have the economic growth and increased employment we have seen under the coalition government and Victoria would be in all sorts of disarray. It is no surprise that the Labor Party is opposing this bill, because this bill will expose the fact that Labor cannot manage money, expose the fact that Labor cannot manage projects and expose the fact that Labor is not worthy of governing Victoria.

I turn to a media release from the Treasurer of 13 December 2013, which states:

The Victorian coalition government is continuing to take the responsible steps needed to manage Victoria's finances and deliver record investment in infrastructure and services.

Victoria has the strongest state finances in Australia. We are spending a record \$5.8 billion in 2013-14 on infrastructure rising to \$7.2 billion in 2014-15 and are the only state to hold a AAA credit rating with a stable outlook from both major ratings agencies ...

We cannot forget what happened during the 11 years of the former government. Victoria was neglected by Labor for 11 years. Our hospitals, our schools and our transport system were neglected. When the coalition

government came to office, it had a very conscious, clear plan to the people of Victoria, and I in turn to the people of Bentleigh. We said we would get the finances of this wonderful state back on track.

We said we were going to fix the problems and build for the future. Today we say that we are going to build a better Victoria and that we are going to be planning for the future. This coalition government is about planning and building for the future. I think Victorians are starting to wake up and see what they did not have for the 11 years under Labor. They are starting to see what they can and will continue to have under a coalition government. They will see a better Victoria in things like transport and basic infrastructure.

Right around the state of Victoria we are building. We are touching on every single hospital in some capacity. More importantly, we are touching on and building our schools. We are addressing the neglect of the education system by the former government. We are investing record amounts of money above and beyond what was ever invested by the Labor government. We are investing record amounts in health care above and beyond what has ever been invested by previous governments. Victorians will be the benefactors. They will be the winners. Everybody in Victoria — children, young people, families and seniors — will be a winner. Victorians know that this government will deliver. Victorians know that Labor cannot manage money.

Mr FOLEY (Albert Park) — It is a pleasure to follow the concession speech by member for Bentleigh.

The ACTING SPEAKER (Mr Morris) — Order! I would rather the member spoke on the bill.

Mr FOLEY — I rise to oppose the State Taxation Legislation Amendment Bill 2014 and to support the reasoned amendment moved by the member for Tarneit. As there is so much wrong with this vindictive, petty bill, I will restrict my comments to those aspects of the bill that deal with amendments to the Congestion Levy Act 2005. Whilst we have heard the member for Bentleigh say that this proposition is a reflection of sound economic management, this part of the bill is an opportunity that this government has taken to ring fence protections for the dodgy member for Prahran and tackle in a vindictive way the areas of — —

Ms Miller — On a point of order, Acting Speaker, I ask the member not to refer to government members in the way he just did.

The ACTING SPEAKER (Mr Morris) — Order! I do not uphold the point of order.

Mr FOLEY — I thank the member for Bentleigh for her stellar and continuing contributions.

The ACTING SPEAKER (Mr Morris) — Order! The member for Albert Park will return to the bill now.

Mr FOLEY — I will return to the bill straightaway. This extension of the congestion levy, as my colleague the member for Richmond has pointed out, is vindictive, petty and based on a gerrymandered approach to protect one person, the member for Prahran. In so doing the government seeks to punish the visitors, commuters, businesses and sporting and community clubs of the district of Albert Park. This bill extends the category 2 area, which mandates a \$950 slug per commercial car park, to the areas of Southbank, St Kilda Road, South Melbourne, Albert Park, Middle Park and St Kilda and miraculously runs in a straight line down Punt Road and avoids vast slabs of the district of Prahran and the member for Prahran's financial contributors from the Chapel Street precinct.

Let the member for Prahran come into this place and deny that as part of his arrangements with the Chapel Street traders he has delivered this arrangement for them in return for their financial contributions to his campaign. I stand by that comment. I call upon the member for Prahran to come in here and deny that that is the arrangement he has struck with the Chapel Street traders. Let him come to St Kilda and explain to the Acland Street and Fitzroy Street traders why they have to pay this —

Mr Burgess — On a point of order, Acting Speaker, the member is clearly a long way from the bill we are debating today. There is no way what he is covering now, or attempting to cover, could be related to the bill. I ask you to bring him back to the bill.

Mr FOLEY — On the point of order, Acting Speaker, I am talking about the congestion levy. That is the subject of the bill. I ask you to rule the frivolous point of order out of order.

The ACTING SPEAKER (Mr Morris) — Order! Members cannot speak twice on the same point of order. I have not ruled yet. The member for Hastings cannot speak twice on the same point of order. I do not uphold the point of order, but I do ask the member for Albert Park to make his comments more relevant — and I am not suggesting his comments are out of order — and link them more closely with the bill.

Mr FOLEY — I am unclear as to how I can get more specific about this bill, but having said that, I will be guided by your comments, Acting Speaker. Let us be clear: this bill is going to impose a financial levy on

commercial car park operators in St Kilda. It is not going to apply that same levy to their direct competitors a few short kilometres away in Prahran. In fact those same competitors are physically closer to the central business district where the original legislation has its genesis. Any fair-minded person would see that for what it is — a rort to protect the member for Prahran and his arrangements with the Chapel Street traders.

Mr Burgess — On a point of order, Acting Speaker, it is clear the member is again diverging from the bill. What he is attempting to cover now has nothing to do with the topic of the bill; it is all to do with trying to besmirch other members of Parliament, which he is well known for doing both inside and outside this house. I ask you to bring him back to the bill. Instead of concentrating on people's character and what they do with their lives, he should focus on his work in this house.

Mr Herbert — On the point of order, Speaker, I will be very succinct and will not abuse the process of this house by raising a frivolous point of order as a way of making a speech and defaming the character of someone else. The member was absolutely speaking on this bill. His remarks were absolutely central to the bill and to deliberations around this bill. His remarks were closer to this bill than anything we have heard from previous speakers on the other side, who strayed enormously from anything to do with the bill. I ask you to rule the point of order out of order.

The ACTING SPEAKER (Mr Morris) — Order! While I would personally not go where the member for Albert Park is going, he has linked his comments to the bill, as repugnant as they may be to me, and I do not uphold the point of order.

Mr FOLEY — Thank you for your unbiased commentary, Acting Speaker.

The ACTING SPEAKER (Mr Morris) — Order! Absolutely unbiased.

Mr FOLEY — I extend my criticisms of this bill to the way they apply to Albert Park Reserve. In this bill there is no exemption for Parks Victoria as there are exemptions for other government entities on the other side of the river such as the Royal Melbourne Zoological Gardens and other areas, all of which undertake commercial car parking arrangements. Parks Victoria has confirmed to the City of Port Phillip and to sporting clubs that it will not be exempt under this bill; it will have to pay the levy that is attracted for its commercial car parking operations, the pay-as-you-go parking in Albert Park Reserve.

The income from that parking levy for Albert Park Reserve is used for the upkeep and maintenance of the reserve and to pay for sporting equipment for community-based clubs in the reserve. At the same time as that is happening, Parks Victoria is now questioning whether it will be in a position to continue providing that upkeep money and payment to sporting clubs.

An honourable member interjected.

Mr FOLEY — Indeed they are. There is also the Melbourne Sports and Aquatic Centre, which is also in Albert Park Reserve. It runs a substantial car park, where one is required to pay. That facility has over 1 million visits a year, yet it also has not been exempted from paying this levy. It too has been advised that it will be required to pay the levy and has indicated that that will have an impact on its already stretched operations. The Melbourne Sports and Aquatic Centre, through numerous community sports arrangements — whether it be table tennis, basketball, indoor netball, swimming or any number of other sports and physical activities — will also be subject to the provisions of the legislation.

What we have here is a slug on the electoral district of Albert Park, including on its visitors, its businesses, its commuters, its sporting clubs and its people, whilst those a few short streets away, simply by their luck in being in the member for Prahran's area, are exempt. I ask members to tell me that that is anything other than a deliberate gerrymander by this government to protect the marginal seat of Prahran from this area.

Mr Watt — On a point of order, Acting Speaker, the marginality of any seat in this place has nothing to do with this bill, and I would ask that you — —

The ACTING SPEAKER (Mr Morris) — Order! There is no point of order.

Mr FOLEY — In the few seconds I have left I urge those opposite to do the decent thing, to support the reasoned amendment moved by the member for Tarneit and throw this bill out.

The ACTING SPEAKER (Mr Morris) — Order! Before I call the member for Shepparton, I will make a comment. This is a debate. If members have points to make, they should make them. Everyone understands the standing orders, and the contributions of members seem to be in line with the standing orders. However, deliberate tactics of a member on one side trying to shout down an opponent or a member on the other side taking points of order that are borderline frivolous do not help. We are here to have a debate.

Mrs POWELL (Shepparton) — I rise to support the State Taxation Legislation Amendment Bill 2014. In doing so, I say how proud I am to be part of a government that has acted responsibly and that manages the state's finances very well. Because of its strong financial and economic management we have been able to retain our AAA rating, which a number of other speakers have spoken about. We are the only state that has that rating, which brings with it huge benefits and opportunities for the state of Victoria. We are also the only Australian jurisdiction that is forecasting a budget surplus every year in the forward estimates.

Earlier members were talking about jobs. I heard a number of Labor members talking about jobs and the lack of jobs. I remind Labor members that since Labor left office, 64 200 jobs have been created in Victoria. The part that I am very proud of is that Victoria has the strongest regional jobs growth in Australia. There have been 25 800 jobs created in regional Victoria since Labor left office. That is a huge benefit to regional Victoria. I am proud that that includes about 2700 jobs that were protected and retained in Shepparton because of the government's \$22 million support for SPC Ardmona. I am really proud of this government, which has protected those jobs. It is not just those 2700 jobs that have been protected; it is all those other jobs that add on to the wonderful SPC Ardmona and the many ancillary businesses that flow on from what happens there.

I remind Labor members that other speakers on this side have been talking about the impact there would have been on jobs because of the north-south pipeline. What the previous government wanted to do was take water from the Goulburn Valley down to Melbourne, which would have meant huge problems with irrigation for fruit growing in the Goulburn Valley, which is known as the food bowl of Australia.

Dr Sykes — We've plugged the pipe!

Mrs POWELL — As the member for Benalla reminds me, we have plugged the north-south pipeline. The bill continues the government's good financial management and implements a number of other key measures. Other members have spoken at length about some of the provisions in the bill. I will touch on just some of them. The bill amends the Congestion Levy Act 2005, which will expand the congestion levy boundary at a concessional rate of \$950 per car parking space from 1 January 2015. This levy will continue to be applied only to the owners of non-residential, off-street car parking spaces. A number of people have talked about the Gambling Regulation Act 2003 and

there are amendments in the bill to make some changes to that act.

I will use my time to talk mainly about the changes to the Fire Services Property Levy Act 2012 and the Valuation of Land Act 1960. When in government the Labor Party was told about the unfairness of the fire services levy but refused to do anything about it. It even had a review. I think John Brumby was the Treasurer at the time, and he brought forward a review that showed that the fire services levy was an unfair tax. John Brumby refused to make any changes and said that, no, it was fair. In opposition we said that we would accept every recommendation from the 2009 Victorian Bushfires Royal Commission. One of those recommendations was that the fire services levy be property based. The government has implemented that recommendation and the levy is now collected by local government bodies instead of by insurance companies. It is now fairer and more affordable.

Following the Black Saturday bushfires and at other times when properties have been burnt out it has come to notice that for a range of reasons some people do not insure their properties and others are underinsured. As a result, many of us were subsidising those people who either did not insure or who underinsured. That was not fair. Our communities were telling us that was not fair and were calling on us to make sure we made fire insurance both much fairer and more accessible but less complex. The government did that. We did not just do it overnight. We actually consulted. We consulted with the 79 councils, we consulted with the Municipal Association of Victoria, we consulted with the communities and we consulted with the insurance companies. In fact public meetings were held around the state to talk to organisations and ascertain what the issues were. A number of concerns were raised during those meetings, and I believe this bill is implementing responses to a range of the concerns raised at those public meetings with the Municipal Association of Victoria and with some of the councils.

We were told that the councils would collect the fire services property levy. I have to say that as I travelled around the state some councils said they did not want to collect it. There were some that said it was their role to collect it but that they wanted to make sure they were paid to collect it. That is what we have done. We are paying councils to collect it. We are giving them administrative support to collect that levy. We are also supporting them to implement the levy. This means councils will now put that levy on one of the lines of their rates notices.

There is the fact that we have been able to do that, and this bill is implementing responses to a number of the concerns raised. Some of the concerns were about residential investment flats and short-term holiday accommodation. These will now be reclassified from commercial, which is how they have been classified, to residential. There were a number of complaints about sporting grounds. The outdoor sporting grounds that have some commercial application, as the former Minister for Sport and Recreation, the member for Lowan, would know, will now be reclassified from commercial to public benefit. This means the situation is much fairer and that the levy will also be applied more fairly.

There were some issues around water catchments, reservoirs and dams that are part of the infrastructure of water authorities. They will now also be reclassified from industrial to public benefit. Again, this government has listened to the concerns of the authorities, of the councils and of the Municipal Association of Victoria, and it is responding to some of those concerns in an effort to make the arrangements much fairer and much less complex.

There was the issue of vacant land. Councils raised with us some issues about land that had buildings on them that added no value to the property. Such land will now be reclassified from commercial-industrial to vacant land, which means there will be a benefit for those people and those property owners who have vacant land. These changes were in response to issues raised during the implementation phase. The government said it would bring in the changes and would monitor those changes. It said it would work with the councils, with the peak bodies and with the communities to make sure that if there were any unintended consequences or issues raised during the implementation phase, they would be responded to with changes.

This is what has happened. This government has listened to what the sector has said, and it is bringing in these changes. I am really disappointed to learn that the Labor opposition is going to oppose this bill. It is going to oppose what the community and the councils have called for, and because it will be opposing these measures, the measures have fallen under some uncertainty. We ask Labor opposition members to change their mind and support this bill, which makes sense. It is in everybody's interest. It is in Victoria's interest that this bill be passed by the Parliament.

Because of the coalition government's responsible management, this bill deals with a number of issues around concessions, around gaming levies and around a

number of other areas, including the congestion tax. It deals with a number of issues where this government needs to make sure that its budget is a fairer and responsibly managed budget. I call on Labor members to change their minds and support this very important bill. By virtue of having a responsible budget, this government now has a record investment in infrastructure. I support this bill and wish it a speedy passage through the Parliament.

Ms HUTCHINS (Keilor) — I rise to speak on the State Taxation Legislation Amendment Bill 2014. The bill performs two major functions. It makes an attempt to improve the catastrophe known as the fire services property levy, and it introduces new revenue measures that are going to yet again hit the hip pockets of members of our communities. These revenue measures involve expanding the congestion levy into mostly Labor-held seats and increasing the gambling revenue.

The Napthine government has again done a dirty, backroom deal with the Independent member for Frankston on the government's gambling tax hikes, which will not deliver any benefits to local clubs and pubs and will put local jobs at risk on a day when the Australian Bureau of Statistics has come out and said the state of Victoria is the hardest mainland state to get a job in. Despite that, we have this antijobs legislation before us today.

Honourable members interjecting.

The ACTING SPEAKER (Mr Morris) — Order! The member for South Barwon and the member for Frankston!

Ms HUTCHINS — There is a bit of interjection coming at me from the other side, and I have to say this is not the first dirty deal this government has done with the Independent member for Frankston. In fact the government bent over backwards last year when we were in this house debating a bill relating to the maritime domestic vessels legislation. That bill represented yet another slug — another tax hike — for small businesses across the state of Victoria, with the government changing the financial arrangements and commitments that those businesses needed to make.

The Independent member for Frankston was very concerned about this until the chief of staff of the Minister for Ports intervened and put pressure on the Victorian boating association to then put pressure on the member for Frankston to change his position. So this is not the first time, as I said, that we have seen this sort of behaviour from this government in its bending over backwards to try to keep the Independent member

for Frankston in its camp in order to be able to slug Victorians with more inappropriate taxes.

As other speakers have said, Labor will be opposing this bill. In fact we have moved a reasoned amendment:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to:

- (1) take into account the outcome of extensive public consultation about the proposed amendments to the Congestion Levy Act 2005 and the Gambling Regulation Act 2003, as many are strongly opposed to these provisions; and
- (2) retain the remaining provisions relating to the proposed amendments to the Fire Services Property Levy Act 2012 and the Valuation of Land Act 1960.'

If the reasoned amendment is not agreed to by the government, Labor will be opposing the bill.

The bill was initially scheduled for debate on 11 March, but the Treasurer pulled it when it became apparent that the member for Frankston would not be supporting it. The member for Frankston made his concerns about the impact of the bill on the clubs in his electorate quite clear in the daily media, and they are on the record. Last week the Treasurer put out a press release saying that he had secured the support of the member for Frankston on the basis that the government will extend the period for gaming entitlement repayments for Victorian clubs by six months on an opt-in basis and that a typical club with 60 gaming machines will see its annual repayment obligations reduce by around \$67 000.

It is all good and well to one week be opposing the impact on our communities, our clubs and our jobs, but all of a sudden following a few backroom meetings there has been a complete backflip by the member for Frankston because obviously his clubs have been looked after. Clubs and their peak bodies have expressed their disappointment at this result and have said the relief that these small changes will provide will be negligible at best. It goes to the core of democracy in this Parliament. The Napthine government has again done a dirty backroom deal to gouge from the pockets of the community and clubs and put jobs at risk.

I would like to touch on the issue of the congestion levy and the expansion of its catchment area. There is absolute hypocrisy here in that many times government members, when in opposition, were on the record opposing the introduction of the congestion levy, but as soon as they were in government they jumped at the opportunity to increase it from \$1500 to \$1300 almost overnight, and now they are looking to expand the area covered by the congestion levy far beyond what was

originally intended. This will gouge from the pockets of residents in the outer suburbs who are forced to drive into the city because there are no bus services in the areas that link to the train stations and because the timetables of the few bus services in those areas do not coincide with the train timetables. They are forced onto the roads.

A great example of the congestion on our roads is the race that took place yesterday from the city of Wyndham into the city of Melbourne when commuters on bikes, in cars and in a speedboat came into the city. The people in cars took over 100 minutes to get into town because of the traffic; some took up to 70 minutes to do a combination of driving to a station and then getting a train into the city. The fastest commuter into town was a person on a bike. It goes to show just how well the government is dealing with congestion and public transport. If it were to be marked on it, it would get a zero.

The government is looking to expand the congestion levy into other areas. While the government says it is providing better public transport options, the reality is that it is not. The links to get people from the outer suburbs into the city have not improved; in fact they have gotten worse when you take into account population growth. Without those services people are being forced onto the roads, and now their pockets will be gouged in order to find a parking space not only in the inner city but also in the expanded catchment. Thousands more commuters will be forced to pay the \$1300 tax because they do not have any other option and because the government has let down the residents in the growth areas, the regions and the outer suburbs by not providing proper transport services to enable them to avoid the congested roads.

The government is not doing enough about congestion. It is not investing enough in the outer suburbs. We on this side of the house have a plan to provide a world-class public transport system, and we have a commitment to reducing congestion and increasing livability for not just those who live within a 10-kilometre radius of Melbourne but also those who live in the suburbs and regions and are treated like second-class citizens or ignored by this government. Only we on this side of the house have a long-term vision for real solutions to the congestion facing Melbourne, the suburbs and the regions. We will remove the 50 deadly level crossings, thereby enabling traffic to flow across our suburbs, we will run hundreds of extra trains and we will start work on the Melbourne Metro rail tunnel. These are our plans. We plan to get 5000 trucks off the West Gate Bridge by building a

West Gate distributor and designating \$1 billion for suburban roads and \$1 billion for country roads.

We have a real commitment to dealing with congestion, unlike the government. What is its answer to dealing with congestion? It says, 'Let's just put up the price of parking, and let's try to charge more people, but let's not take that money and put it back into fixing congestion'. The government is not doing that. It is looking to raise revenue and put it in its back pocket to pay for its dud tunnel. That is not a solution to congestion and definitely not a solution for residents in the outer suburbs.

Mr SHAW (Frankston) — What a disappointing contribution from an aspiring minister of the Crown. It was very embarrassing. The amount of fabrication in that contribution was incredible. The opposition talks dirty deals. It does not understand. That is a reflection on its own dirty deals with the unions. The opposition reflects that situation on what happens here, but there were no backroom deals here. I have been very open with the Treasurer at all times, unless the opposition calls his office a backroom.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Business interrupted under standing orders.

QUESTIONS WITHOUT NOTICE

Boeing

Mr FOLEY (Albert Park) — My question is to the Premier. Today 300 manufacturing workers at Boeing in Port Melbourne were told that they would lose their jobs at the end of the year, and I ask: when did the Premier first become aware that these jobs were at risk?

Dr NAPHTHINE (Premier) — I thank the member for his question. I can advise the member and the house that Boeing is a major employer in this state. I can advise the house that about two and half years ago Boeing in Melbourne, Victoria, was awarded significant contracts under the 787 Dreamliner project, which is a great win for Melbourne and Victoria. As part of that project, Boeing advised me that it had to employ a number of people on short-term contracts, fixed-term contracts, to help with the establishment of this new Dreamliner project.

Boeing made it clear to the people who were being employed as contractors that their employment was associated with the setup costs and the surge in activity that was needed for this large contract and that they would be on fixed-term contracts. Indeed, Boeing said in its statement:

In line with a long-established financial forecast, we will be releasing up to 300 people, primarily fixed-term contractors, by the end of the year. This was always our intention when the company's aircraft programs stabilised at full production rates. Reducing employment on these programs is a natural part of the manufacturing cycle. However, we will work to minimise the overall number through natural attrition and by not filling open positions. We will continue to hire for the critical skills to meet our delivery commitments, and are taking steps to make existing contractors full-time employees where possible.

I am advised that Boeing has already indicated publicly it expects that of the contractors that were on fixed-term contracts over 80 of them would be expected by the end of the year to become full-time employees. Boeing has an ongoing employee workforce of 1400, which is a substantial workforce doing very good work in this area. This is being maintained because Boeing secured this Dreamliner contract.

I think members and the people of Victoria would welcome the fact that Boeing is involved in the building of the Dreamliner project and is providing jobs in Victoria — that is, 1400 jobs. As I said, the people who are involved in this decision by Boeing are people who have been engaged under fixed-term contracts and who were always aware of the fixed-term nature of the contract. However, I can also advise the house that workers who are affected by this, even though they were on one, two and three-year fixed-term contracts, will be eligible for assistance through the Victorian government's Workers in Transition and business programs so that they will be eligible for assistance in training and retraining. They will also benefit from the continued growth in jobs in the economy of this state. What we have is a decision of Boeing which is in line with its long-term expectations.

School funding

Mr NEWTON-BROWN (Pahran) — My question is to the Premier. What action is the coalition government taking to build a better Victoria for our children and families by investing in school infrastructure?

Dr NAPTHINE (Premier) — I thank the honourable member for Pahran particularly for his interest in school education. When the coalition government was elected in 2010, it was elected with a clear policy to fix the problems it inherited from the Labor government. We inherited significant problems in our education system, particularly in our school maintenance system. In a report entitled *Implementation of School Infrastructure Programs* the Auditor-General stated that the Labor government had absolutely failed the people of Victoria, the

schoolchildren of Victoria and the families of Victoria by failing to adequately invest in our schools.

The Auditor-General said there was:

... a long legacy of government underinvestment in the maintenance of school buildings.

That is why after we were elected to government we deliberately increased funding for school maintenance by 40 per cent. There is 40 per cent more money for school maintenance to fix the problems we inherited from the Labor government. That is why at the beginning of the school year this year we were able to tell schools across Victoria that we are investing \$8.8 billion in school education. We have a record level of funding in school education under a coalition government that genuinely cares about schools and genuinely cares about education in Victoria.

That is why I was proud as Premier to sign up to a long-term future schools funding deal that will deliver an additional \$12.2 billion in school funding over the next six years.

Mr Merlino interjected.

The SPEAKER — Order! The member for Monbulk!

Dr NAPTHINE — The Victorian coalition government made a commitment — —

Ms Thomson interjected.

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

Dr NAPTHINE — We made a commitment that we would put \$5.4 billion of additional money into that system, and we are going to keep that commitment.

Today I was with the member for Pahran at South Yarra Primary School with principals from South Yarra, Stonnington and Toorak primary schools, together with local representatives of the school community and the Minister for Education, to announce that \$20 million will be made available to establish a secondary school in Pahran. This was not done during 11 years of Labor government. We understand that we have a growing population and we are particularly aware of the increasing growth in popular inner Melbourne suburbs like Pahran and the city of Stonnington. There is a real need for government secondary education in Pahran, and we, as a coalition government, will deliver it with our \$20 million announcement today.

In recent weeks we have announced significant upgrades to a number of schools across the state, including an announcement of \$7.8 million at Coatesville Primary School with the member for Bentleigh and \$8.8 million for the final stage of the redevelopment of Brighton Secondary College with the members for Brighton and Bentleigh. We announced \$20 million to redevelop Geelong High School, a school that was neglected under the previous government — that is \$20 million from the coalition. We announced \$10 million for Horsham Secondary College and \$5.2 million for Timboon P-12 School. We are investing in schools because we care about education.

Woolworths milk contract

Mr PAKULA (Lyndhurst) — My question is to the Premier. I refer to the announcement that Woolworths has entered into a supply agreement for Fonterra to process Woolworths private label milk at Cobden and to the Premier's comments that it is a 'great vote of confidence in the dairy industry in Victoria and a great jobs boost'. Can the Premier confirm that the contract secured by Fonterra comes at the direct expense of the Lion milk processing plant in Wells Road, Chelsea Heights — that is, the PURA milk factory in the electorate of Carrum — and can he assure the house that none of the 180 jobs there will be lost?

Dr NAPTHINE (Premier) — I thank the honourable member for Lyndhurst for his question. I am pleased to advise the house of good news about growth of the dairy industry. The dairy industry, including dairy processing, is one of the great strengths of Victoria. There are enormous opportunities to continue to grow the dairy industry in south-west Victoria, in south-east Victoria and in the northern irrigation areas.

The dairy industry is one of the major contributors to our exports across the state. Indeed in recent figures, for the December-January-February period just completed, Victorian international exports increased by 19.3 per cent and the major part of that was from the dairy industry. There are enormous opportunities in the dairy industry both locally and internationally. There is going to be great growth in dairy production, and there is going to be great growth in dairy processing. That is why international company Saputo bid so hard to buy Warrnambool Cheese & Butter.

That is why I was very pleased today to be with Woolworths and Fonterra to announce a new 10-year agreement between those companies to ensure that on every shelf in Woolworths stores across Victoria all

their home brand milk will be Victorian milk produced by Fonterra at its Cobden factory, which will entail a \$30 million investment and 30 new jobs in Cobden. This is about growing the pie in the dairy industry. There are enormous opportunities across the industry.

I was at Rowville earlier this year with Parmalat to open its additional milk lines where it is supplying ultra-high temperature milk on the international market. Companies in the dairy industry, whether it be National Foods, Parmalat, Warrnambool Cheese & Butter or Murray Goulburn, are all growing the pie and growing jobs.

Mr Pakula — On a point of order, Speaker, on relevance, the question went to the implications of this agreement for the workers at Chelsea Heights. We are more than halfway through the Premier's answer and he has not mentioned Chelsea Heights yet. I ask you to bring him back to the question that was asked.

Ms Asher — On the point of order, Speaker, the question related to a particular deal and the Premier is addressing that question directly.

The SPEAKER — Order! I once again say to members that if the level of noise is so high and I cannot hear the answer — —

Mr Andrews interjected.

The SPEAKER — The Leader of the Opposition will be quiet when the Chair is giving a ruling. I do not uphold the point of order. The Premier was being direct and relevant to the question that was asked.

Dr NAPTHINE — The question went to the issue of jobs. What I am pleased to be able to say about standing with Woolworths today is that it has announced in the last few weeks that it is creating 1800 new jobs in Victoria. In the dairy industry not only have we got the 30 jobs at Fonterra in Cobden today but also there are 75 jobs at Parmalat in Rowville and there are 52 new jobs at Pactum in Shepparton. What we are seeing and what opposition members absolutely fail to understand is that the dairy industry, including dairy processing, is a growth industry across the board.

There are major growth opportunities across the state, across the farming sector and across the dairy processing sector because of the growth opportunities locally and across the world. For example, when the federal government finishes dealing with the free trade agreement with Japan and particularly China, that will open up a world of opportunities for our dairy industry. There will be more jobs in the dairy industry across the

industry. There will be more jobs in regional and rural Victoria. There will be more jobs in food processing in the dairy industry. The dairy industry is one of the bright lights for growing jobs in this state.

School funding

Mr McINTOSH (Kew) — My question is to the Minister for Education. How is the coalition government building a better education system, and is he aware of any recent comments about funding for schools, students and teachers?

Mr Merlino interjected.

The SPEAKER — Order! It is the member for Monbulk's choice whether he is here for the answer or not.

Mr DIXON (Minister for Education) — I thank the member for Kew for his question and for his deep interest in education in his electorate. This government has a fantastic record in funding education in this state. That is why it has been very disappointing to see the Australian Education Union (AEU) totally misrepresenting the truth in recent days, closely followed by its friends opposite. What we saw last week was a totally dishonest social media campaign by the AEU. The union said that this government had cut funding to education. There could not be anything more wrong than that, and the facts actually show it. In fact this year a record amount — as the Premier said, \$8.8 billion — was invested in school education. That is a record amount, and if you compare it with what was allocated in the last budget of the previous government, it is \$554 million more. That is not less, that is more, and that is our record and our investment in schools.

Included in that \$8.8 billion is \$5.2 billion that has gone directly into government schools, which is an increase of \$178 million on what went directly to government schools last year. We are increasing education spending in this state, and we have a great record. We are spending more on vocational education and training than the previous government ever did. We have more students undertaking the Victorian certificate of applied learning (VCAL). We have more providers of VCAL and record numbers of students in VCAL. We have record numbers of Indigenous students completing year 12. We have a record number of Indigenous year 12 students going on to university. Just last week we found out that Victoria has the highest years 10 to 12 retention rate of any state in this country.

We have spent a record amount, an extra \$400 million, on students in our schools who are in most need. As the Premier said, we have signed a \$12.2 billion funding deal with the commonwealth government.

Ms Thomson interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Footscray

The SPEAKER — Order! The member for Footscray will leave the chamber for half an hour.

Honourable member for Footscray withdrew from chamber.

QUESTIONS WITHOUT NOTICE

School funding

Questions resumed.

Mr DIXON (Minister for Education) — I remember that when the Gonski funding was being discussed that the AEU said we had to sign up immediately. The union wanted us to cede all local control of our schools, local control of our principals, to Canberra. That is what it wanted. We were not prepared to do that. Not only that, but the AEU and those opposite wanted us to sign up to an agreement that would have seen 500 Victorian schools, mainly government schools, actually lose funding. We were not prepared to do that. We stood up to Canberra and signed a deal that is going to be great for Victorian schools.

Honourable members interjecting.

The SPEAKER — Order! The member for Monbulk and the member for Koroit!

Mr DIXON — We were not going to sign up to a slogan, as the AEU wanted us to do. We signed up for something that would make a real difference to Victorian education and leave control of Victorian schools in the hands of Victorian principals and school communities. In fact we were not alone in that. I stood shoulder to shoulder with two Labor ministers, a Greens minister and a Nationals minister, calling on the federal government to honour the agreement that we signed last year — that full \$12.2 billion, with \$5.4 billion from our state that we wanted the commonwealth to match.

We have a great record on education. The AEU should be ashamed and its political masters and those opposite should be ashamed of lying to the Victorian people about the level of funding from this government.

Woolworths milk contract

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the Woolworths announcement today that he described as a great jobs boost, and I ask: can the Premier confirm that the contract secured by Fonterra comes at the direct expense of the Lion milk processing plant in Wells Road, Chelsea Heights? The people of Carrum are entitled to know whether the Premier will provide an assurance to this house and the people of the Carrum electorate that none of the 180 jobs in Chelsea Heights are at risk — yes or no?

Mr Burgess — On a point of order, Speaker, that question has clearly been asked and answered.

The SPEAKER — Order! It is indeed very similar to the previous question that was asked by the member for Lyndhurst, and I understand the point of order. I do think there may be sufficient variation, and I ask the Premier to answer the question.

Dr NAPHTHINE (Premier) — I welcome the opportunity to again advise the house of the importance of the dairy processing industry to the state and the great opportunities that industry has to expand. It is an industry that covers a wide range of products and a wide range of market opportunities.

The Victorian dairy industry is a strong, growing industry. The announcement today is just another vote of confidence in the dairy industry and the dairy processing industry. We are seeing the dairy industry lead export growth in Victoria and grow jobs in rural areas and in dairy processing across the state. Lion is a very large multinational company that has a whole raft of products and industries particularly associated with the dairy industry. It is delivering a range of good-quality products into a range of markets. Lion has great opportunities into the future because the demand for dairy products, both locally and internationally, is growing significantly.

There is a massive opportunity to grow more jobs in our dairy industry — not just in south-western Victoria, not just in Rowville, not just in Shepparton but right across the state. The Labor Party has got blinkers on when it comes to — —

Mr Andrews — On a point of order, Speaker, on relevance, the Premier was asked very specifically

about Chelsea Heights and the people of the Carrum electorate. He has mentioned many suburbs and many localities, but he has failed to address the central issue in the question which is about the people in that factory in Chelsea Heights and the community of the Carrum electorate. If he does not mention those suburbs and those localities, how can the answer possibly be relevant to the question that was asked? Those people are entitled to an answer, and I ask you to draw the Premier back to the people of the Carrum electorate, which is what he was asked about.

Ms Asher — On the point of order, Speaker, the question came with a preamble in relation to the press announcement this morning. I refer to *Rulings from the Chair* of December 2013 at page 163, where Speaker Lindell said:

If a question comes with a preamble, that preamble does form part of the question and the answer can be relevant to the question by being relevant to the preamble.

This question came with a preamble, and I put to you that the Premier is well within order answering the question in the manner he is.

The SPEAKER — Order! I do not uphold the point of order — I am sorry; I did not see — —

Ms Allan — I'll save it for next time, Speaker.

The SPEAKER — Order! I did not see the member for Bendigo East on her feet. I would have given her the call if I had. I apologise. I accused members of being children yesterday; I do not want the member for Bendigo East to throw a tantrum. I do not uphold the Leader of the Opposition's point of order. The preamble is part of the question.

Dr NAPHTHINE — The announcement today, which was referred to in the question, is only part of the growth opportunities for the dairy industry. The announcement today was a great announcement for jobs. It is about Woolworths putting on an extra 1800 people as it builds eight new stores. It is about Fonterra investing \$30 million and creating 30 jobs in Cobden. That is great for that community of Cobden. This is where Labor Party members, unfortunately, seem to have their heads in the sand. They seem to have their heads in the sand about the enormous opportunities to grow the dairy industry and dairy processing across the state.

It is about all of the industry growing, whether it be Murray Goulburn, whether it be Lion, whether it be Parmalat, whether it be the Pactum Dairy Group, whether it be Warrnambool Cheese & Butter or Saputo.

It is about growing all of those industries. It is about the opportunity to grow the dairy industry and produce new products. We are seeing the growth of yoghurts, we are seeing the growth of specialist milks and we are seeing the growth of milk products across the world. As I said, the imminent free trade agreement (FTA) with China will provide an explosion of growth. New Zealand has stolen a march on us into China with the dairy industry because it has an FTA with China. The previous federal Labor government failed the dairy industry and failed jobs in this state by not getting on and organising an FTA with China.

Signing the FTA with China will create jobs and opportunities across the dairy industry — not just in one factory but across a number of factories; not just at one dairy farm but across a number of dairy farms; not just in one region but across the whole region. This is about growing the whole industry. It is about growing jobs and opportunities across the whole dairy industry, one of the great strengths of Victoria.

Regional and rural employment

Dr SYKES (Benalla) — My question is to the Minister for Regional and Rural Development. What action is the coalition government taking to build a better regional Victoria, and what impact is this having on regional growth?

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for Benalla for his question. The coalition government, as the whole house knows, is building a better Victoria by creating robust regions, because if the regions are doing well, all of Victoria is doing well. The latest available Australian Bureau of Statistics (ABS) data on regional employment was released on 20 March, and it covers the month of February 2014. Some of these figures are absolutely magnificent: regional employment increased by 25 500 in the year to February 2014, and 40 900 regional jobs were created across Australia in the year to February, with more than half of those jobs created in regional Victoria. Victoria's regional unemployment rate of 6.1 per cent — —

The SPEAKER — Order! Members in the gallery are not permitted to take photographs. I ask the attendants to make sure that photograph is deleted.

Mr RYAN — Victoria's unemployment rate of 6.1 per cent remains below the national average of 6.5 per cent. Victoria has the lowest regional unemployment rate of any state. I contrast this figure with the figure at the time Labor lost office. In November 2010 the regional unemployment rate was

6.3 per cent, the highest regional unemployment rate of all states.

Some of the specific rates in relation to growth are very interesting. In Bendigo, in accordance with these ABS figures, the growth recorded was the highest for seven years, at 1.72 per cent; in Geelong, according to the ABS figures, the growth was also the highest for at least the seven years, at 1.4 per cent; in Mildura and its environs the growth was the highest, again for seven years, at 1.1 per cent; and growth in Echuca and Moama was the highest in the last five years, at 1.09 per cent. These figures bode well for the future of rural and regional Victoria. This growth is being led by some of our programs, not the least of them being the \$1 billion Regional Growth Fund. As a result of that fund, we have now invested almost \$400 million in approved support for over 1400 projects, and all of this has leveraged investment worth \$1.6 billion.

The examples are replete, although time is unfortunately against my running through them. I can tell the house, though, that these programs are going to create over 4400 jobs — full-time jobs, I emphasise — over 10 000 indirect jobs, around 3000 jobs during construction, and the programs will support the retention of up to 8000 existing jobs. These are magnificent figures for the regions of the state of Victoria. In our Putting Locals First program, 21 businesses, which have business-related projects associated with them, have received grants worth \$1.6 million, with a total investment of \$14.3 million. Under the Latrobe Valley Industry and Infrastructure Fund some 28 projects have now been approved, and they have resulted in jobs for about 470 people.

Across the whole of the state of Victoria we are continuing to grow all our industries, particularly the dairy industry, which is one of the great success stories in the state of Victoria, to be celebrated along with the SPC Ardmona achievement, which saw us secure 500 direct jobs at SPC and about 3000 other jobs in the Goulburn Valley. It is a great tribute to the many people of regional Victoria but also to the programs which this coalition government is administering.

Employment

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier, and I refer to the Premier's comment in this house yesterday that some 64 000 new jobs have been created since the government was elected. Quite simply I ask the Premier: how many of these jobs are full-time jobs?

Dr NAPTHINE (Premier) — I thank the honourable member for his question, which went to jobs and good economic data for Victoria. I can advise the house that jobs are driven by economic performance and economic growth.

Honourable members interjecting.

The SPEAKER — Order! The Premier has barely started answering the question, and members are making too much noise.

Dr NAPTHINE — The Leader of the Opposition asked what I am driven by. I can tell the house that I am driven by the need to build a better, stronger Victoria by fixing the problems we inherited from the Labor government, fixing the problems we inherited in the education system and fixing the problems we inherited in the health system. Each and every day I am driven by the need to build a better, stronger Victoria, to create more jobs, to build the economy and to make sure that Victoria is a better place because we have a strong government delivering a strong budget surplus with a AAA credit rating.

We know, for example, that in the last 12 months 18 900 new full-time jobs were created in Victoria. Since December 2010, 64 000 new jobs have been created in Victoria. For example, just as a comparison, if we look across the border at South Australia, under a Labor government — —

Mr Andrews — On a point of order, Speaker, the Premier was asked a question about the number of full-time jobs created in the state of which he is the Premier — Victoria — and I ask that you draw him back to answering it. There was no preamble. It was a very narrow question: how many of those 60 000-plus jobs are full-time jobs? That was the question, and I ask you to draw the Premier back to answering it.

The SPEAKER — Order! The Premier was answering the question.

Dr NAPTHINE — I was outlining the fact that there are now 64 200 more jobs in Victoria than there were in December 2010 — more jobs in total, not less. I was making the comparison to an adjoining state, South Australia, which has been under a Labor government. In the same period it has had 3400 fewer jobs under a Labor government, under the Labor Premier.

Honourable members interjecting.

The SPEAKER — Order! Government members will come to order.

Dr NAPTHINE — There were 3400 fewer jobs in South Australia, whereas we have had 64 200 more jobs. In the last 12 months alone we have had 18 900 new full-time jobs. Our state of Victoria, under a coalition government, is producing the highest jobs growth in Australia outside the mining states. For example, while in the past year we created 18 900 new full-time jobs, South Australia, under a Labor government, lost 11 400 jobs.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Kororoit

The SPEAKER — Order! The member for Kororoit will leave the chamber for half an hour.

Honourable member for Kororoit withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Employment

Questions resumed.

Mr Nardella — On a point of order, Speaker, the question was quite narrow. South Australia is not Victorian government business. I ask you to bring the Premier back to answering on Victorian government business.

Mr Ryan — On the point of order, Speaker, the member's point of order is out of order. Yesterday the opposition was very chirpy about matters relating to South Australia. The Premier is answering a question and using South Australia to illustrate his very valid point about employment growth in Victoria, and he is perfectly entitled to make reference to the comparison with South Australia. Apparently in the eyes of the opposition it was okay to do that yesterday but today it is not. The point of order is out of order.

Mr Andrews — Further on the point of order raised by the member for Melton, Speaker, the problem for the Deputy Premier is that the Premier was not invited to put the boots into South Australia. We have all done that. He was not invited to do that. The Premier was asked how many of the 64 000 jobs he was talking about yesterday are full-time jobs.

The SPEAKER — Order! The Leader of the Opposition is repeating the question. I ask him to sit down.

Mr Andrews — If he does not know, that is fine. He ought to answer the question.

The SPEAKER — Order! I ask the Leader of the Opposition to sit down. I know it is Thursday, but we have only a couple of questions more. On the point of order raised by the member for Melton, I believe the Premier was being relevant to the question as it was asked.

Dr NAPHTHINE (Premier) — As I was saying, since the coalition came to government in Victoria, it has created 64 200 new jobs. That is 64 200 more Victorians in employment, while there are fewer South Australians in employment. In regional and rural Victoria, in the past 12 months there have been 25 500 new jobs. We are leading the way in regional and rural job creation. We are leading the non-mining states in job creation — —

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

Police and protective services officers

Mr WATT (Burwood) — My question is to the Minister for Police and Emergency Services.

An honourable member — How was the tennis?

The SPEAKER — Order! The member for Burwood will ignore interjections.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Monbulk

The SPEAKER — Order! The member for Monbulk is really trying my patience today. He will leave the chamber for 1 hour.

Honourable member for Monbulk withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Police and protective services officers

Questions resumed.

Mr WATT (Burwood) — My question is to the Minister for Police and Emergency Services. What action is the coalition government taking to build a safer Victoria for families, both at our railway stations and on our streets?

Mr WELLS (Minister for Police and Emergency Services) — I thank the member for Burwood for his strong interest in law and order. The coalition government was elected in 2010 in part on a very strong and tough law and order agenda. Victorians were sick and tired of the failures under the state Labor government when it came to law and order. We promised 1700 extra police officers and 940 protective services officers (PSOs), and that has been well received by the Victorian community.

Recently the Premier and the Minister for Public Transport made a number of significant announcements in regard to public transport which will further the coalition's commitment to public transport. I wish to report to the house that in relation to the 1700 extra police we committed to deliver by November 2014, which required an investment of \$602 million, the great news is that as of today we have delivered 1304 extra police.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Ivanhoe

The SPEAKER — Order! I had called for order and the member for Ivanhoe continued to interject. He will leave the house for 1 hour. The member for Yan Yean is warned.

Honourable member for Ivanhoe withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Police and protective services officers

Questions resumed.

Mr WELLS (Minister for Police and Emergency Services) — Maybe I should repeat that point. There

are 1304 extra police officers, and we are on track to deliver on our election commitment by November 2014. It is not just about more police being out on the street to make the streets safer; it is about more proactive policing. It is about busting drug dealers. It is about detecting more drug labs. It is about getting police out on the front line to catch people who have breached parole or breached intervention orders.

The second part of the coalition's policy was the PSOs. That policy has been very well accepted by all Victorians except for one group of people, who accused PSOs of being plastic police. Those people are quite clearly out of touch with their local communities, because people travelling on the trains after 6 o'clock at night absolutely love the PSOs. Our commitment was to employ 940 PSOs by November this year. Further great news is that as of last night we have 665 PSOs at 98 railway stations.

We will also have another 17 tomorrow when they graduate through the police academy. The last deployment was to Ringwood East, Glen Waverley, Coolaroo and Jolimont. PSOs have issued more than 20 000 infringement notices and have arrested over 1400 people on railway stations for drunkenness, breaching bail, and having outstanding warrants against them. The PSOs have been there to make sure travellers on railway stations have been safe.

The deployment of PSOs is not just about law and order; it is about helping people in distress, whether it be because their wheelchair has malfunctioned or because they have been stuck on a train. There is only one side of this Parliament that is committed to PSOs. Only the coalition government is committed to a tough law and order policy.

Employment

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer to the fact that on the Premier's watch thousands of jobs have been lost at Ford, Holden, Toyota, Alcoa, and now hundreds more at Philip Morris and Boeing. I also refer to Australian Bureau of Statistics statistics that now show that there are nine Victorians scrambling for every single job vacancy in Victoria. I ask: surely the Premier must now concede that Victoria is in the midst of a jobs crisis?

Honourable members interjecting.

Dr NAPTHINE (Premier) — I thank the Leader of the Opposition for his question.

Ms Beattie interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Yuroke

The SPEAKER — Order! The member for Yuroke will leave the chamber for 1 hour.

Honourable member for Yuroke withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Employment

Questions resumed.

Dr NAPTHINE (Premier) — I thank the Leader of the Opposition for his question. As has been outlined previously, since the coalition has come to government there have been 64 200 more Victorians in employment — more Victorians, not less. Unlike in the Labor state of South Australia, where there is less employment, in our term in office we have actually grown the number of people in employment in the state. This is built on the back of good economic management, with a AAA credit rating with strong budget surpluses. It is also about the economic data that has been released this week. It shows, for example, that in the retail trade, retail growth in Victoria for the month of February — —

Honourable members interjecting.

The SPEAKER — Order! Members will quieten down; I am having difficulty hearing.

Mr Trezise interjected.

The SPEAKER — Order! The member for Geelong, I had just called for order.

Dr NAPTHINE — The retail industry would be pleased with a 0.5 per cent monthly growth in retail sales compared to the national average of 0.2 — more than double the national average. That is why in Victoria this year we have seen announcements from Coles for 3500 new jobs; Woolworths, 1800 new jobs; Emporium Melbourne, 1000 new jobs; and of course last year, when we invested \$66 million in upgrading the Ringwood railway station and bus interchange, we had Eastland investing half a billion dollars in 1700 new jobs as well as opening a new Costco there.

In building approvals, monthly growth in February in Victoria was plus 16.1 per cent. The national average

was minus 0.2 per cent. In international exports, for the months of December, January and February compared to the same period the previous year, the growth in exports from Victoria was 19.3 per cent. We do have significant job growth.

But we know there are challenging times facing our industries. We know there are challenging times facing our economy. That is why we have done something, like protecting the jobs at SPC Ardmona. We absolutely stood up for the people at SPC Ardmona. That is why we have created over 4000 jobs in ICT, 110 jobs at PMI Imageworks yesterday, 150 high-tech manufacturing jobs at Carbon Revolution, in — —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition and the member for Lara.

Dr NAPHTHINE — With respect, we just heard the Minister for Police and Emergency Services talking about 1300 additional police, which are new jobs for Victorians; 665 PSOs, which are also new jobs for Victorians; and of course the Dandenong-Pakenham-Cranbourne railway corridor we have announced, with 3000 new jobs; and there are 3200 jobs on east–west link stage 1, which is opposed by the opposition but strongly supported by the unions.

The Electrical Trades Union supports east–west link stage 1 and the Australian Workers Union supports east–west link stage 1. Of course we also have a \$4.7 billion growth in hospital projects, there is the regional rail link and the national disability insurance scheme into Geelong. We have got a strong jobs plan, and we are delivering those jobs for Victoria.

Construction, Forestry, Mining and Energy Union

Mr BLACKWOOD (Narracan) — My question is to the Minister for Industrial Relations. What action is the coalition government taking to reduce the level of industrial disputation at construction sites, and how will this help to build a better Victoria?

Mr CLARK (Minister for Industrial Relations) — I thank the honourable member for Narracan for his question. The member rightly identified industrial disputes in the construction industry as a serious threat to the economy and to the rule of law. It is a threat that the government is acting to tackle, and that is why we have introduced our guidelines for the code of conduct for the building industry and the construction code compliance unit. There will be stark consequences for

the Victorian and national economies if this problem is not tackled.

The problem of militant unions on building sites is starkly illustrated by figures prepared by the Masters Builders Association of Victoria that have analysed the Australian Bureau of Statistics December quarter data, which shows that more than one day in five of industrial disputes in Australia in the December quarter last year were due to industrial disputes in the construction sector, with four times more days being lost in this most recent quarter compared with the same quarter in the previous year.

The Master Builders Association of Victoria has rightly pointed out:

Industrial disputes wreak havoc on construction sites, driving up costs and blowing out time lines for works on both privately funded and taxpayer funded projects ...

This damage does not just show in statistics; it also shows in what is happening on individual construction sites around the state and around the country. Yesterday I informed the house of the arrest of a Construction, Forestry, Mining and Energy Union (CFMEU) official on a building site. Today the *Herald Sun* reports further details of the arrest and charging on summons of a CFMEU official for trespassing on the site of a new aquatic and leisure centre being built in Ringwood for the Maroondah City Council. The same article reports the conduct of CFMEU organiser Joe Myles, who was arrested twice in a week in February for trespassing on the regional rail link project.

A second article in today's *Herald Sun* reports allegations that the same CFMEU official, Joseph Myles, in 2012 threatened Grocon officials on a Queensland building site, where padlocks were filled with super glue. There are further reports in today's *Australian Financial Review* of threatened actions against Lend Lease, despite the New South Wales secretary admitting that shutting down the site would amount to unlawful industrial action.

It is not just employers who are pointing to the damage that is being done due to this militant action by the CFMEU. One need only look at editorials in recent newspapers. An editorial in the *Herald Sun* of Tuesday headed 'ALP in grip of rogue union' says:

The CFMEU ... is unlikely to change its violent and illegal tactics if Mr Setka and other union hardheads continue to control the union.

We have had respected columnist Jennifer Hewett writing in the *Australian Financial Review* and warning that 'failure to resist this sort of union pressure in the

construction industry inevitably leads to corruption, disruption and rorts'. We had a similar warning in today's *Age* newspaper about the problems that occur if organisations remain too closely affiliated with the union movement — that is, they will be 'tainted, if not infected, by the cultural problems that have permeated some powerful unions'.

While the government is acting to try to stamp out illegal conduct on Victorian building sites, this task is made much harder when others in the community continue to associate themselves with this sort of conduct.

Mr Helper interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Ripon

The SPEAKER — Order! The member for Ripon will leave the chamber for 1 hour.

Honourable member for Ripon withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Construction, Forestry, Mining and Energy Union

Questions resumed.

Mr CLARK (Attorney-General) — We have a report in today's *Australian Financial Review* that Brian Tee, a member for Eastern Metropolitan Region in the Council, who would be the next Minister for Planning if Labor were ever to form government, has confirmed that he is still a member of the CFMEU. The CFMEU remains affiliated with the ALP and is a key supplier of votes and manpower to the Socialist Left.

Mr Nardella — On a point of order, Speaker, it is inappropriate for other members of this Parliament to be attacked or commented on adversely either in question time or at other times. I ask you to bring the minister back to answering in relation to government business rather than attacking the shadow Minister for Planning or anybody else in the other house or this house.

Mr CLARK — On the point of order, the member for Melton may regard it as an attack to describe someone as a member of the CFMEU. I was simply

providing facts to the house for the context in which the government is acting against militant unions.

Mr Nardella — On the point of order, Speaker — —

Honourable members interjecting.

The SPEAKER — Order! Points of order will be heard in silence. I have not yet ruled on the first point of order. I do not uphold the point of order. The comment was not an attack on a member; it was relevant to the facts that have been presented. The member for Melton on a further point of order?

Mr Nardella — No.

Mr CLARK — The Leader of the Opposition cannot just sit on the fence about this or enjoy the views with King Kong. He needs to get behind the government's efforts to build law-abiding, productive and safe building sites in Victoria and to cut all ties between Labor and the CFMEU.

STATE TAXATION LEGISLATION AMENDMENT BILL 2014

Second reading

Debate resumed.

Mr SHAW (Frankston) — Before lunch I was speaking on the State Taxation Legislation Amendment Bill 2014. It was interesting to hear the contribution of the previous speaker, the member for Keilor. It was very dull actually; it was not that interesting. It was a very dull and boring speech. I was on a bit of a roll for the 40 seconds I had earlier, and it was a pity I did not get to keep going.

The member for Keilor brought up what were supposedly dirty backroom deals done with the Treasurer. Far from it, I say to the Treasurer. The Treasurer and I would quite often meet out in the open. We would speak in Queen's Hall, although maybe those opposite are speaking about the Treasurer's office down there in the dungeon as being a dirty backroom. We met there as well.

These falsities that have been put forward are quite unbelievable, and of course the media picks them up and runs with them as well, sending them out to the public. It is unbelievable what you can get away with saying under parliamentary privilege in here; there are so many falsities going around. Some would say they are lies, but apparently that word has been banned from

this chamber as well. Many non-facts have been thrown around and discussed.

The member for Keilor spoke about a meeting I had with her last year. Somehow this was not a dirty deal, but she said that in this meeting I had with her last year I had changed my mind on some legislation. That is a load of rubbish, again. What I did was that I heard her cry; I went and heard her out. I listened to the issue she had, and I took it up with the Minister for Ports. It was in relation to the Marine (Domestic Commercial Vessel National Law Application) Bill 2013. I got a briefing and she got a briefing; we both got the same briefing. The only difference is that I understood it; she did not. That is the difference.

The SPEAKER — Order! The member must not cast aspersions on other members of the house.

Mr SHAW — That is the difference. She put an amendment up, and I went and took that amendment and went and saw the minister and said, ‘Minister, this is an amendment that is coming up’. I was doing my duty. There are some who just follow down one path; I did my duty and talked to the minister. The minister said, ‘Listen, Geoff, here’s a letter from the boating industry association. Their concerns have all been cleared up’. Who am I to go against the boating industry association, when this was in relation to a marine act, and take up the member for Keilor’s objection and her amendment? Far from it. No dirty deals were done — very far from it.

Some may say dirty deals; I say these are negotiations. I say these are constructive conversations. I say this is listening to the cry of clubs in my area whose members came to me — I will read a few quotations from them very shortly — and said, ‘Geoff, we’re not too sure about this legislation, can you take it up?’. Every member in this house should be able to do that. It should not just be the member for Frankston or the member for somewhere else; everyone has the opportunity to do so.

I did it. I took it to the Treasurer, and I thank the Treasurer for his openness during that time as well. We spoke a number of times, and we were batting backwards and forwards. It should not be called a dirty deal; it should be called a negotiation. It should be called having an open conversation. It should be called representing your community. I received a couple of emails from my community. One, from Gavin Summers, the manager of Karingal Bowling Club, says:

Geoff, the Karingal Bowling Club members would like to thank you for your interest in the plight of local clubs over the gaming tax issue.

Your intervention has been instrumental in some clubs staying afloat. Had this tax been implemented in its original form, they would not have survived.

Thanks again for seeing us.

That is nice outcome. That is a pretty good outcome. We had outcomes for Frankston taxis last week, and we had an outcome in negotiations on the Mental Health Bill 2014 last week, so things are happening in Parliament and things are happening in Frankston.

We had a communication from the Frankston Dolphins Football Club — from Bryan Mace, who is a legend down there in the footy world. He was the coach during the first Dolphins footy grand final in 1978 and the grandstand was named after him. He says:

Thanks for a great result for all concerned parties, particularly the Dolphins. Hope all other matters are under control.

That is terrific. A letter from David Baldi, the general manager of the Mercury Group, says:

I write on behalf of the Mercury Group ... your community gaming clubs in the Frankston electorate, and the Victorian RSL to thank you for your assistance. We note ... today in the *Age* ...

It goes on to thank me for my interventions. I do not know how many other members have had their RSLs write to thank them for sticking up for them. I do not think there are any, because I have not heard about it. All I have heard is that the Treasurer and I did dirty backroom deals. I do not hear about anything being sent to congratulate the other 127 members of the Victorian Parliament.

Ms Duncan — You’re never here.

Mr SHAW — I won’t hear it from you. You’re just a big mouth.

The SPEAKER — Order! The member for Frankston knows that is unparliamentary.

Ms Duncan interjected.

The SPEAKER — Order! The member for Macedon will cease interjecting.

Mr SHAW — My apologies; it is quite a small mouth.

The SPEAKER — Order! The member for Frankston!

Mr SHAW — I heard the cry of the clubs, and I listened to them and brought the issues up with the Treasurer because I thought that that was what I was

supposed to do. I thought, 'Gee whizz, you could go to the minister and say, "Hey, Minister, I've got some problems with your bill. Can you have a look at it for me? Can you give me some answers so I can get back to my clubs" or to whoever it is I was speaking to'. The minister was gracious enough to do that. He gave me his time to discuss things, and we had some good outcomes. The issues were not all raised by me. In fact the Treasurer suggested a lot of things as well. He had also heard the cry from the different clubs. We managed to put together a press release last week, and the Treasurer came up with a couple of changes to the bill.

The Frankston football club is undertaking an extension to its facilities, which means that a lot of its moneymaking facilities will be closed. Its restaurants and pokies facilities will be closed while the extension is being built, and increasing the tax and the requirement for four-and-a-half-year payments of the electronic gaming machine entitlements would have really hurt the club's cash flow. Extending that by six months has bought some time for the club during the period in which the extension is being built. I made the Treasurer aware of that, and he came up with the amendments, which is a good result for clubs throughout Victoria, not just for Frankston. It is because I brought it up and the Treasurer was open enough to listen to the concerns of the club, which could be representative of other clubs. Frankston football club is a stand-alone Victorian Football League club. It plays against AFL clubs but it is not sponsored by an AFL club. The amendments to the bill will see good cash flow savings for the Frankston club while it undertakes a \$1.5 million-plus extension to its facilities.

It was brought to my attention that there would be interest charges in relation to the existing financial hardship provisions. People said to me, 'Listen, we can't afford that right now, can you give us a bit of a break? We have a 10-year entitlement but we have to pay it in four and a half years'. In discussions I had with the Treasurer he said, 'That is a good idea. If they're under the hardship clauses, why apply interest?'. That is a generous offer that the Treasurer has put forward, and I thank him for it. Delaying the introduction of the new taxes by one month will also help clubs.

I heard the cry from the member for Keilor at the start of her contribution, but I found out how ill-informed she was about the bill. I took up to the Treasurer the cries of the clubs, and I took up the cries of the taxi people last week. I take up the cry for Frankston, and while I am in this place I will take up the cry for the unborn.

Ms NEVILLE (Bellarine) — According to the contribution of the member for Frankston we should all be eternally grateful for his intervention. I remember the day that the deal was done. I was within minutes of speaking to the CEO of Clifton Springs Golf Club, which is one of the many community clubs in my electorate. He had just seen the arrangement and had also had some conversations with Clubs Australia about it and said, 'This makes no difference'. The member for Frankston can claim some great victory on behalf of community clubs across our state, but it is certainly not how Clubs Australia sees it and it is certainly not how clubs in my electorate see it. If you look at the Clubs Australia media release following that deal on 28 March, you will see that the headline is 'Napthine government continues with plan to kill community clubs'.

The member for Frankston acts outraged about any claim that some deal was done. It is not just members on this side of the house who have said that. If you look at some of the media coverage on 28 March, you will see that a *Herald Sun* article carries a headline 'Geoffed'. The article says that special deals were done for the member for Frankston relating to taxis and pokies, but none of them has been a win for taxidriviers or for community clubs in my electorate. I suppose we will have to wait to see what is contained in the state budget to see whether the strong claims being made stack up.

As I indicated previously, this is not a win for community clubs; it is a cash grab by this government. The change will not go to addressing issues around problem gambling. None of the money will go back to assist problem gamblers. This is about the money going into consolidated revenue, in many cases at the expense of community clubs that play a much broader role in our communities than just providing poker machines. They play a very important role in providing community infrastructure, particularly in regional Victoria. A slush fund is being created to fix some budget problems. Although we have heard speaker after speaker on the other side claim how fantastic those opposite have been around the budget, what we have seen with the landfill levy arrangements and what we are seeing here today are new little slush funds being developed in order to fix the bottom line, perhaps for some election commitments. For example there is part funding for certain schools, the provision of which will come at the expense of our community clubs. This is about fixing the bottom line for the government in its last budget before the election.

Most of the gaming machines in my community are in community clubs of some form, whether it be the

Clifton Springs Golf Club, the Portarlington Golf Club or the Ocean Grove Bowling Club. They are all critical pieces of infrastructure which have gaming machines but which play a much broader role in those communities. For example, the Clifton Springs Golf Club is a great club which employs a lot of local people. It has invested in ensuring that it has some really good quality golf facilities. It is used for many golf competitions, but it is also open to a large number of community groups. I attend the club regularly for meetings of the Drysdale and Clifton Springs Rotary Club Monday night dinners. I enjoy the hospitality and the food at the club. The Portarlington Golf Club is a terrific club with great facilities. It does a lot of pro-am-type golf, so a lot of people from right across the region use it. On Australia Day the club is open to hundreds of locals who attend a function there at no cost. The club hosts those sorts of events. It is currently in the process of raising very valuable money for the local primary school.

The activities of those clubs are an indication of the broader role that community clubs play. They have said to me that the changes will impact and put pressure on local jobs — the people they can employ locally — and also on their ability to develop future infrastructure and capital improvements. At a time when we already have job pressures in Geelong — with 800 jobs at Alcoa about to go — we have a government which is not addressing those issues or developing, creating or looking at opportunities for new jobs but which is putting the squeeze on the bottom line for organisations like these community clubs, which means that potentially some local jobs will be lost.

As I mentioned before, on the day of the deal announcement by the member for Frankston and the Treasurer, Clubs Australia put out a media release, and I would like to quote from it. It says:

Community clubs are already under enormous financial pressure and this tax hike will simply force many to close their doors.

When community clubs close, people lose their jobs and the charities, sporting teams and community groups that rely on the club's support suffer.

Contrary to what we have heard from the member for Frankston and many members across the table, these are not positive changes. The minor amendments make no difference to the impact of the changes contained in this bill. That is why I will be supporting the reasoned amendment that has been moved. I think any of those opposite who have actually spent some time with their community clubs may also support our reasoned amendment.

I would like to touch very briefly on some of the other major amendments in this bill. They relate to the fire services property levy. What a surprise; here we are again! We have another series of amendments to fix up what has basically been a botched implementation of the new fire services property levy. This morning I reviewed the number of times I had raised in this house — during a matter of public importance, the second-reading debate of the original bill, on the adjournment and in members statements — issues about the fire services levy and its impact on some of the businesses, farmers and individuals in my community.

A beach house business — a house that was rented out — was being charged huge commercial rates under the levy. In this case these amendments do fix the problem, and I very much welcome that, as do the owners of that property who rang and congratulated us on persevering in seeking some of these changes. Of course this does not actually fix everything; there are still a lot of small businesses out there, very small businesses, which are going to continue to hurt. A number of farmers in my electorate will continue to hurt as a result of the massive increases in the fire services property levy and the way it has been implemented.

Golf clubs in my electorate, such as the Queenscliff Golf Club, have been greatly impacted, and again I welcome the fix that has been put into this piece of legislation. But a lot of pain has been caused to a lot of people and a lot of communities and that could have been avoided if the government had taken some time and listened to the community about the potential impact of the levy.

Despite the massive amount of money that was spent on an advertising campaign that described it as a fairer system for all, it was never a fairer system for all. There continue to be some serious concerns about the fire services property levy arrangement. There is no independent oversight, there is no review of the operation of the levy, and of course there is no guarantee that this money is being directed into our fire services, which is completely outrageous. In fact we all know that our fire services have had to sustain very significant funding cuts that are impacting on their ability to do the job we all expect — the great job they do every day, from the volunteers through to the paid staff. Although we welcome these changes, we are sure the government will be coming back again with some more changes as this very unfair system continues to cause real distress to small businesses, farmers and other groups.

I reiterate, on the issue of the gambling changes — the tax grab basically — that the changes being made to the original bill do not fix the issue. Community clubs will continue to suffer. That is certainly what they are telling me in my electorate, and I am sure it is what they are telling everyone on the opposite side as well. The community clubs are not very happy about these changes.

Ms WREFORD (Mordialloc) — I rise to speak in support of the State Taxation Legislation Amendment Bill 2014. The most obvious difference between Australia's two major parties is economic management. Labor simply cannot manage money or boost an economy. Inevitably when Labor is in government unemployment is higher, interest rates are higher, inflation is higher, the cost of living rises and economic growth is lower than it would be under a Liberal government. Historical graphs show that quite clearly; if you graph those matters, you can pick the times Labor is in and out of government by the drops and rises on the charts.

This has been demonstrated once again in the last week, with a Morgan poll indicating a sharp drop in unemployment and underemployment in March as the Abbott federal government's work starts to pay off. Just imagine how the economy will go if the Labor-Greens alliance stops blocking the removal of their job-killing carbon tax.

In any event, we are far better at managing an economy and giving the community opportunities than those opposite. That is why Victoria is the only state with a AAA credit rating with a stable outlook from both major ratings agencies. Mind you, they did say the state's financial performance weakened in 2008–09 when it moved into a deficit position — I wonder who was in office then? — and that there would be downward pressures on the rating if debt levels increased significantly; once again that is a none-too-subtle reference to Labor. Labor already has a \$19 billion budget black hole in its election promises.

Low debt and good credit ratings mean you can spend less on interest payments and more on infrastructure and services. We have delivered a record \$5.8 billion infrastructure investment this year, and that will increase to \$7.2 billion for the next year. The government has progressed a number of significant major projects — things like the Monash Children's hospital and the redevelopment of the Royal Victorian Eye and Ear Hospital. I know that hospital incredibly well because in a previous life I worked there, and it has definitely needed upgrading for many years. We as

a government are doing the right thing by upgrading that hospital.

Growing an economy requires sound but tough and fair economic management, and that is what this bill is all about. The bill implements the legislative changes required to bring the 2013–14 budget update into effect. When the budget was reviewed in December it was obvious that the Labor-Greens alliance's dud carbon tax was having a deeply profound negative effect on the Victorian economy and therefore reducing tax revenue. There were also some obvious tweaks available that would ultimately put Victoria in a much better position for the long term. Several of these were about fixing Labor's mismanagement and improving our good policies, such as the fire services property levy. I am particularly pleased to see the changes to the fire services property levy in this bill.

Changing the fire services levy from an insurance-based levy to a rates-based levy was a very good and fair deal. Every household should be contributing to funding the fire services. The cost should not be borne just by those with insurance. The fire services levy should not be a deterrent for people to be properly insured. This is the most significant state-based tax reform in decades, and it was extremely well implemented. However, we acknowledge that some minor refinements to the system were needed, and I was quick to lobby the Treasurer on behalf of the Mordialloc electorate to tweak the classification of residential investment flats. This bill moves them from a commercial to a residential classification, which is far more in the spirit of their usage. I thank the Treasurer for making this common-sense adjustment for my community as well as for other communities. This bill reclassifies short-term holiday accommodation, sporting grounds, water catchments and vacant land. The bill also makes minor technical amendments to streamline the administration of the levy, which will benefit Victorians. These are all good moves — better than some of Labor's.

This bill steps in to address Labor's complete stuff-up of the management of gaming machines. We remember Labor's disastrous pokies auction. That was a \$3 billion disaster. You could build 20 Dingley bypasses or buy 100 trains for that amount. The pokies auction was mismanagement at its finest, a stuff-up that can be compared only to other great Labor stuff-ups, such as Labor's \$1.8 million-a-day-for-27-years desalination plant, the myki mess we have had to fix, the smart meters mess we have had to fix, the IT database mess we have had to fix, the Frankston line we have had to fix and train stations built without connecting electricity, which we have had to address. The previous

government really outdid itself in terms of entries into the Labor mismanagement hall of fame.

Further to the great pokies fiasco, Labor also messed up the tax rates. Rather than taking the historical 38 per cent, Labor put in measures to take only 34 per cent. We are trying to correct that with this bill. Labor is opposing this measure, so proud is it of its \$3 billion catastrophe. Labor needs to explain to the people of Victoria why it is happy for pokies operators to gain money that should be going to schools, hospitals, public transport, services et cetera. One has to ask whether the opposition leader's favourite unions may somehow be involved.

The third major thing this bill does is make changes to the congestion levy. New exemptions will be made for parking at Melbourne Zoo and for special events at Yarra Park, Melbourne Park and Olympic Park. In other places the area the levy applies to will be expanded to more appropriately reflect Melbourne and its transport networks. In the new areas exemptions will apply for hospital visitor parking, residential parking, parking for emergency vehicles, spaces owned by councils or charities, disabled parking, parking for shiftworkers, garaging of fleet vehicles, bus layovers, car sales displays and car service spaces. This change will also encourage even more people to ditch the car and take up our offer of zone 1 and zone 2 tickets at zone 1 prices. It is a brilliant piece of policy for the Mordialloc electorate and Victoria. It is a package that is all about putting Victoria into a strong economic position, enhancing good legislation and, as usual, fixing costly Labor blunders.

In summary, growing an economy requires sound but tough and fair economic management, and that is what this bill is all about. This bill implements the legislative changes required to bring the 2013–14 budget update into effect. Changes were required because Labor's carbon tax is hurting the Victorian economy. Some tweaks will put Victoria in a much better position, and we need to fix Labor's mismanagement. I am pleased to see the tweaks to the fire services property levy, the bill moving residential investment flats from a commercial classification to a residential one and other similar things. This bill steps in to address Labor's complete stuff-up of the management of gaming machines. The third major thing this bill does is make changes to the congestion levy. It is a package that is all about putting Victoria into a strong economic position, enhancing good legislation and, as normal, fixing costly Labor blunders. I commend the bill to the house.

**Debate adjourned on motion of
Mr NOONAN (Williamstown).**

Debate adjourned until later this day.

WITNESS PROTECTION AMENDMENT BILL 2014

Second reading

**Debate resumed from 12 March; motion of
Mr WELLS (Minister for Police and Emergency
Services).**

Mr NOONAN (Williamstown) — I am very pleased to rise and on behalf of the opposition speak on the Witness Protection Amendment Bill 2014. From the outset I indicate that Labor will not be opposing this bill.

Given that this is my first opportunity as shadow minister for police to lead the opposition's response to a policing bill, with your indulgence, Acting Speaker, I wish to make a few introductory comments about Labor's appreciation of the work that members of Victoria Police do, especially in dealing with some of the state's most dangerous criminals. I wish to outline also my own personal connection with and appreciation of the work of police officers.

In 1988, following the bombing of the Russell Street police headquarters building that ultimately led to the tragic and untimely death of Constable Angela Taylor, my father, Bill Noonan, assisted in organising a fun run to commemorate Angela's police service. Funds raised from that fun run were dedicated to providing police scholarships to assist young police officers to take up further studies after they graduate. The annual run still continues as part of the activities of the Victoria Police Blue Ribbon Foundation, of which I know you, Acting Speaker, have been a very strong supporter over the years. That foundation was formalised in 1998, after other serving police were murdered in the line of duty.

Bill was a founding committee member of the foundation in 1998, and after a period as the deputy chair he was elected chairman in 2009, a position he still holds very proudly to this day. Bill has been instrumental in forming 14 of the regional branches, each having a slain police member remembered in a memorial at their regional hospital. For instance, Sergeant John McNally, who was killed at Mount Ararat on 16 October 1856, now has a memorial at East Grampians Health Service in Ararat; and Senior Constable Stephen Henry, who was shot near Seymour on 28 January 1982, is now remembered with a memorial at the Colac hospital. Many other police officers are remembered in a similar manner. Constable Angela Taylor has an area dedicated to her police service in the accident and emergency area of Royal Melbourne Hospital.

The Blue Ribbon Foundation is responsible for the conduct of Blue Ribbon Day in Victoria each year on 29 September, a day on which people recognise not only police who have been killed in the line of duty but also police service generally. It is of course well supported by many members on all sides of this chamber, including those who have served as members of Victoria Police. Other programs conducted by the foundation include the Spirit of Football and Netball, a program designed for young people to emphasise discipline and good behaviour during competition. These are all wonderful activities, which are all supported by the community. They serve as a constant reminder about the dangers that our police face on a daily basis.

Police and law enforcement agencies have a very difficult task in bringing to justice those in our community who commit crimes. It is important that we as a Parliament equip our police with the tools they require to do their jobs. Witness protection is one of those important tools for police officers to assist in their work to bring to justice the worst criminals in particular.

It is broadly true, or understood, that if there is no witness in a case, then there can generally be no prosecution. Evidence in matters that come before our courts relies very heavily on the words of witnesses who in some cases are compelled to attend and in all cases must tell the truth. According to the Office of Police Integrity (OPI) 2005 report into the Victorian witness protection program:

English law has treated subornation of witnesses — any attempt to silence, or to change the story they will tell the court — as a grave offence deserving severe punishment. It remains a crime not lightly regarded by any court.

If witnesses are intimidated or become reluctant to speak, it follows that such circumstances could lead a court to reach a wrong decision, where offenders may be acquitted or innocent people may be wrongly convicted. So the stakes are very high in the protection of witnesses. Sadly, many who seek to profit from organised crime in particular or gain the most from other serious crimes regard the intimidation of witnesses as standard fare or fair game. Witnesses may be threatened with death or serious injury, or, even worse, threats may be made to a witness's spouse, children, other loved ones or friends. Threats can also be made against property.

Formalised witness protection originated in the United States back in the early 1960s. A case involving the US Mafia led to a well-known criminal, Joe Valachi, giving evidence in court and in return receiving protection

from the US government. Witness protection in Australia arose from the Williams royal commission and the Stewart royal commission in the 1980s. The US system was examined in detail here in Victoria, and back in 1991 Victoria was the first state in Australia to formally pass witness protection laws.

Under Victoria's all-in or all-out system, only the most serious, life-threatening cases are considered for formal entry to witness protection. These are considered to be level 1 cases, as they are referred to by police. Earlier I referred to the 2005 report of the OPI. That report stated that at the end of 2004, 162 persons were on the program and that 'Of those, 73 were (or had been) witnesses and 89 were spouses or children'. The number of witnesses in protection today is not understood by the public, and this is information that was only disclosed by the OPI in its 2005 report, in which it also made some comments about the expected growth in the overall number of individuals and families who may enter the program beyond the life of its report.

This brings me more closely to the bill, which amends the Witness Protection Act 1991 to make changes to the operation of the Victorian witness protection program to ensure that current practices are transparent and provided for in legislation. The bill does a number of things. In summary, it provides for interim protection arrangements; it allows the chief commissioner to authorise temporary assumed identity documents; it formalises the decision-making steps and considerations for the Chief Commissioner of Police to admit, suspend or terminate a person from the program; it removes the Independent Broad-based Anti-corruption Commission's merits review function over decisions to terminate a person from the program, although the complaint functions remain; it clarifies that witness protection does not absolve a person from their legal obligations — for example, their civil debts will remain; and it also allows for closed court proceedings to protect sensitive witness protection information, and a range of other matters. I will come back to discuss these matters in detail.

Broadly, the purpose of the Witness Protection Act is to facilitate the security of persons who are or have been witnesses in criminal proceedings. The chief commissioner or, if delegated, the deputy commissioner has the sole responsibility for deciding whether to enter a witness and/or their family into the program and may take such action that is necessary and reasonable to protect their safety and welfare.

It was pointed out to me on a number of occasions — I had the benefit of a briefing with both the department,

for which I am very grateful, and the police — that witness protection should not be viewed as a reward. It is a genuine way for those people who are witnesses to be protected in terms of their safety and potentially that of their loved ones. The process for deciding whether a candidate should be accepted into the program is understandably complex, sensitive and can be very time consuming and expensive. Entering the program is voluntary and is formalised by the witness and their family entering into a memorandum of understanding with the chief commissioner. Following the related court case or cases a witness may return to their old life or assume a completely new identity and live in a new location. If that is the case, they are essentially being granted a new life, which is very attractive for some.

In July 2005, as I referred to earlier, the Office of Police Integrity tabled an own-motion review of the witness protection program and found that it was in need of some reform to take account of the new criminal context in which it operates as well as a likely increase in demand. It is quite an extensive report. Some members have probably had an opportunity to look at the report. Its findings were broad. One of the main findings was a weakness in the system's ability to protect witnesses who were at risk but who fell short of the criteria for the program or who refused to enter the program but wanted some form of protection. It also critiqued the need for greater assessment of the psychological suitability of a witness and their family to enter the program and the ongoing support needed for them to adapt to a new life. Victoria Police did not support all of the recommendations in the 2005 report, and I will return if time permits to speak in greater detail about the recommendations. I believe the recommendations show that there is still a bit of unfinished business.

This bill, as we in the opposition view it, is the first step towards implementing some of the outstanding recommendations from the OPI report. The minister in his second-reading speech revealed that Frank Vincent will conduct a broad review of the Witness Protection Act, and I expect that he will examine some of the outstanding OPI recommendations, which I might come back to. I strongly suspect that his review will throw up some subsequent considerations for this Parliament, but I do not expect that will happen until the next Parliament at the earliest.

As I have already indicated, the bill provides for a new interim protection declaration and temporary assumed identity to be applied to the witness in need of protection while they are being considered for admission into the program. This is an important and worthy change, particularly given the complex and

time-consuming negotiations that occur between the police and the witness. The chief commissioner may use all of the protection measures under the act — including relocation, security surveillance et cetera — with the exception of applying to the court for a new permanent identity order. The declaration is only for three months but there is an ability under the bill to extend that for a further period of three months.

The bill also expands the current offences for disclosures to cover disclosure of information about the interim arrangements, and it is worth noting that witness protection legislation in New South Wales, Queensland, South Australia and Western Australia provides for interim protection of people who are being assessed for inclusion in the witness protection program. I want to thank members of the department for providing that follow-up information for us.

The bill formalises current practice with regard to the considerations of the chief commissioner before admitting a person to the program or terminating them from it. It contains a list of factors, including whether the witness could be a risk to the public if included in the program, suitability for inclusion — that is, psychological evaluation — and whether there are any alternatives to entering the program. The chief commissioner must not include a witness in the program if they do not have enough information to assess these matters, so a high level of cooperation from the candidate is required.

A feature of this bill is that it outlines a comprehensive list of disclosures that the witness must make before being included in the program. These include outstanding legal obligations, criminal history, immigration status, bank accounts and medical conditions, to name a few. The chief commissioner may require a witness to undergo medical or psychological examinations, which is in line with the sorts of matters the OPI raised in its 2005 report.

The bill provides measures for a witness to deal with any outstanding rights and obligations incurred before the witness became a protected witness, including civil debts and proceedings. The bill also strengthens disclosure of witness protection information, including a presumption in favour of closed courts if security could be compromised. It expands the grounds on which the chief commissioner may terminate someone from the program, which is another important feature of this amendment bill. The grounds include the person potentially committing an offence, the person breaching the memorandum of understanding that has been struck and agreed to, the person being misleading, the person compromising the integrity of the program or where

there is simply no justification for the person to remain in the program on an ongoing basis.

The bill removes the right of the terminated participant to seek a merit review from IBAC. They can seek an internal review from the Chief Commissioner of Police and may seek a judicial review at the Supreme Court. They can still make a complaint to IBAC of misfeasance. The bill also makes other minor and technical amendments to the operation of the system.

As I said from the outset, it is important that the Parliament provide the necessary tools to enable police to do their job, and that is why Labor will not be opposing the bill. The protection of witnesses under this program is an increasingly important law enforcement weapon against organised crime, terrorism and other serious criminal acts. The system is by its nature complex and secretive. By the legislation formalising what currently happens in practice, the public is given some insight into the purpose and implications of the witness protection program. Confidence in the witness protection program is vital if it is going to assist the overall justice system and the community.

I return to the OPI's 2005 report to make some points about what this bill does not do and what may lie ahead. It needs to be acknowledged, as I mentioned earlier, that Victoria was the first jurisdiction to establish laws covering witness protection. This was done in 1991. Other jurisdictions have put in place and amended their principal legislation. The Northern Territory has the Witness Protection Act 2002, the Australian Capital Territory has the Witness Protection Act 1996, New South Wales has the Witness Protection Act 1995, South Australia has the Witness Protection Act 1996, Western Australia has the Witness Protection Act 1996, Tasmania has the Witness Protection Act 2000 and Queensland has the Witness Protection Act 2000.

There is some history to the review of the Victorian act. It was initially reviewed in 1993 by senior police officer R. L. Martin, and again in mid-2004 by the Victoria Police corporate management review division. As I said, in 2005 the former Office of Police Integrity published a review of the Victoria Police witness protection program. The own-motion review found that Victoria's witness protection program was 'in need of some reform to take account of the new criminal context within which it operates'. As well, there was a likely increase in demand. It is worth pointing out that in the introductory comments of the 2005 document entitled *Review of the Victoria Police Witness Protection Program*, the OPI indicated that Victoria's current witness protection program was basically

sound. The report was both detailed and illuminating. It highlighted some shortcomings with witness protection and included three case studies, including that of Mr Terence Hodson and his wife, who were refused entry to the program and slain in the television room of their home.

Another case study demonstrated the clear value of witness protection in bringing criminals to justice, while also highlighting clear shortcomings when arrangements for witnesses come unstuck. The case in question can be found at page 50 of the report. Interestingly, the OPI described the case as 'famous'. In terms of the police investigation and prosecution, there was a very successful outcome, with 98 offenders charged; 2 operating laboratories seized; 2 non-operating laboratories seized; 1 chemical storage site located, which had 8 tonnes of product capable of producing amphetamines to the value of \$200 million; 37 kilograms of amphetamines seized; 400 grams of heroin seized; 11 grams of cocaine seized; and \$167 000 and US\$415 000 in cash seized.

This was a terrific illustration of police smashing organised crime and all its networks, but the outcome was complex and resulted in several complications regarding the key witness, who was described as a married man with a family. This man was a professional businessman with knowledge of certain chemicals. He built an informal relationship with Victoria Police and provided critical insights and evidence about the criminal he befriended. When police began the process of going after the criminal and his associates, the witness and his family were placed in the witness protection program and the intention was to relocate the family overseas. This is where the problems began for the witness. He was not relocated to his preferred country and then had a series of moves which eroded his family's relocation funds. A more serious turn of events occurred when the witness's location became known following a break-in at the Victoria Police drug squad. Unfortunately original signed statements by the witness were also stolen. The witness then sought further funds from the police to relocate his family. This process broke down, and the witness engaged a lawyer to help resolve the matter, which took a further three tortuous years to finalise and involved both the Ombudsman and the OPI. In the end the matter was resolved with a cash settlement.

This case also highlighted the stress and trauma placed on a family which was clearly not well prepared to enter into life under witness protection. This is not a criticism of the witness protection program per se but an insight into how complex matters between the police and those they deem appropriate to enter the program

can become. It ought to be noted that most candidates for witness protection are themselves criminal offenders and that these offenders are commonly giving evidence against accomplices. That is why the Chief Commissioner of Police has and will continue to have the ultimate say as to who enters the program.

Overall, as I mentioned before, the OPI indicated that the practices adopted by police who administer the program are sound, but there were some areas in which change was recommended. Those findings included weaknesses in the approach adopted towards witnesses who are at some risk but fall short of the criteria for protection or witnesses who refuse the witness protection program but are willing to receive some protection. There has also been insufficient attention paid to the assessment of a witness's psychological suitability for life in the program and to the ongoing psychological support necessary to assist them to adapt to their new life.

According to the report, the OPI believes the Witsec Committee should be chaired by an assistant commissioner, and it believes that some additional resources will be necessary to develop the procedures and policies to guide police in developing and providing protection on a systemic basis to those people who do not enter the witness protection program but are nevertheless at some risk. The OPI believes there is a need for a dedicated psychologist to provide pre-entry assessments as well as ongoing support. It believes more attention should be given to the memorandums of understanding and their contents, that ministers should consider the efficacy of the program and that the commonwealth should be involved to streamline overseas relocations. Many of these findings resulted in recommendations from the OPI. It ought to be said that this bill picks up a number of the recommendations from the OPI report.

I wish to include in my contribution a passage from page 41 of the OPI report. It captures the ongoing challenges for police and the witness protection program. It states:

In Victoria, recent organised criminal violence and allegations of police corruption indicate that the demand for witness protection services will increase and remain a critical issue for many years.

The report goes on to talk about how there is a need for assistance in terms of increasing the resources available to police in their work. As I have mentioned —

The ACTING SPEAKER (Mr McIntosh) — Order! The time set down for consideration of items on the government business program has expired.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**JURY DIRECTIONS AMENDMENT
BILL 2013**

Second reading

Debate resumed from 12 December 2013; motion of Mr CLARK (Attorney-General).

Mr Pakula — On a point of order, Acting Speaker, there has been no debate on this bill.

The ACTING SPEAKER (Mr McIntosh) — Order! There is no point of order. It is part of the government business program.

Mr Pakula — How can the Parliament be expected to vote on a bill it has not debated?

The ACTING SPEAKER (Mr McIntosh) — Order! The member for Lyndhurst will resume his seat. Members cannot take a point of order when I am about to put the question. The question is:

That this bill be now read a second time and a third time.

House divided on question:

Ayes, 42

Angus, Mr	Napthine, Dr
Asher, Ms	Newton-Brown, Mr
Baillieu, Mr	Northe, Mr
Battin, Mr	O'Brien, Mr
Blackwood, Mr	Powell, Mrs
Bull, Mr	Ryall, Ms
Burgess, Mr	Ryan, Mr
Clark, Mr	Smith, Mr K.
Crisp, Mr	Smith, Mr R.
Delahunty, Mr	Southwick, Mr
Dixon, Mr	Sykes, Dr
Gidley, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Victoria, Ms
Kotsiras, Mr	Wakeling, Mr
McCurdy, Mr	Walsh, Mr
McIntosh, Mr	Watt, Mr
McLeish, Ms	Weller, Mr
Miller, Ms	Wells, Mr
Morris, Mr	Wooldridge, Ms
Mulder, Mr	Wreford, Ms

Noes, 43

Allan, Ms	Kairouz, Ms
Andrews, Mr	Kanis, Ms
Barker, Ms	Knight, Ms
Beattie, Ms	Languiller, Mr

Brooks, Mr
Carbines, Mr
Carroll, Mr
D’Ambrosio, Ms
Donnellan, Mr
Duncan, Ms
Edwards, Ms
Eren, Mr
Foley, Mr
Garrett, Ms
Graley, Ms
Green, Ms
Halfpenny, Ms
Helper, Mr
Hennessy, Ms
Herbert, Mr
Howard, Mr
Hutchins, Ms

Lim, Mr
McGuire, Mr
Madden, Mr
Merlino, Mr
Nardella, Mr
Neville, Ms
Noonan, Mr
Pakula, Mr
Pallas, Mr
Pandazopoulos, Mr
Perera, Mr
Richardson, Ms
Scott, Mr
Shaw, Mr
Thomson, Ms
Trezise, Mr
Wynne, Mr

Third reading

Motion agreed to.

Read third time.

**STATE TAXATION LEGISLATION
AMENDMENT BILL 2014**

Second reading

Debate resumed from earlier this day; motion of Mr O’BRIEN (Treasurer); and Mr PALLAS’s amendment:

That all the words after ‘That’ be omitted with the view of inserting in their place the words ‘this bill be withdrawn and redrafted to —

- (1) take into account the outcome of extensive public consultation about the proposed amendments to the Congestion Levy Act 2005 and the Gambling Regulation Act 2003, as many are strongly opposed to these provisions; and
- (2) retain the remaining provisions relating to the proposed amendments to the Fire Services Property Levy Act 2012 and the Valuation of Land Act 1960.’.

House divided on omission (members in favour vote no):

Ayes, 43

Angus, Mr	Newton-Brown, Mr
Asher, Ms	Northe, Mr
Baillieu, Mr	O’Brien, Mr
Battin, Mr	Powell, Mrs
Blackwood, Mr	Ryall, Ms
Bull, Mr	Ryan, Mr
Burgess, Mr	Shaw, Mr
Clark, Mr	Smith, Mr K.
Crisp, Mr	Smith, Mr R.
Delahunty, Mr	Southwick, Mr
Dixon, Mr	Sykes, Dr
Gidley, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Victoria, Ms
Kotsiras, Mr	Wakeling, Mr
McCurdy, Mr	Walsh, Mr
McIntosh, Mr	Watt, Mr
McLeish, Ms	Weller, Mr
Miller, Ms	Wells, Mr
Morris, Mr	Wooldridge, Ms
Mulder, Mr	Wreford, Ms
Napthine, Dr	

Noes, 42

Allan, Ms	Hutchins, Ms
Andrews, Mr	Kairouz, Ms
Barker, Ms	Kanis, Ms
Beattie, Ms	Knight, Ms
Brooks, Mr	Languiller, Mr
Carbines, Mr	Lim, Mr
Carroll, Mr	McGuire, Mr

Question defeated.

VEXATIOUS PROCEEDINGS BILL 2014

Second reading

Debate resumed from 2 April; motion of Mr CLARK (Attorney-General).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

HONORARY JUSTICES BILL 2014

Second reading

Debate resumed from 1 April; motion of Mr CLARK (Attorney-General).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

FENCES AMENDMENT BILL 2013

Second reading

Debate resumed from 1 April; motion of Mr CLARK (Attorney-General).

Motion agreed to.

Read second time.

D'Ambrosio, Ms	Madden, Mr
Donnellan, Mr	Merlino, Mr
Duncan, Ms	Nardella, Mr
Edwards, Ms	Neville, Ms
Eren, Mr	Noonan, Mr
Foley, Mr	Pakula, Mr
Garrett, Ms	Pallas, Mr
Graley, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Halfpenny, Ms	Richardson, Ms
Helper, Mr	Scott, Mr
Hennessy, Ms	Thomson, Ms
Herbert, Mr	Treznise, Mr
Howard, Mr	Wynne, Mr

Broadway, Reservoir

Mr SCOTT (Preston) — The matter I raise on the adjournment is for the attention of the Minister for Roads, and the action I seek is that 40-kilometre-per-hour speed signs be installed on Broadway, Reservoir. Broadway in Reservoir is in the northern part of the city of Darebin. It is a very busy shopping strip, and there is quite a lot of through traffic. It links to two major roads. The Darebin leisure centre and the East Reservoir Senior Citizens Centre are both close by. Very sadly, two pedestrians have died in the past five years on Broadway. The council called for a 40-kilometre-per-hour speed limit more than a year ago. According to the *Preston Leader*, VicRoads has said that the roads meet the necessary criteria, but there is yet to be a committal to a time line and a guarantee of a speed limit reduction prior to 2016.

From media reports I understand the costings for the signs are of the order of \$1500. This issue literally relates to the death of pedestrians in the area, and there have been a number of near misses. It is a matter that is of the gravest concern to the community of Reservoir and should be addressed as quickly as possible. There are no particularly pressing reasons why this matter should not be dealt with. My colleague the member for Narre Warren North, the shadow member for Roads, is present in the house, and I note that the funding for this particular area has been expended. Funds should be made available to ensure that the matter is resolved before any other pedestrian is hurt or killed at this particularly dangerous shopping strip.

Amendment defeated.

Motion agreed to.

Read second time.

Circulated amendments

Circulated government amendments as follows agreed to:

1. Clause 27, line 12, omit "April" and insert "May".
2. Clause 27, line 20, omit "April" and insert "May".
3. Clause 27, line 25, omit "April" and insert "May".
4. Clause 27, line 33, omit "April" and insert "May".

Third reading

Motion agreed to.

Read third time.

WITNESS PROTECTION AMENDMENT BILL 2014

Clerk's amendment

The SPEAKER — Order! Under standing order 81, I have received a report from the Clerk that he has made a correction in the Witness Protection Amendment Bill 2014:

In clause 33, line 18, after 'principal' I have added 'act'.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Forest Hill electorate manufacturing

Mr ANGUS (Forest Hill) — I raise an important matter for the attention of the Minister for Manufacturing. The action I seek is for the minister to visit the electorate of Forest Hill to meet with and address manufacturers and business operators in the electorate and provide them with an update of the work being done by the coalition government to support and assist them with their businesses.

The current electorate of Forest Hill is predominantly a suburban residential electorate with a small amount of industrial activity. However, the additional area I will be picking up at the November state election contains a dedicated industrial area. Whilst out visiting businesses in this new area recently I came across a number of manufacturing businesses, as well as a wide range of other businesses. The importance of small businesses to the state economy cannot be overestimated. Small businesses, including the manufacturers in my electorate, are the engine room of the economy. For

these business operators to hear directly from the Minister for Manufacturing would be of assistance to them.

While our economy is in transition in some sectors, I believe manufacturing in Victoria is alive and well and is an important contributor to the state economy. The manufacturers in Forest Hill would particularly benefit from hearing from the Minister for Manufacturing about some of the initiatives the coalition government is undertaking to support manufacturers and businesses. For example, these businesses might be interested to learn about the Investing in Manufacturing Technology program, which provides assistance for companies to take up new technology, and in the government's strategy document entitled *A More Competitive Manufacturing Industry — New Directions for Industry Policy and Manufacturing*. Programs such as this, along with other government initiatives, are improving the sustainability of businesses in Victoria.

I welcome the opportunity to meet with the Minister for Manufacturing. I look forward to the minister's visit and the chance for him to meet with manufacturers and business operators in the electorate of Forest Hill and to address various issues of importance with them.

Motorcycle lane filtering

Mr DONNELLAN (Narre Warren North) — My matter is for the Minister for Public Transport. The action I seek is for the minister to establish a committee with representation from the Transport Accident Commission (TAC), VicRoads, the Department of Justice and Victoria Police to consider the introduction of lane filtering for motorcycles and the issue of safety and the like for motorcycle riders. This issue was raised in recommendation 59 in the all-party Road Safety Committee report of December 2012. The committee suggested that a committee be established to consider this particular issue. The government at the time suggested that in principle it would support the policy, but at the heart of it the government indicated that it was really more concerned about getting respect for motorbike riders and car drivers.

Filtering occurs in Europe, the UK and some parts of the USA, and Sydney is currently running a trial to see how it goes. It is supported by motorbike riders, scooter riders and the like and was again drawn to my attention just recently by Steve Bardsley of the Victorian Scooter Riders Association, who is also on the VicRoads motorcycle advisory committee. Recently he sent the minister a report in relation to filtering, and he seeks some acknowledgement of that from the minister.

It appears as if filtering is allowed across many other parts of the world and also now in Sydney. I urge the minister to set up the committee that the Road Safety Committee suggested be established and not just look at the issue of respect. The Chief Commissioner of Police has done a very good job in relation to that for pedal cycle riders, and that is fine, but the motorcycle riding community would like to see the issue of filtering seriously addressed and urges the minister to set up this all-departments TAC committee.

City of Glen Eira Crown land

Mr SOUTHWICK (Caulfield) — I rise tonight to raise a matter for the Minister for Environment and Climate Change in regard to Crown land located near the intersection of Glen Eira, Booran and Kambrook roads in Caulfield. I ask the minister to open up the land for expressions of public interest. The matter I raise is in regard to the land referred to as Crown allotment 2031 or Booran reserve. It was offered to the City of Glen Eira after a land swap with Melbourne Racing Club proposed by the previous government in 2009–10. Since the land swap, the land has been left dormant, and recently the council advised that the development of the land for open space will not be supported under its new open space strategy.

The piece of land is effectively the doorway into the racecourse. The City of Glen Eira has been advocating for more open and active space and more participation, but this land has now been dormant for some years. It is a missed opportunity. I note that Glen Eira City Council has said it was not consulted by the Labor Party when the swap was suggested, but now that the land is Crown land I hope a suitable use will be found for this very important piece of land, which is, as I said, a doorway into the racing club.

Many people in the council, particularly Cr Jim Magee, have advocated many times for open and more active space around the Crown land and the racecourse. I would have thought this would be a perfect opportunity to do so. With the council not being willing to take up this space and not being able to be the committee of management to activate the space, I ask that the minister consult with community members, sporting clubs and other organisations in the community to see who would be interested in taking up this vital and important piece of land.

Taking up this action would be a really good opportunity. Not only would it open up the opportunity for sport and other activities within that place — a parkway or whatever — but ultimately it would be the link to any further activity that would take place within

the racecourse itself. It is a valuable piece of land, and this is a great opportunity to utilise this land that has been left idle for a long time now. It is important that we get on with doing something with this land so we can give the constituency of Glen Eira an opportunity, particularly the many sporting clubs that are screaming out for more space. I ask that the minister open up this matter for public consultation and expressions of interest from the public so that those in the community have the opportunity to apply their best thinking to how this land can be best utilised for the community and best service the city of Glen Eira.

Westwood Drive, Burnside

Ms KAIROUZ (Kororoit) — I rise this evening to raise a matter with the Minister for Aboriginal Affairs. The action I seek is for the minister to look into the conduct of Aboriginal Affairs Victoria in regard to the case of the Westwood Drive project and advise as to whether it has followed proper process in regard to its rejection of the City of Melton cultural heritage management plan (CHMP).

Anyone who lives in the Caroline Springs area is aware, and knows the pain, of the choking congestion that exists on Caroline Springs Boulevard, the only north-south entry and exit point for the suburb. The volume of traffic on this road can grind the suburb to a halt in peak times, and a second road through the suburb is essential for the growing community. Westwood Drive has long been identified by VicRoads as a crucial missing link in the western suburbs arterial road network. The ultimate vision is a six-lane divided road that stretches from the Calder Freeway in the north down to the Princes Freeway at Williams Landing in the south. There currently exist two notable gaps in this corridor, one of which is the bridge over Kororoit Creek at Burnside. The significance of this corridor in dealing with growth in Melbourne's west has been identified in numerous studies dating back to 1997.

The road is currently maintained by the local councils — the cities of Melton and Brimbank — and will not be taken over by VicRoads until the bridge is complete. VicRoads was advised in 2009 by the then minister that an environment effects statement was required for the project. Melton council, in the planning stage for the project, sought all appropriate approvals including developing a management plan for the growling grass frog species in the area, as well as a permit for the removal of native vegetation through the then Department of Sustainability and Environment. A heritage practitioner registered with Aboriginal Affairs Victoria advised that a cultural heritage management plan was not required. The advice stated that the

Wurundjeri people had issued a 'consent to remove site 7822-1130 VAHR' for the north side of the bank of Kororoit Creek. The south bank was already covered by a CHMP from City West Water relating to earlier works.

Work commenced in December 2012 following the awarding of the construction contract for \$4.056 million. In March 2013 the Office of Aboriginal Affairs Victoria, as it is now known, issued a stop work order stating that a CHMP was indeed required. Melton City Council immediately halted all work. The council then lodged another management plan, but this was refused without consultation. A second plan was lodged in June 2013 but was again refused, and again without consultation with Melton council. The grounds for the refusal included new reasons not raised earlier and referred to an independent assessment that had been undertaken by a registered heritage practitioner. When a request was made for the documentation of this independent assessment, it could not be produced as no written report existed. A third plan was refused in October 2013 and the project was terminated, at significant cost to Melton ratepayers, at the end of 2013.

I am concerned about the lack of transparency from the Office of Aboriginal Affairs Victoria in relation to the cultural heritage management plans. Melton council was never given any opportunity to address the issues of concern. The fact that the second refusal was based on a report that did not exist in written form is extremely disturbing and seems to indicate a breakdown in proper processes.

Goulburn Valley fruit industry

Mrs POWELL (Shepparton) — I raise a matter for the attention of the Minister for Agriculture and Food Security. The action I seek is for the minister to come to Shepparton and speak to fruit growers about possible opportunities for them under the Goulburn Valley Fruit Growing Industry Roadmap and other announcements the minister has made recently. I will be joined by Greg Barr, who is The Nationals candidate for the seat of Shepparton. Hopefully he will be able to take over these issues when I leave this place and will be the person who will support and represent the community.

The Minister for Agriculture and Food Security launched the Goulburn Valley Fruit Growing Industry Roadmap for Goulburn Valley orchardists last month. He also announced a new horticulture centre of excellence in Tatura, which is also in my electorate, and a \$16 million concessional loans package and business planning program. These initiatives were released

alongside the Goulburn Valley Industry and Employment Plan, which was launched by the Deputy Premier. I had the honour of being present at that launch with a number of fruit growers who are now asking how they can be assisted.

These initiatives were welcomed by my community as there was uncertainty about the future of the fruit growing industry in the Goulburn Valley when SPC Ardmona reduced its intake of fruit from fruit growers around the area. A number of orchardists have already pulled out their trees and are now looking for opportunities in other markets. Others have retained their trees in the hope of buyers purchasing their orchards. I know growers have greatly appreciated the \$2 million employment plan for fruit growers introduced by the Minister for Agriculture and Food Security, which enables those growers who do not have any money because they did not have fruit to sell to SPC to receive a wage for up to 12 months whilst they are deciding whether they will continue with their orchards or sell them and learn new skills to enable them to be employed elsewhere.

The road map is a 15-year plan which allows support for the Goulburn Valley fruit industry, but a number of fruit growers are saying they would like some advice on where they can go to receive that support. Fruit growers who want to exit the industry would also like to know how they can gain advantage from the very generous concessional loans the government has on offer. I thank the minister for the support he has given so far, and I look forward to the minister coming to Shepparton and speaking to the fruit growers to help them with their decisions.

Macedon railway station

Ms DUNCAN (Macedon) — The matter I wish to raise is for the attention of the Minister for Public Transport. It concerns the Macedon railway station garden restoration project, a project developed by the Macedon Villages Volunteers and brought to my attention by the sensational Labor candidate for Macedon, Mary-Anne Thomas. This project is a wonderful example of a group of community-minded people coming together to make a positive contribution in their town and to a public asset by committing to beautifying the local railway station. The project is part of a broader community plan for Macedon and Mount Macedon and is a great example of communities taking control, determining and acting on projects to enhance the livability of their towns.

Mandi Mees, the president of the Macedon Villages Volunteers, spoke with Mary-Anne Thomas on

Saturday and outlined the project and the challenges the volunteers have faced to date. The group's plan is simple: to restore the existing garden beds at the historic Macedon station and enhance the look and feel of the village. Macedon station is an important gateway to this picturesque village. It is also the last public heritage building in Macedon. The platform was built in 1861 and the building is 95 years old.

A lot of work has gone into this project to date, including a low-maintenance garden design created with local horticulturist Stephen Ryan and the local community in consultation with V/Line. It incorporates long-term sustainability features including recycled resources and materials, permaculture techniques and community donations. With a small grant of \$6000 from the council, \$3000 from VicTrack and an incredible \$6500 in local business donations, 90 local residents are ready to get planting. With this level of donations from local businesses, this is a very popular project, and no wonder: this station sits at the heart of the town of Macedon.

Ms Mees was quite explicit in her discussions with Mary-Anne. The volunteers are not asking for funding; they believe there are great mechanisms already in place. They are simply asking that the government make it easier, not harder, for communities to make their towns beautiful. The challenge the volunteers currently face is state government bureaucracy is getting in the way of community volunteerism. Over the past 14 months the volunteers have been given the runaround by VicTrack, V/Line and Sustainability Victoria and still they do not have approval to dig a garden bed. The volunteers need statutory approval before they can proceed. This is really not good enough and, as can be imagined, it is extremely demoralising for the volunteers. The grant from the Macedon Ranges Shire Council is required to be expended this financial year.

Ms Mees has now written to the minister, and I ask him to personally intervene to ensure that the Macedon railway station garden restoration project is given approval to commence as soon as possible. It is always a tragedy if bureaucratic ineptitude is allowed to get in the way of community spirit. I applaud the work of the Macedon Villages Volunteers and congratulate Mandi Mees and her team on the work to date and that of all the volunteers working on this project. This government often says it wants to remove red tape; this is one bit of red tape I would ask the minister to cut through.

Prahran electorate secondary school

Mr NEWTON-BROWN (Prahran) — My adjournment matter is directed to the Minister for Education, and the action I seek is that he facilitate the formation of the Prahran secondary education task force as soon as possible. This morning the Premier and the Minister for Education announced at South Yarra Primary School that \$20 million will be available in the next budget for the Prahran Secondary Education Taskforce to formulate and commence construction of a new secondary school in Prahran. This is something I have been on about for years. Funding for a feasibility study has been secured, and there have been numerous meetings, phone calls, emails, surveys and forums with community members. Without a doubt this is one of the biggest issues facing my electorate. My community expected results from me, and today community members got those results.

Prahran is the only seat in the state that does not have its own secondary school, and it is very difficult for students to get to surrounding schools. This impacts on attendance rates. It is important for my community to have its own local school. I believe my community has a right to a world-class state secondary school, and this school will build on the significant work already undertaken in education in the Prahran electorate. The gifted student academy has recently been given planning approval, and the Melbourne Polytechnic opened its doors this year. It is important to note that neither of these initiatives was supported by the opposition.

I fully expected Labor to come out today and match this great commitment for a new world-class secondary school in Prahran, but that support has not been forthcoming. All Labor has done is bag the announcement, just as it bagged the previous announcements of a gifted student academy and the Melbourne Polytechnic. Today's debates in the house and comment on Twitter and Facebook will stand as irrefutable evidence of the total lack of support from Labor for every education initiative in Prahran that has been achieved in three short years.

The Liberal coalition wants to get on with the job. We want to get the first intake of year 7 students into the Prahran secondary school as soon as possible. I am raring to go as the chair of the new Prahran secondary education task force, and I ask the minister to facilitate its formation as soon as possible.

Glencairn Avenue, Coburg, development

Ms GARRETT (Brunswick) — My adjournment matter is for the Minister for Planning. The action I seek is for him to meet urgently with the residents of and adjacent to Glencairn Avenue in Coburg regarding a recent application that has been made to him by Healthscope to remove a long-existing covenant on the area. By way of background, in March 2012 Healthscope made an application to the Moreland City Council for a planning permit to redevelop and expand John Fawkner Private Hospital. The scope of the redevelopment was met with significant local opposition from residents, who were already experiencing quite dramatic traffic and parking pressures and other amenity issues in local streets flowing over from staff of and visitors to the hospital. These concerns were reflected in the council's rejection of the application in July 2012. Additional issues that formed the basis of the residents' calls for the rejection included the scale and bulk of the redevelopment, the loss of amenity, the heritage overlay of the area and the restrictive covenant.

Healthscope appealed the council's decision to the Victorian Civil and Administrative Tribunal (VCAT), which rejected the appeal explicitly, saying that granting a permit would result in the breach of the restrictive covenant. The covenant was placed on the land decades ago by Melrose Mailer, once owner of the Glencairn Estate, in order to ensure uniformity of the surrounding architecture for the benefit of the whole community. The covenant has been acknowledged in the Victorian heritage database and in the heritage overlay. The original Mailer House is among the 20 oldest houses in the state. While the issues of amenity and the neighbourhood were of key concern to the residents, the central point in VCAT rejecting the proposal related to the covenant. It therefore shocked local residents to learn that Healthscope was attempting to deal with this matter by approaching the minister. It believed the matter had rightly been dealt with through the appropriate channels, and that Healthscope had not pursued further appeals post the VCAT decision.

Unfortunately residents of homes in the area have now received a notice from the Department of Transport, Planning and Local Infrastructure about this request to the minister to remove the covenant, and not surprisingly the residents are extremely concerned. They have participated in the formal processes as required, and they have also written in great detail to the minister seeking an urgent meeting to discuss the community's viewpoints. They are yet to receive notice of a meeting or other formal response. I note that the council has conveyed to residents that it does not

support the removal of the covenant. This view has also been expressed to the media.

The ongoing anxiety for the residents needs to be put to bed. The impact of an expansion of the scale originally proposed in the area is unacceptable. The process through which the residents fought and won in 2012 should be respected. The residents urgently request a meeting with the minister to express these concerns and give him their point of view while he is deliberating on this application by the company.

Bulleen electorate languages education

Mr KOTSIRAS (Bulleen) — I wish to raise a matter for the attention of the Minister for Education — and it is great to see the minister in the chamber. The action I seek from the minister is that he attend a round table of primary school principals in my electorate to discuss a centre of excellence for languages education. As members will know, the coalition government is very passionate about languages education. We have not just put out words and pamphlets; we put out a policy at the last election which said that all students from prep to year 10 would be compelled to learn a second language. That was to commence in 2015. The reason we decided to commence it in 2015 was to make sure there would be enough qualified teachers available. We had to make sure there were sufficient resources in schools, and we had to make sure that schools that did not offer languages at the time would be ready to start in 2015.

We decided to do this because in 1997, 96 per cent of all primary school students undertook a second language. By 2007 that had dropped to 69 per cent of students. If we believe in languages education and if we believe that it is important our students should learn a second or third language because of jobs, skills, trade or business, then we have to make sure we have the right policies and programs in place to encourage them to undertake learning a second language. It is important that we ensure that languages education is not a luxury option as it was under the Labor government, which for 11 long years neglected languages education. When in government members of the Labor Party came into this chamber and spoke about how important languages were, and yet they did not put an extra dollar into languages education. In fact the Labor Party took money from languages education. They told schools it was optional and that they did not have to offer languages. As a result, we saw the number of students decline at a time when we should have been encouraging and embracing languages education.

I know the minister is keen to ensure that we succeed. I urge him to attend a round table to speak to the local principals to make sure there is a centre of excellence in languages education in my electorate of Bulleen. I look forward to the minister visiting my electorate.

Responses

Mr DIXON (Minister for Education) — The member for Prahran asked me to facilitate the formation of the task force that was announced today in relation to a brand-new secondary college in his electorate — the first one in that area. I commend the member on the great work he has done in advocating for this project, which is another great accomplishment in education for the people in his community. It stands in stark contrast to what is being supported by the Labor Party. He has done a great job. He brings his community along with him and keeps its members well informed. As a key person in that task force I know he will work well with his community to sort out the myriad issues regarding the new school, not the least of which is the site. It is always exciting to build a school in a suburban area; it has its own advantages as well as its challenges. Overall I think it is going to be a wonderful educational facility. The growing number of children in feeder primary schools in the area is quite incredible, and I know those schools will come on board. I look forward to working on the project with the member as my parliamentary secretary. We look forward to the project moving along because the community is calling for it, and I am sure the member will not let me forget that.

The member for Bulleen spoke eloquently about languages education. He has a real understanding of the importance of languages education, and probably a better one than any other member. Under this government, even though we have not yet made second language education compulsory — it will start from next year in prep — because of the resources and policies we have put in place in relation to languages education we have already seen a reversal in the decline that happened under the previous government. It is so important that students are exposed to another language, because the students in our schools will be working, living, studying and travelling around the world and the world will be coming to Victoria, so they need the language and cultural skills that learning a language brings. It is our role to provide that in our government schools and all our schools here in Victoria.

The member is very keen for me to go to his electorate to work with local principals. We have great collaboration amongst clusters of principals in schools

already in languages education. That spirit of collaboration will continue and be evident in the member's community, and I look forward to working with the member and the principals in his electorate on this very important issue.

Mr WALSH (Minister for Agriculture and Food Security) — I rise to respond to the member for Shepparton on the issue she raised around the Goulburn Valley Fruit Growing Industry Roadmap and the announcement I made with the Deputy Premier up there about a month ago about the implementation of that road map.

The member for Shepparton has invited me to come up and meet with fruit growers in her electorate. She will be there along with Greg Barr, who will be The Nationals candidate for Shepparton in the November election. It would be a pleasure to go up there with the member for Shepparton and the candidate and to sit down with the growers to work through the implementation of that road map. The coalition government has put a significant amount of resources and money into that road map to assist the industry. We understand the importance of the horticulture industry, in this case to the Goulburn Valley. If you look at the figures, you see that the worth of the horticulture industry in the Goulburn Valley is similar to that of the dairy industry. That is an interesting figure, and one that came out of the road map.

If you look at the road map, you see that more fruit trees are planted in the Goulburn Valley now than there were 10 years ago, so there is growth in the fruit industry. That is occurring in the fresh sector rather than the processed sector, and that is what the road map is about. It is about assisting the industry to transition to what consumers want now, particularly given the opportunity to get into some of the Asian markets, both with fresh product and with some of the new products SPC Ardmona will process at its plant with the \$22 million investment from the state government, along with the \$78 million that SPC has put into the project.

Our offices will coordinate a time when I can go up and spend some time with the member for Shepparton and the fruit industry to talk about the implementation of the Goulburn Valley road map.

Ms ASHER (Minister for Innovation) — The member for Brunswick raised with the Minister for Planning a request that he meet with residents in Glencairn Avenue, Coburg, in relation to a development proposed at John Fawkner Private

Hospital, and I will forward that matter on to the minister.

The member for Preston raised a matter for the Minister for Roads in relation to a 40-kilometre-an-hour zone on Broadway, Reservoir, and I will refer that matter to the Minister for Roads.

The member for Narre Warren North raised a matter with the Minister for Public Transport regarding establishing a committee to look at filtering of motorcycles in response to an all-party parliamentary committee report, and I will refer that matter to the minister.

The member for Macedon raised a matter for the Minister for Public Transport in relation to the Macedon railway station garden restoration project and approval needed for a garden bed, and I will refer that matter to the minister.

The member for Kororoit raised a matter for the Minister for Aboriginal Affairs. She requested that he conduct an investigation into the conduct of the Office of Aboriginal Affairs Victoria in relation to a road project in her electorate she regards as being of value and Indigenous concerns and a cultural heritage management plan, and I will refer that matter to the Minister for Aboriginal Affairs.

The member for Caulfield raised a matter for the Minister for Environment and Climate Change in relation to Crown land in Caulfield and the seeking of expressions of public interest, and I will convey that matter to the Minister for Environment and Climate Change.

Finally, the very hardworking member for Forest Hill raised an important matter for the Minister for Manufacturing. He has asked the minister to visit the Forest Hill electorate to meet with manufacturers there. I am sure the Minister for Manufacturing will oblige, but I cannot speak on his behalf, so I will pass that matter on to him.

The SPEAKER — Order! The house is adjourned until the next day of sitting.

House adjourned 4.47 p.m. until Tuesday, 6 May.

