

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Thursday, 8 May 2014

(Extract from book 6)

Internet: www.parliament.vic.gov.au/downloadhansard

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, 8 MAY 2014

BUSINESS OF THE HOUSE

<i>Notices of motion</i>	1527
<i>Adjournment</i>	1528

PETITIONS

<i>Aged-care facilities privatisation</i>	1527
<i>Health system performance</i>	1527
<i>Telford Street–Woods Road, Yarrowonga</i>	1527
<i>Pound Road, Hampton Park, pedestrian crossing</i>	1527
<i>Health practitioner abortion referral</i>	1527

DOCUMENTS

MEMBERS STATEMENTS

<i>Northern Melbourne Institute of TAFE</i>	1528
<i>Australian Jazz Museum</i>	1529
<i>Fairhills High School presentation ball</i>	1529
<i>Great Cloth Diaper Change</i>	1529
<i>Alcoa</i>	1529
<i>Martin Culkin</i>	1529
<i>Peter Cook</i>	1530
<i>Moonee Valley Relay for Life</i>	1530
<i>Essendon Maribyrnong Park Ladies Cricket Club</i>	1530
<i>Community Living and Respite Services Inc.</i>	1530
<i>Adult and community education</i>	1530
<i>Ashwood College</i>	1531
<i>Glen Iris level crossing</i>	1531
<i>Burwood Village Festival</i>	1531
<i>Ashburton Community Fun Day</i>	1531
<i>The Vagina Monologues</i>	1531
<i>Wellington Street, St Kilda, pedestrian crossing</i>	1532
<i>Toorak Village Sculpture Exhibition</i>	1532
<i>German Club Tivoli</i>	1532
<i>Prahran Rhythmic Gymnastics Specialist Centre</i>	1532
<i>Ballarat sporting facilities</i>	1532
<i>One FM 98.5</i>	1532
<i>Mooroopna North West Country Fire Authority station</i>	1532
<i>BMX National Championships</i>	1533
<i>Anzac Day</i>	1533, 1535
<i>Australian Multicultural Foundation</i>	1533
<i>Templestowe Bowling Club</i>	1533
<i>Dandenong High School</i>	1533
<i>Budget</i>	1534, 1536
<i>Gordon Institute of TAFE</i>	1534
<i>Yarrowonga College P–12</i>	1534
<i>Royal Children’s Hospital Good Friday Appeal</i>	1534
<i>GOTAFE</i>	1535
<i>Vermont Secondary College</i>	1535
<i>Forest Hill College</i>	1535

BUILDING LEGISLATION AMENDMENT BILL 2014

<i>Statement of compatibility</i>	1536
<i>Second reading</i>	1545

FINES REFORM BILL 2014

<i>Statement of compatibility</i>	1552
<i>Second reading</i>	1553

APPROPRIATION (2014–2015) BILL 2014

<i>Second reading</i>	1556, 1592
-----------------------------	------------

QUESTIONS WITHOUT NOTICE

<i>Melbourne rail link</i>	1582, 1583, 1586, 1588, 1590
<i>East–west link</i>	1583
<i>Regional and rural investment</i>	1585
<i>Level crossings</i>	1587
<i>Betrayal of Trust</i>	1589
<i>Budget</i>	1591

SUSPENSION OF MEMBERS

<i>Member for Clayton</i>	1585
<i>Member for Kororoit</i>	1586

CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014

<i>Second reading</i>	1601
<i>Third reading</i>	1601

JUSTICE LEGISLATION AMENDMENT BILL 2014

<i>Second reading</i>	1601
<i>Third reading</i>	1601

VICTORIA POLICE AMENDMENT

(CONSEQUENTIAL AND OTHER MATTERS) BILL 2014

<i>Second reading</i>	1601
<i>Third reading</i>	1601

ADJOURNMENT

<i>Yan Yean Road upgrade</i>	1601
<i>Kilmore–Wallan bypass</i>	1602
<i>Clayton South Primary School</i>	1602
<i>Orrong Road, Armadale, development</i>	1603
<i>Kingswood Golf Club site</i>	1604
<i>Tatura energy opportunity study</i>	1604
<i>Cranbourne Secondary College</i>	1605
<i>East Ringwood sporting facilities</i>	1605
<i>Fitzroy Stars Football Club</i>	1605
<i>City of Glen Eira Crown land</i>	1606
<i>Responses</i>	1606

Thursday, 8 May 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 19 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to the house:

Aged-care facilities privatisation

To the Legislative Assembly of Victoria:

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

1. the Napthine Liberal government's move to privatise public sector aged care in Victoria means that Boyne Russell House is at risk of privatisation or closure;
2. despite an ageing population, the Baillieu and Napthine governments have closed public sector aged-care facilities in Ballarat, Castlemaine, Koroit, Kyneton, Melbourne and Williamstown and privatised one facility in Rosebud;
3. the 2012–13 Victorian state budget update foreshadows cuts to public sector aged care of \$25 million in 2014–15 and \$50 million in 2015–16;
4. Mr Napthine's plans to privatise aged care would significantly remove choices for Victorian families.

The petitioners therefore request that the Legislative Assembly of Victoria urgently calls on the Napthine government to stop the privatisation or closure of Boyne Russell House.

By Ms GARRETT (Brunswick) (7 signatures).

Health system performance

To the Legislative Assembly of Victoria:

This petition of the residents of Victoria draws to the attention of the house the crisis in Victorian public hospital patient care services.

The petitioners therefore request that the Legislative Assembly of Victoria take action on five priority policy areas — quality of patient care services, staff shortages, violence in public hospitals especially emergency departments and acute psychiatric units, recurring funding and management arrangements — for government action on service and system reforms.

By Ms GARRETT (Brunswick) (304 signatures).

Telford Street–Woods Road, Yarrawonga

To the Legislative Assembly of Victoria, Moira shire and VicRoads:

Stop accidents at Woods Road and Telford Street, Yarrawonga. Keep our town safe.

For the safety of all residents and visitors to Yarrawonga we need a roundabout on the corner of Telford Street and Woods Road, Yarrawonga, in Moira shire. There have been many near misses and accidents on this corner, and now someone has been seriously injured.

Something needs to be done before more people are injured or killed. Telford Street (Murray Valley Highway) is a very busy road at times, and with an aged-care facility on the corner and primary school on Woods Road and a preschool nearby, a lot of drivers and pedestrians find it very difficult to cross Telford Street safely especially during school times.

We, the undersigned residents and visitors of Yarrawonga and surrounding areas, call on the Moira shire, VicRoads and state government of Victoria to put in a roundabout or traffic lights on the corner of Telford Street and Woods Road, Yarrawonga, for the safety of all residents and visitors.

**By Mr McCURDY (Murray Valley)
(1357 signatures).**

Pound Road, Hampton Park, pedestrian 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 dangerous and hazardous traffic crossing that pedestrians must cross, opposite the Hampton Park Senior Citizens and Bowls Club.

In particular, we note:

1. the large traffic volumes at all times of day along Pound Road;
2. the city of Casey is a fast growing community, with many families moving in and building their homes in new estates, only increasing traffic volumes;
3. the crossing adjacent to Hampton Park Senior Citizens and Bowls Club is not disability friendly or safe for children.

The petitioners therefore request that the Legislative Assembly urges the Napthine government to provide funding to upgrade the crossing adjacent to the Hampton Park Senior Citizens and Bowls Club.

**By Ms GRALEY (Narre Warren South)
(536 signatures).**

Health practitioner abortion referral

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws the attention of the house to consider the case of Dr Mark Hobart who has

been subjected to a Star Chamber inquiry by the Medical Board of Victoria and AHPRA because he was unable to refer the patient to another registered health-care professional whom he knew would not have a conscientious objection to aborting a 19-week-old, healthy baby because it was a girl.

The petitioners therefore request that the Legislative Assembly of Victoria protect the doctors, nurses and allied health professionals in Victoria who care for mothers and their unborn children. No Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral.

By Ms CAMPBELL (Pascoe Vale)
(2071 signatures).

Tabled.

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

Ordered that petition presented by honourable member for Murray Valley be considered next day on motion of Mr McCURDY (Murray Valley).

Ordered that petition presented by honourable member for Pascoe Vale be considered next day on motion of Ms CAMPBELL (Pascoe Vale).

Ordered that petition presented by honourable member for Narre Warren South be considered next day on motion of Ms GRALEY (Narre Warren South).

DOCUMENTS

Tabled by Clerk:

Gambling Regulation Act 2003 — Amendments and Monitoring Licence as amended under s 3.4.59C

National Environment Protection Council — Report 2012–13

Parliamentary Committees Act 2003:

Government response to the Education and Training Committee's Report on the Inquiry into the Extent, Benefits and Potential of Music Education in Victorian Schools

Government response to the Family and Community Development Committee's Report on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 12.

BUSINESS OF THE HOUSE

Adjournment

Ms ASHER (Minister for Innovation) — I move:

That the house, at its rising, adjourns until Tuesday, 27 May 2014.

Motion agreed to.

MEMBERS STATEMENTS

Northern Melbourne Institute of TAFE

Mr BROOKS (Bundoora) — The Naphthine government stands condemned for the damage it is inflicting on the TAFE sector across the state and on the thousands of Victorians who rely on TAFE training. Courses have been cut, fees have gone up and experienced staff have been lost from the system. People in Melbourne's northern suburbs will be horrified to learn that the Northern Melbourne Institute of TAFE (NMIT) is in serious financial strife, reportedly some \$30 million in deficit with the Auditor-General refusing to sign off on its financial statements. Just a few months ago, due to this government's cuts, the Greensborough campus of NMIT was closed. I understand it will now be sold off in a fire sale of assets to prop up this TAFE. The fact that the Naphthine government has caused this to happen and then refused to act to prevent further damage to this once proud TAFE institute is a scandal.

Young people in particular in my community and in places like Diamond Creek and Eltham have been abandoned by this government when they are seeking opportunities to train up and acquire employment skills. Let me make it clear to this desperate government: we will hold it accountable for the damage it has done to TAFE in Victoria, and in particular we will hold it accountable for the closure of the Greensborough TAFE campus and the poisoning of NMIT. The Premier might not care about training and the futures of people in the north-east of Melbourne who rely on TAFE, but Labor does. People in Greensborough and Melbourne's north-east know that with the Naphthine government and the Liberals running the show they are on their own.

The shutdown and sell-off of the Greensborough TAFE campus and the financial gutting of NMIT is clear evidence that the Naphthine government does not care about families in the north-east of Melbourne.

Australian Jazz Museum

Ms VICTORIA (Minister for the Arts) — Last week the world celebrated UNESCO International Jazz Day, with Melbourne tapping its feet at the Knox Community Arts Centre. The ever-popular New Melbourne Jazz Band, led by the ever-young Ross Anderson, kept us entertained, as did the sensational Syncopators and students from the Victorian Jazz Archive. The highlight of the night for me was being given the honour of announcing the archive's name change, which recognises the importance of this Wantirna treasure. Very befitting of the work it does, it is now officially called the Australian Jazz Museum. Congratulations to everyone involved, especially the volunteers who give up hundreds of hours every week to ensure Australia's jazz history is preserved for future generations.

Fairhills High School presentation ball

Ms VICTORIA — When Fairhills High School students put on a presentation ball, it is easy to feel so proud of them and their parents. Last weekend the presentees looked amazing and danced well. Congratulations to all involved, including the hardworking teachers and organisers who ensured a professional outcome for the students and a fun night for all.

Great Cloth Diaper Change

Ms VICTORIA — It is not every day one gets asked to be part of a Guinness world record attempt. The Great Cloth Diaper Change world record attempt, organised in Bayswater by the wonderfully energetic Fiona Ward, was held on 26 April at exactly 11.00 a.m. Thirty participating parents happily changed their cherubs' reusable cloth nappies to be included in the worldwide total. Many cities were staging the exact same event, with the exact same protocols and procedures when the clock struck 11.00 a.m. in their location. We are all now waiting, anxiously, to find out if the standing record of 8301 nappies has been broken. Thanks to all the mums and dads, and especially the bubs who bared it all for this historic occasion!

Alcoa

Ms NEVILLE (Bellarine) — Last Friday I joined the federal member for Corio to meet with a number of Alcoa workers at the Point Henry aluminium smelter. These workers and families are facing a very uncertain future, and they discussed the stress and pressure that so many of them are under. Most of the workers are only weeks away from losing their jobs. As they point out,

there are also many contractors who are about to lose their jobs. However, here we are, weeks away, and there is no coordinated response from the state Napthine or federal Abbott governments.

When the announcement of the closure was made, the Premier visited but he has not been seen or heard from since. In fact both the Premier and the Prime Minister were in Geelong recently, but neither of them bothered to take the time to meet and talk with the workers. The government has failed to put in place any new funds or any strategic plan to support them, to help them with training or to assist them to get new jobs, and this week's budget has nothing in it for them at all. This just confirms the government's lack of concern for these families. If you look at the detail of the budget, there are even further cuts to TAFE, which will have an impact on retraining courses and assistance to get these workers back to work. Tim Gaynor, a pot room operator at Alcoa, said:

We don't begrudge the guys at Ford, but the car industry guys seem to be getting everything thrown at them and they've got two years (until closure); we've only got three months.

The Alcoa workers are not looking for handouts, but they need coordinated, practical support and assistance from government to help them find jobs, get the training they need and get the support for them and their families, as they have done as workers in our community for so long.

Martin Culkin

Mr BAILLIEU (Hawthorn) — I congratulate Martin Culkin for his extraordinary service to Victorian education over more than 40 years, including nearly 25 years as a principal, and in particular I thank him for his magnificent contribution as foundation and first principal of the new Auburn High School in Hawthorn. Having been instrumental over 12 years as principal in the merger of three schools to create the highly successful and groundbreaking Dandenong High School, Martin accepted the challenge to lead the formation of Auburn High School.

In just a short time Martin demonstrated again why he is so highly regarded, setting out a new curriculum, forging a new culture, winning the confidence of prospective parents, students, staff and the wider community. Auburn high is up and running. Its values and aspirations are clear. Its enrolments are rising. It is attracting significant attention. Without Martin Culkin it simply could not have happened. As Martin completes his commitment to that role, I say, on behalf of all Victorians, well done and thank you.

Peter Cook

Mr BAILLIEU — Peter Cook's commitment to community service was never ending. For many years Peter was the secretary and treasurer of the Victorian Highland Pipe Band Association and served on the council of Lilydale Heights College. An accountant, he gave himself to many organisations, but his work with the pipes and drums was as heady as mass pipes can muster. Peter was the go-to man, organiser and heart and soul of the association. I was honoured as the chieftain or patron of the association to meet and support Peter and his passionate endeavours. At the pipe band championships in Ballarat on 12 and 13 April the pipes of Australia paused their stirring sounds in tribute to Peter, who was tragically killed in a motor vehicle accident just a few days before. Our thoughts are with his partner and family.

Moonee Valley Relay for Life

Mr CARROLL (Niddrie) — On Friday, 28 March, and Saturday, 29 March, I participated in the City of Moonee Valley's Relay for Life held at the Aberfeldie athletics track in my electorate. Relay for Life is a fundraising initiative of Cancer Council Victoria, with funds raised going towards education, awareness and support of and research into cancer.

By way of brief background, Relay for Life originated in the United States in 1985 when Dr Gordy Klatt, a colorectal surgeon, spent a gruelling 24 hours running and walking around a local oval. His purpose was to raise awareness about cancer and raise money. From those beginnings, Relay for Life events are now held in more than 600 communities across 20 countries. In Australia Relay for Life commenced in 1999, when the Victorian community of Murrumbidgee raised over \$75 000 for the cancer council. Today Relay for Life events are run in every state and territory and raise more than \$14 million each year for the cancer fight.

The Moonee Valley Relay for Life had more than 60 teams taking part, and Cancer Council Victoria recently advised that the 2014 Moonee Valley relay raised over \$214 000, which is a great achievement. Congratulations Moonee Valley relayers on a job well done. It was a huge success and fundraising effort. Bring on 2015!

Essendon Maribyrnong Park Ladies Cricket Club

Mr CARROLL — On Friday, 4 April, I attended the Essendon Maribyrnong Park Ladies Cricket Club's annual presentation and awards night. The Essendon

Maribyrnong Park Ladies Cricket Club is the world's oldest continuing women's cricket club, forming as the Essendon Ladies Cricket Club in 1905 and then merging with the Maribyrnong Park Women's Cricket Club in 1981. Special mention to the office-bearers for 2013–14, including president Lisa Gale, vice-president Erini Gianakopoulos, secretary Mary McCormick, sponsorship coordinator Julie Jones, treasurer Bernadette Brasher and general committee members Candace Hulett, Kristen Beams and Emily McIntyre. Well done to all club members and players on a successful last season of cricket and best wishes to the Essendon Maribyrnong Park Ladies Cricket Club for the coming season.

Community Living and Respite Services Inc.

Mr WELLER (Rodney) — It gives me great pleasure to rise today to pay tribute to Community Living and Respite Services Inc. in Echuca. Community Living and Respite Services is a non-government, not-for-profit organisation supporting on a regular basis 350 people with a disability. The organisation has been providing services to the community for the past five years. For three years it has been fundraising for a home which will provide 24-hour support for people with high-support needs and two units for people with disability who need assistance to build skills and resilience prior to moving into open-market housing. The organisation has invested \$215 000 in land and has been fundraising for a further \$700 000 to build. It has \$150 000 left to raise.

Volunteers in the community have contributed significantly to this project. I have been very pleased to make representations to the Minister for Mental Health, who found some money through schemes to assist with sprinklers so the premises will be protected against fire. The government has been supporting the service, which is very good. The Department of Human Services provided recurrent funding for provision of support for people living in the house and contributing to the fire safety system, which is required. Community Living and Respite Services recognises that people with a disability are disadvantaged and this project aims to provide these people with secure housing.

Adult and community education

Mr HERBERT (Eltham) — Earlier this year I surveyed the adult and community education (ACE) sector. I surveyed around 500 ACE providers on how they were standing up to the Napthine government's training subsidy cuts. The results were staggering. For those opposite who avoid visiting their local ACE provider I indicate that these institutions provide vital

training for some of our community's most needy people: migrants, refugees, women wanting to return to work, those with a disability, early school leavers and street kids. They often offer them their only chance to get back on the road to success.

The sector is in absolute crisis with many providers on the verge of closing shop. We found that 59 per cent of providers have major concerns about their financial viability; 56 per cent will have to cut courses; 27 per cent will have to cut jobs; and 73 per cent are bogged down enormously with almost half their staff working on compliance and red tape put in place by this government. Providers such as Mountain District Learning Centre, which is in the electorate of the Minister for Higher Education and Skills, have had to turn away desperate young people who want to give themselves a chance to succeed by doing the Victorian certificate of applied learning, and many of them are still on the street. Over 50 have been turned away this year alone.

Morrison's Education and Childcare Services, in your electorate, Speaker, was one of the largest employers in Mount Evelyn, but it closed in April. Shepparton ACE College in the middle of The Nationals heartland has had to abandon its training cafe, which was a blow to the 200 or so students, many of whom are homeless and just wanting a chance to get a job. That facility closed on Christmas Eve. The list goes on across the state. Those opposite who sit on their comfy leather chairs say, 'Oh, well. So be it'.

Ashwood College

Mr WATT (Burwood) — This week was a great week for the residents of the electorate of Burwood, in particular for the students, parents and teachers of Ashwood College. This week's budget means that we will be able to finish the Ashwood College rebuild. I wish to put on the record my thanks to principal Kerrie Croft, acting principal Anna Kukuruzovic and vice-principals Debra Gibson and Jo Henriksen for their years of advocacy. I am proud that this rebuild has been fully funded under a coalition government and thank the Minister for Education for his support on behalf of all the residents of the Burwood community.

Glen Iris level crossing

Mr WATT — I recently joined the Treasurer, the Minister for Public Transport, the member for Caulfield and the member for Bentleigh for the announcement regarding funding for the removal of level crossings, particularly at Burke Road in Glen Iris. Removal of this level crossing will be a great boon for the people of my

electorate as it causes traffic congestion which banks up along the freeway and up High Street, Glen Iris, and mostly back towards the BP service station.

Burwood Village Festival

Mr WATT — On Saturday, 3 May, I attended the Burwood Village Festival. It was a great opportunity to speak to a number of community groups in my electorate, including Burwood Neighbourhood House, Burwood Uniting Church, St Benedict's Primary School, Wattle Park Primary School, Wattle Hill Kindergarten, Lynden Park Scouts, Burwood Tennis Club and the Lions Club of Boroondara Central, and many more. I congratulate the organisers from the Burwood Village Traders Association.

Ashburton Community Fun Day

Mr WATT — The Ashburton Community Fun Day was held on 6 April. I joined a number of community groups in my electorate, including Alamein Neighbourhood House, Ashburton Community Residents Association, Ashburton Soccer Club, Ashburton Community Gardens, Lac Viet senior performing group and a number of others.

The Vagina Monologues

Ms KANIS (Melbourne) — I was delighted and a little bit nervous to be invited to take part in the VDay Melbourne Legal 2014 performance of Eve Ensler's *The Vagina Monologues*. It was a terrific experience, with nearly \$15 000 raised for CASA House and VDay. I thank all the participants who willingly gave up their time, particularly our director, Bridgette Burton, and assistant director, Marissa Bennett. It was because of their great skills that the performance was a success.

I also thank our very inspirational producer, Karen Abraham, who did everything to get this performance up and running and to ensure that it was a successful evening. I also acknowledge and thank RMIT University for its sponsorship and for providing Storey Hall for the performance free of charge, which meant that all the ticket proceeds could go to charity.

The other performers on the night were Dr Renata Alexander, Patricia Athanasiadis, Hilary Bonney, Moira Rayner, Prani West, Dr Kylie Weston-Scheuber, Dr Beth Wilson and of course me. It was great to see legal people getting behind this great performance to raise much-needed funds.

Wellington Street, St Kilda, pedestrian crossing

Mr NEWTON-BROWN (Pahran) — It was a pleasure to attend the official opening of a new pedestrian crossing on Wellington Street near the St Michael's Grammar School science and technology building in St Kilda. Congratulations to Tony and Virginia Browne of the St Kilda Junction Area Action Group and to school principal Simon Gipson, who campaigned tirelessly for this initiative. It will help to ensure student safety and slow traffic speeds in the area.

Toorak Village Sculpture Exhibition

Mr NEWTON-BROWN — I recently attended the opening of the Toorak Village Sculpture Exhibition in Toorak. This exhibition links the arts with local businesses to form a unique cultural experience. This year marks the 13th year of the exhibition, where Australian artists display their sculptures in Toorak Village shop windows and arcades and along the sidewalks of Toorak Road. The exhibition runs until 15 June, and I encourage everyone to take a wander to view the works any time, day or night.

German Club Tivoli

Mr NEWTON-BROWN — Congratulations to German Club Tivoli in Windsor on celebrating its 154th anniversary. With more than 900 members, Club Tivoli is dedicated to the preservation of German culture through song, ethnic dance and the development of German language skills. I commend Club Tivoli on its services to the German community.

Pahran Rhythmic Gymnastics Specialist Centre

Mr NEWTON-BROWN — It was great to recently meet with Alexander Bogatyrev from the Pahran Rhythmic Gymnastics Specialist Centre and to visit the centre on the occasion of the state championships. The Pahran Rhythmic Gymnastics Specialist Centre trains people at all levels of rhythmic gymnastics, with a strong accent on getting kids onto the world stage of gymnastics. I wish the club continued success in the future, and I offer my congratulations to the medal winners at this event.

Ballarat sporting facilities

Mr EREN (Lara) — This government has turned its back on Ballarat and has proved it is out of touch when it comes to regional Victoria. Time and again the government has failed to commit the funding required for regional sporting facilities. Victoria is renowned for

its sporting communities. We thrive on sport; it is an essential part of our culture and identity. Sports and recreation are at the centre of many regional communities. It is essential that regional sport be encouraged and supported in order to guarantee its longevity.

The Eureka Stadium sporting precinct has been crying out for money since the 2010 election. This arrogant government has not bothered to fund this project that Ballarat desperately needs. Unlike the Napthine government, the Labor Party has continually supported local-level sports, and the funding of this precinct is testament to that. After visiting Ballarat on a number of occasions at the request of the great local advocates, the members for Ballarat West and Ballarat East, we listened to and acted on their needs.

I, along with the local members, was very pleased when the Labor opposition, led by the member for Mulgrave, announced \$31.5 million for major sporting infrastructure upgrades in the Ballarat region. This development will see facilities upgraded, new basketball and netball courts built, and AFL-grade lighting and new video scoreboards installed, amongst other amenities. The Ballarat community needed this project four years ago, and this government needs to follow our lead. Only Labor is committed to this project, and it appears only Labor can deliver it as this government has overlooked Ballarat in its budget yet again.

Congratulations to all involved in this project. Well done to the members for Ballarat East and Ballarat West, who have persistently advocated for this project.

One FM 98.5

Mrs POWELL (Shepparton) — My husband, Ian, and I, along with The Nationals candidate for the seat of Shepparton, Greg Barr, and his wife, Susan, were delighted to be invited to celebrate 25 years of broadcasting by community radio station One FM 98.5. My congratulations go to past and present board members, including the current chairperson, Mary Smith, and John and Lida Harbord, and all the presenters and volunteers, past and present.

Mooroopna North West Country Fire Authority station

Mrs POWELL — On Sunday, 6 April, I represented the Minister for Police and Emergency Services in officially opening the new Mooroopna North West Country Fire Authority station and handing over the keys to a replacement four-wheel-drive tanker

with the latest firefighting safety equipment and technology. I commend brigade captain Craig Goodwin and former captain Tom Dumaresq and the firefighters for their commitment to their community.

BMX National Championships

Mrs POWELL — On Thursday, 1 May, I attended the 2014 Subaru BMX National Championships, along with The Nationals candidate for the seat of Shepparton, Greg Barr, to watch 1370 riders compete at the wonderful BMX track in Shepparton. I congratulate all the riders and in particular the three Shepparton riders — Tayla Robertson, Mason Baldi and Shaun Cuthbert — who won national titles. What a great effort by these wonderful Shepparton riders.

It was reported that this week-long event brought almost \$8 million to the local economy. I commend the organisers and everyone involved in this wonderful event. This is a great venue in Shepparton, and it is the second time Shepparton has hosted the championships. Well done to everybody.

Anzac Day

Ms GARRETT (Brunswick) — I rise to acknowledge the Brunswick electorate's honouring of Anzac Day this year. The events began on Thursday, 24 April, with an event jointly hosted by Brunswick Secondary College and the Medical Association for the Prevention of War titled 'Anzac eve reflection, an event for peace'. This was a beautiful and moving event with music, speeches, singing, poetry and moments of silence in which the Brunswick community reinforced its commitment to seeking a more peaceful world.

On Anzac Day evening I, along with many colleagues, including the members for Thomastown, Broadmeadows and Narre Warren South, attended a commemorative Anzac Day dinner hosted by the Turkish RSL in Sydney Road, Brunswick. This was a fitting and solemn occasion that strengthened the common bond between our two countries' histories, Anzac heritage and futures. It was a privilege to be there.

Finally, on Sunday, 27 April, I attended the Anzac service at the Coburg RSL and laid a wreath in honour of the fallen. Once again, this was a moving and fitting event. I acknowledge the ongoing outstanding work of the Coburg RSL in the Brunswick and Coburg communities.

These three events reinforced the Brunswick community's commitment to seeking a more peaceful world, honouring those who have made the ultimate

sacrifice for our community and looking after those who have returned home.

Australian Multicultural Foundation

Mr KOTSIRAS (Bulleen) — I pay tribute to the Australian Multicultural Foundation, which has as one of its aims and objectives 'To cultivate in all Australians a strong commitment to Australia as one people drawn from many cultures and by so doing to advance its social and economic wellbeing'. Special mention must go to Dr Hass Dellal, the executive director of the foundation, for his leadership role and his passion in relation to bringing people together to understand each other and to ensure that we continue to live in peace and harmony, but even more so for organising this year's Diversity Matters Forum with the theme 'Preserving culture and heritage through generations', which is a vital ingredient for a bright future for any nation.

Anzac Day

Mr KOTSIRAS — I also pay tribute to the Rotary Club of Templestowe and in particular Graham Kane, its coordinator, for once again organising a successful annual schools Anzac memorial service. With more than 700 students and over 70 staff from local primary and secondary schools in attendance, the service was a great success.

Templestowe Bowling Club

Mr KOTSIRAS — The Templestowe Bowling Club was established in 1948 and has grown and become very successful over the years. It is a great club because of the community spirit and friendship it encourages and its ability to promote social cohesion and community harmony. I thank every single member of the club for engaging the community as a whole and bringing people together in friendship.

Dandenong High School

Mr PANDAZOPOULOS (Dandenong) — Whilst many members gloat about their success in gaining funding for schools in their electorates, it is another sad year for schools in Dandenong, which have been waiting for years for funding from this government to continue the good work of the previous government in rebuilding schools. Earlier the member for Hawthorn rightly acknowledged the great work of Martin Culkin and referred to the Dandenong High School project. Martin's project is only three-quarters complete because this government has not funded it despite supporting the project. The Minister for Education has

showcased and highlighted this unique project, yet the government cannot find the money to fund the last stage of Dandenong High School.

They can find money like the \$18 million for a school in Frankston which, as the member for Frankston said, did not even know it was getting the funding and did not ask for it. We have heard that from many other schools, and I think the Auditor-General should have a look at this. We have schools in Dandenong with a master plan that is ready to go, yet schools across the state are getting funding without even knowing about it. That is absolutely ridiculous. I am very disappointed that in this election year the government has played postcode politics par excellence. The people of Dandenong know that the only way they get school funding or any other type of funding is when Labor governments are in office, and I know that they will be supporting that later this year.

Budget

Mr BLACKWOOD (Narracan) — The Victorian coalition government's 2014–15 state budget is great news for Victoria and for Narracan. The state budget delivers a once in a generation investment of up to \$27 billion in infrastructure to create jobs, drive economic growth and boost productivity. For families and businesses throughout West Gippsland, there are a number of measures to strengthen our local community. These include the \$30 million Princes Highway east interchange at Sand Road, Longwarry, and \$40 million for the regional connectivity program that will provide free wi-fi on V/Line train services and fix mobile phone black spots. The budget builds upon initiatives already announced, including: the \$2 billion to \$2.5 billion Cranbourne-Pakenham rail corridor project, which will result in more reliable train services along the Gippsland line, thanks to signalling upgrades; \$13.5 million for the rollout of new tasers to all 24-hour police stations across regional Victoria, including Warragul and Moe; \$73 million to expand the Latrobe Regional Hospital; and the \$26 million Warragul rail precinct upgrade.

By rebuilding Victoria's finances and keeping the economy strong, the coalition has been able to advance key infrastructure initiatives across the state, including those from the \$1 billion Regional Growth Fund. The Regional Growth Fund has provided more than \$9 million in 42 projects in the Baw Baw shire, leveraging more than \$33.5 million in investments. This is in stark contrast to the risk that the Leader of the Opposition and Labor pose to Victoria's economy and prosperity. Victorians cannot afford more Labor cost blow-outs like the desalination plant and myki.

Gordon Institute of TAFE

Mr TREZISE (Geelong) — I recently had the pleasure of attending the launch of the Gordon Institute of TAFE strategic plan for the next four years in Geelong. With me was the member for Lara, together with Labor candidates Christine Couzens and Andy Richards. I have to say that the government was also represented by some of its local MPs. These political hypocrites sat at the front with a couple of their Liberal political wannabes, and I can assure those members that the hypocrisy of the government members politely applauding proceedings when they have slashed TAFE funding was not lost on those who sat behind them.

Of course the Minister for Higher Education and Skills was welcomed to Geelong and the Gordon very respectfully, but I can assure the minister that even though he made no mention of the elephant in the room in his speech, everybody in that room was well aware of it. Over the life of this government it has slashed more than \$17 million from Gordon TAFE, with the result that nearly 200 positions have been made redundant. At a time when thousands of Geelong manufacturing workers will be in desperate need of retraining, everyone at that launch knew that it was the sacked Gordon TAFE staff who should have been providing that training. Yes, the minister was respectfully welcomed to the Gordon TAFE to launch its strategic plan, but the damage his government has caused to the institution will not be forgotten. Just to reinforce this government's total lack of commitment to TAFE colleges, this budget sees them being savagely slashed by another \$100 million-plus.

Yarrawonga College P-12

Mr McCURDY (Murray Valley) — What a great job Yarrawonga College P-12 students did to welcome the Deputy Premier and me to the school last Thursday to announce funding for the school! From the moment of arrival the students were there to guide visitors to car parking facilities, greet us at the door and offer food and drinks to us and other guests. The pride they showed in their school, their presentation and their respect are to be commended. We were able to give them the great news that the school would receive \$7.6 million in funding, which they were extremely pleased about. They then promptly followed the instructions of their principal to return to class and continue their lessons. Well done, Yarrawonga.

Royal Children's Hospital Good Friday Appeal

Mr McCURDY — Congratulations to the Wangaratta community on an outstanding fundraising

achievement for this year's Royal Children's Hospital Good Friday Appeal. Wangaratta recorded the second-highest regional total across the state, with donations totalling \$160 226. My son Malcolm has undergone open-heart surgery twice in his life — once at four months old and again at six years old — and my family is very close to the Royal Children's Hospital. Boorhaman, a small community in the Murray Valley, last year contributed \$17 500, which is not bad for a community of 25 people. That works out to be \$700 a head for the appeal.

Anzac Day

Mr McCURDY — Anzac Day was a well-celebrated day in the Murray Valley electorate. I attended the Yarrowonga dawn service, and if you ever want to see a magnificent sight, be there as the sun rises over Lake Mulwala. Do not take my word for it — ask the 2500 people who were also there!

GOTAFE

Mr McCURDY — Students in the Murray Valley electorate continue to impress me, with the official opening of the \$2.16 million vocational education and training facility at GOTAFE Wangaratta. The automotive students have some fantastic equipment and technology. We all know the importance of a good mechanic, and it is terrific to deliver education to a community when real jobs lie at the end of it.

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

Anzac Day

Mr DONNELLAN (Narre Warren North) — I want to recognise various institutions that celebrated Anzac Day this year, specifically Oatlands Primary School which has been doing this for over a decade and undertakes an incredibly dignified ceremony. It is led by Fiona Jamieson, who plays the bagpipes and runs the choir and the like. I notice the member for Prahran was there this year and was quite impressed with the quality of the choir and the way it sang the Australian and New Zealand national anthems and *God Save the Queen*. The choir did a marvellous job. Funnily enough, this school set the trend locally, so now a whole lot of other secondary schools have taken up ceremonies.

I also want to congratulate Fountain Gate Secondary College. It has been doing Anzac Day ceremonies for 13 years, and it undertook this year's service with great dignity. I note that Major General David McLachlan

was able to attend, and we have to be very grateful for the time people give to attend these events, because it gives them a bit of gravitas. I want to congratulate those people.

Separately I want to congratulate the Dandenong RSL for the work it does and the great ceremonies it runs in Dandenong. Its representatives attended both these school ceremonies, and it obviously has its own ceremony on Anzac Day, which is also a marvellous ceremony.

Vermont Secondary College

Mr ANGUS (Forest Hill) — I recently had the great pleasure of welcoming the Premier to a school in my electorate of Forest Hill, namely Vermont Secondary College. The Premier was there to make a terrific announcement of \$2.7 million in funding to enable the college to build a new science wing and administrative facilities. I thank the college principal, Mr Tony Jacobs, his staff and the school leaders for hosting this important visit. I look forward to working with the college to see these new facilities established and available for students in years to come.

Forest Hill College

Mr ANGUS — I recently had the great pleasure of welcoming the Premier and Minister for Education to a school in my electorate — namely, Forest Hill College. The Premier and minister were there to make a fantastic announcement of \$2.1 million in funding to enable the college to revamp various classrooms, administrative facilities and recreational areas. I thank the college principal, Mr David Rogers, his staff and the school leaders for hosting this important visit. I look forward to working with the college to see these new facilities established and available for students.

Anzac Day

Mr ANGUS — Last month I was very pleased to attend and participate in a range of events as part of the annual Anzac Day activities. These events included the annual Blackburn RSL sub-branch march and service, the Rotary Club of Whitehorse schools Anzac Day service and the dawn service held by the Blackburn RSL sub-branch. I was pleased to be able to lay wreaths on behalf of the residents of the electorate of Forest Hill. The crowd at the dawn service in Blackburn was the largest I have seen, with this service being followed by a hearty breakfast back at the clubrooms. Once again I wish to congratulate and thank the numerous volunteers from the Blackburn and Box Hill RSLs and the Rotary Club of Box Hill for organising these events.

Budget

Mr ANGUS — Last Tuesday was a great day for all Victorians, with another financially responsible and problem-solving state budget being handed down by the Victorian coalition government. I congratulate the Premier and all the ministers, in particular the Treasurer, the Assistant Treasurer and the Minister for Finance for all their hard work. It is a great outcome for all Victorians, with a budget that addresses many of the key infrastructure projects required — —

The SPEAKER — Order! The member's time has expired. The time for making statements by members is now over.

BUILDING LEGISLATION AMENDMENT BILL 2014

Statement of compatibility

Ms ASHER (Minister for Innovation) 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 Building Legislation Amendment Bill 2014.

In my opinion, the Building Legislation Amendment Bill 2014, 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 amends the Building Act 1993, the Architects Act 1991, the Domestic Building Contracts Act 1995 and other acts to implement the government's Victorian Domestic Building Consumer Protection Reform Strategy and make several other reforms to building-related legislation.

The purposes of the bill are relevant to:

amend the Architects Act 1991 (Architects Act) to improve the operation of that act;

amend the Building Act 1993 (Building Act) to:

improve the regulation of building practitioners;

make changes to the building permit system;

provide for the functions, conduct and appointment of building surveyors;

enhance enforcement powers including powers of entry and information-gathering powers; and

improve the operation of the Building Act; and

amend the Domestic Building Contracts Act 1995 (DBCA) to provide for new processes for the

conciliation of domestic building disputes and rectification of domestic building work.

Human rights issues

1. Human rights protected by the charter act that are relevant to the bill

The right to equality

Section 8(3) of the charter act provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

Clause 58 will insert new sections 148 and 148A into the Building Act, which provide a number of mandatory criteria that the Victorian Building Authority must apply when determining an application by a natural person for registration as a building practitioner. One criterion is that they must not be an 'excluded person' for registration under new section 148F. Section 148F(1)(g) provides that an excluded person is a person who is a represented person within the meaning of the Guardianship and Administration Act 1986 (guardianship act). A represented person is a person subject to a guardianship or administration order under the act. Persons subject to such orders are persons with disabilities who are unable to make reasonable judgements about certain matters.

Additionally, clause 49 will insert new sections 83 and 83B into the Building Act. New section 83(1)(b)(iii) provides that the authority may direct an employer of a private building surveyor to transfer the carrying out of functions to another private building surveyor engaged by the employer if the private building surveyor currently carrying out those functions has become a represented person within the meaning of the guardianship act. New section 83B(1)(e) provides that the authority may appoint a manager for a private building surveyor's business where the private building surveyor has become a represented person within the meaning of the guardianship act, and where the authority is of the opinion that it is necessary to make the appointment in order to protect the interests of other persons.

In my view, these new sections do not limit the right to equality. A represented person is an excluded person under section 148F because of his or her inability to make reasonable judgements about certain matters, rather than because of his or her disability. Similarly, a represented person who is a private building surveyor may have functions transferred to another building surveyor or may have a manager appointed, due to the fact that the represented person cannot carry out those functions or manage his or her business. Accordingly, these new sections do not discriminate against represented persons.

The right to privacy

Section 13 of the charter act provides that a person has the right not to have his or her privacy unlawfully or arbitrarily interfered with.

The right to privacy is relevant in relation to a number of the provisions in the bill. However, for the reasons set out below, none of the provisions in the bill limit this right.

Applications for registration and police record checks

Clause 6 will insert a new section 9(2)(ca) into the Architects Act, providing that an application for registration as an architect must be accompanied by an authorisation signed by the applicant for the conduct of a police record check on the applicant. New section 10A (inserted by clause 7) empowers the authority to conduct the police records check. A natural person is eligible to be registered as an architect if he or she is of good character (section 10 of the Architects Act). The new provisions will assist the authority in determining whether or not a person meets the eligibility criteria in section 10. A person's criminal history is relevant to whether or not a person can be regarded as being of good character. Consequently, any interference caused to a person applying to be registered as an architect by requiring the person to consent to a police record check is neither unlawful nor arbitrary. The requirement is clear and necessary in order to properly determine whether a person is of good character. Additionally, a person can apply to VCAT for review of a decision to refuse to register the person as an architect under section 42 of the Architects Act.

Clause 58 will insert new a section 147A(e) into the Building Act which provides that an application for registration as a building practitioner must be accompanied by an authorisation signed by the applicant for the conduct of a police record check. New section 148G provides that the authority may arrange for the conduct of a police record check and conduct financial and other checks on a person for the purpose of considering whether the person meets the relevant personal or financial probity criteria or any other criteria provided for in the regulations. New section 148D provides that the personal probity criteria that must be taken into account include whether the person has been convicted or found guilty (whether in Victoria or outside Victoria) of any offence involving fraud, dishonesty, drug trafficking or violence that was punishable by imprisonment for six months or more. The personal probity criteria also includes whether the person has been convicted or found guilty of an offence under any law regulating building work or building practitioners. New section 148E(a) and (d) provide that, among the financial probity criteria that must be taken into account when considering registration, are the criteria of whether the person is or has been bankrupt and whether the person has failed to pay a penalty, fine or other amount required to be paid under the Building Act or DBCA.

The right to privacy is relevant to these new sections in clause 58 in respect of persons applying for registration as a building practitioner by requiring such persons to consent to police record and financial checks, and then requiring the authority to take into account the personal information of such persons when determining whether or not the personal probity criteria and financial criteria are met.

A person who receives a registration to be a building practitioner will be authorised to engage with consumers by providing building services, including entering the private residences of consumers where required. Registered building practitioners will also often require consumers to expend considerable financial resources before a building project has been completed. In order to ensure the proper protection of consumers, it is important that registration is only granted to persons who meet the personal probity and financial criteria. Furthermore, police record and financial checks will only be conducted where a person applying for a registration has provided authorisation (new section 147A(e)). Additionally, a

person can seek review by VCAT under part 11 of the Building Act of the decision of the authority to refuse to register the person. For these reasons, any interference to the right to privacy that may occur by way of the operation of the new sections in clause 58 related to police record and financial record checks will be neither unlawful nor arbitrary.

Registers of building practitioners and disciplinary action

Clause 58 will insert a new section 154 into the Building Act, which provides that the registrar of the authority must keep a register of building practitioners. The register must include the names and categories and classes of registration of all persons currently registered.

This register is available publicly to ensure that the public can obtain information about the registration of registered building practitioners.

Clause 58 will also insert a new section 163 into the Building Act, which provides that the registrar must also keep a register of disciplinary action that records the details of persons subject to disciplinary action. New section 163A sets out when the registrar is able to record the information on the register and provides that the information about a disciplinary or criminal sanction is to remain on the register until the expiry of five years after the sanction ceases to have effect. New section 163B provides that the authority must publish the register of disciplinary action on an internet site established by the authority.

The register may interfere with the right to privacy of building practitioners that are natural persons to the extent that it contains personal information.

The purpose of the register of building practitioners and register of disciplinary action is to ensure that consumers have up-to-date information readily available to them in order to make informed decisions before engaging building practitioners to undertake building work. A consumer engaging a building practitioner must place trust in that practitioner, as it will often be necessary to allow the building practitioner to come into the consumer's home and for the consumer to commit to significant financial expenditure. Consequently, it is reasonable and necessary for consumers to have access to such information. Therefore, the provision of such information is not arbitrary. Additionally, since it is clear what information will be included on the registers and how long such information will be available, the provision of such information is also not unlawful. For these reasons, I consider that the publication of personal information on these registers will not limit the right to privacy.

Access to and disclosure of personal information

Several clauses of the bill authorise persons to have access to, and to disclose in certain circumstances, personal information.

Clause 49 will insert new section 83R, providing that a manager of a building surveyor's business must not disclose information except so far as it is necessary for exercising the manager's powers or function. Clause 87 will insert a new section 232L into the Building Act to provide that an authorised person must not, except to the extent necessary, give to any other person whether directly or indirectly any information gained in the exercise of the powers as an authorised person. Clause 100 will substitute section 259A, which prohibits disclosure of certain information possibly including personal information, and section 259B into the

Building Act, which allows the sharing of information by the authority with other government bodies. Clause 150 will insert new section 137N(2) into the Building Act, which provides that the authority must at the request of the Victorian Managed Insurance Authority provide information it requires in relation to a builder's registration and disciplinary or other action taken in respect of the builder. Clause 125 will substitute section 25A and insert sections 25AB and 25AC of the Building Act to provide that, in certain circumstances, the owner of a building or land must give a relevant building surveyor written notice of, amongst other things, a building practitioner's registration details. Clauses 122, 125 and 137 will insert new sections 18AA, 25AD and schedule 2A into the Building Act, which provide that a relevant building surveyor must give certain information to the authority before and after the issue of a building permit, including personal information such as an applicant's name and address.

All of these provisions are appropriately circumscribed so as not to authorise any arbitrary interferences with the right to privacy through the disclosure of personal information. They also will all operate within the clear parameters set out in each section and so will not allow any unlawful interferences. Further, safeguards on the improper use of information contained in section 259A of the act will apply. For these reasons, I consider that these new sections will not limit the right to privacy.

Powers of entry and search

Several clauses of the bill will authorise certain persons to enter places, including private residences, and to undertake searches and will potentially interfere with the right to privacy of residents. I note though that these powers are directed to obtaining information relevant to the performance of functions by authorised persons responsible for monitoring and enforcing compliance with the Building Act and by a manager of a private building surveyor's business, as opposed to private information.

The bill contains a number of clauses which permit entry without a warrant to residential and non-residential buildings and land.

Clause 49 will insert a new section 83I into the Building Act to empower a manager of a private building surveyor's business to enter and remain on or in land or buildings used for or in connection with the surveyor's business during normal business hours or otherwise with consent.

Clause 87 will insert new section 231, which provides that an authorised person may enter any building or land for the purpose of carrying out any inspection authorised or required by the Building Act or regulations. An authorised person must inform the occupier of the residence or land of the purpose of the inspection either before entering the building or land or before obtaining consent to do so.

New section 231A deals with entry without consent or warrant for monitoring purposes. It provides that, for the purpose of monitoring compliance with the Building Act or regulations or an order made by a court or tribunal under the act or regulations, a prescribed authorised person may enter and search any building or land at which the person believes on reasonable grounds a person is conducting a business relating to the building or plumbing industry or keeping a record or document that is required to be kept by the act or regulation or that may show whether the act or regulations are

being complied with. A prescribed authorised person can also take certain actions upon entry, such as seizing things, taking samples, requiring a document to be produced for examination, making copies of a document, removing a document, or making any recording. The power to enter and search must not be exercised in or on any part of the building or land that is used for residential purposes, and must be exercised between the hours of 8.00 a.m. and 6.00 p.m., or when the business is open. If this power of entry is exercised without the owner or occupier being present, the authorised person must leave a notice setting out the details of the entry.

New section 231B concerns the use or seizure of electronic equipment and provides that where entry has occurred under section 231A, and the prescribed authorised person finds a thing in or on the building or land that is or includes a disc, tape or other device, and there is equipment that may be used with the device, the prescribed authorised person may operate, or may require an occupier of the building or land to operate, the equipment to access the information.

New section 231C relates to entry and search with consent to find evidence of contravention. It provides that if an authorised person has reasonable grounds for suspecting that a person has contravened the act or regulations, the authorised person: may enter and search the building or land and inspect and take photographs; make sketches; seize things; examine, take and keep samples; and require documents to be produced. Before entry occurs under section 231C, section 231D requires that an authorised person must not enter and search any building or land unless, before the occupier consents to the entry and search, the authorised person has informed the occupier of both the purpose of the search and that the occupier may refuse to give consent to the entry and search or seizure of anything found during the search, or may refuse to consent to the taking of samples, or any copy or extract from a document.

New section 231O provides that an authorised person may enter a building or land without a search warrant at any time if the safety of the public or the occupants is at risk or an emergency order under part 8 applies to the building or land or an emergency plumbing order under section 221ZZF applies to the building or land. An authorised person can also take certain actions upon entry (such as seizing things or taking samples) where there is immediate danger or a risk of significant damage to property. If an authorised person believes on reasonable grounds that it is necessary to do so, the authorised person may: require a document to be produced for examination; make copies of a document; remove a document; or make any recording. If an authorised person exercises a power of entry under this section in the absence of the owner or occupier the authorised person must, if reasonably practicable, on leaving the building or land, leave a notice setting out the details of the entry.

Clause 174 will insert a new section 48D into the DBCA, which provides that an inspector may enter a building site at which work is being carried out at any reasonable time and may inspect any part of the building site. If the site is still being used as a residence while the building work is being carried out, the inspector may only enter between the hours of 8.00 a.m. and 6.00 p.m. and after giving the occupier of the residence at least 24 hours notice that the inspector intends to enter the building site, unless the inspector enters with written consent of the owner. New section 48E(2) provides that an inspector may take photographs (including videorecordings)

or make sketches of the building site or domestic building work being examined.

Additionally, new sections 231F and 231M in clause 87 authorise search and entry with a warrant to find evidence of contravention and to monitor compliance with an embargo notice issued under section 231K, being a notice issued to restrict the way in which a person can deal with a particular object.

In my view, while the exercise of the search and entry powers contained in the above clauses may interfere with the privacy of an individual in some cases, any such interference will not be arbitrary. The purpose of the entry and inspection powers is to ensure compliance with the regulatory scheme, which is designed to protect consumers from unsafe practices and unscrupulous operators.

The search and entry powers are strictly confined and contain a range of safeguards as described above. Entry will either occur where consent has been provided, where a warrant has been obtained, or in emergency circumstances. Entry will facilitate inspections of buildings that benefit the owners of those buildings by ensuring their buildings are safe and built to the required standard. In all cases, owner and occupiers will be informed of the entry. In these circumstances, I am of the opinion that any interference with privacy caused by the operation of these provisions will be lawful and not arbitrary.

Powers to obtain information, documents and evidence

Clause 86 will insert new sections 227G and 227H into the Building Act. New section 227G will provide that an authorised person may, by notice in writing, require a person to provide information or produce documents to monitor compliance with the act or the regulations, or to assess the person's fitness to continue to practise as a registered building practitioner. New 227H will provide an authorised person with the power to require a person to provide information, documents or evidence relating to a matter that constitutes or may constitute a contravention of the act, or that may assist in the assessment of the person's fitness to continue to practise as a registered building practitioner. Further, new section 230 provides that an authorised person (other than a prescribed authorised person, who can seek information using sections 227G and 227H) who believes that the person may have contravened the act or regulations may, to the extent that it is reasonably necessary to determine compliance with the act or regulations, require a person to give information or produce documents.

Clause 87 will insert new sections into the Building Act requiring persons to provide information and documents in certain circumstances. The new section 229 provides that a prescribed authorised officer may apply for a court order requiring a person to provide information if the authorised officer believes that the person may have contravened the act or regulations.

New section 231L provides that an authorised person may apply to the court for an order requiring the owner of a thing to which an embargo notice relates or the occupier of the building or land where the thing is kept to answer questions or produce documents.

New section 232 provides that an authorised person who exercises a power of entry to a building or land may, to the extent that it is reasonably necessary to determine compliance

with the act or regulations, require a person to give information orally or in writing and to produce documents.

Clause 174 will insert a new section 48F into the DBCA. It provides that an inspector who enters a building site under section 48D may require a person to give information, produce documents and give reasonable assistance in order to determine whether domestic building work is defective.

New section 49M being inserted into the DBCA, which provides that the authority may require any party to a domestic building work dispute to provide the authority with any information the authority requires for the purpose of considering a request to amend or cancel a rectification order.

Not all information required under these clauses will be of a private nature. However, insofar as these provisions do require disclosure of private information, there is no arbitrary or unlawful interference with the right to privacy because of the need to comply with clearly articulated requirements. Access to information evidencing non-compliance or breach of the regulatory scheme allows the effective administration of the Building Act and related legislation. The provisions are circumscribed in their scope and can only operate to compel the provision of information in the specific circumstances outlined in the sections.

I therefore consider that any interference with the right to privacy resulting from these provisions will be neither unlawful nor arbitrary.

The right to property

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

Orders to carry out or stop work

Clause 40 will substitute section 37 of the Building Act. The existing section 37 allows a relevant building surveyor, or person acting on behalf of the relevant building surveyor, to issue directions to a person in charge of building work to carry out work to make the work compliant. The new section 37 will require owners to be notified of directions, allow for times to be specified for bringing work into compliance and will require the authority and council to be notified if the work is not brought into compliance.

Clause 49 will insert a new section 83H into the Building Act, providing a manager of a private building surveyor's business with various powers, including to accept engagement by and carry out work on behalf of new clients, and to complete any existing work of the business.

Clause 58 will insert a new section 155 into the Building Act, providing that disciplinary action against a building practitioner includes directing the practitioner to do, or to give an undertaking to do, a specified thing, including to complete or rectify specified building work; or to not to do a specified thing.

Clause 150 will insert a new section 137KG into the Building Act, providing that a fund manager may require a claimant to comply with any reasonable directions of the fund manager in

relation to the rectification or completion of domestic building work.

Clause 174 will insert a new section 47 into the DBCA providing that the authority may by written notice to the builder require the builder to stop domestic building work. New section 48E provides that an inspector may cause any domestic building work to be demolished, open or cut if reasonably required to facilitate an examination. New section 48J provides that an inspector, in conducting an examination, may conduct any test reasonably required to facilitate carrying out of an inspection. Such tests may have the potential to cause damage to property.

Clause 174 will also insert a new section 49 into the DBCA, which provides that the authority can issue a rectification order to a person. New section 49C(1)(a) provides that such an order can require the person to take action to rectify defective domestic building work, rectify any damage caused in the carrying out of domestic building work or complete the domestic building work.

It is possible that an order issued under one of the above clauses may result in the deprivation of property. However, as any deprivation of property will only occur in the limited circumstances provided for in these clauses, and for the purposes of properly regulating the building industry and protecting consumer safety, any such deprivation will not be unlawful.

Seizure of documents and other items

As outlined above, several clauses of the bill authorise the seizure of documents and other items in certain limited circumstances. These include new sections contained in clauses 86 and 87. Similarly, clause 49 authorises a manager to take possession of documents.

These clauses precisely confine the circumstances in which property may be seized or otherwise taken possession of for the purposes of monitoring and investigating compliance with the regulatory scheme. Consequently, any deprivation of property which occurs as a result of the operation of new sections contained within these clauses authorising the seizure of documents and other property will be lawful and therefore will not limit section 20 of the charter act.

Embargo notice

Clause 87 will insert a new section 231K into the Building Act, providing that a prescribed authorised person executing a search warrant under the new section 231F may issue an embargo notice. A person must not then sell, lease, transfer or otherwise deal with the thing to which the embargo notice relates. It is possible that the operation of this section could lead to a deprivation of property. However, as any such deprivation can only occur in clearly circumscribed circumstances, any such deprivation will be lawful and will not limit section 20 of the charter act.

Restrictions on selling building, home or land

Clauses 149 will substitute section 137B, and clause 150 will insert new sections 137EA and 137F. These provisions provide that it is an offence in certain circumstances for certain persons (including owner builders) to enter into a contract to sell a building or home without a report containing prescribed information and without the required insurance or fund coverage; and for a person to enter into a contract to sell

land if the contract provides for or contemplates that construction of the home will be completed before completion of the contract. To the extent that restrictions on entering into contractual relations regarding the sale of buildings, homes or land may be considered a deprivation of property, any such deprivation is for the purposes of consumer protection and can only occur in clearly circumscribed circumstances. Any such deprivation will therefore be lawful and will not limit section 20 of the charter act.

Remedies and legal proceedings

Clause 178 will insert a new part 5A into the DBCA, which contains a range of orders which a court can make, including the issuing of cease trading injunctions. To the extent that orders made under this part deprive a natural person of property, any such deprivation will be lawful, as it will occur following a court order.

Right to a fair hearing

Section 24(1) of the charter act provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. A number of clauses in the bill are relevant to this right, but in my view the bill does not impose any limits on the right to a fair hearing.

Restrictions on the bringing of proceedings

Certain clauses in the bill affect the circumstances in which a person may bring legal proceedings in relation to particular matters or against certain people.

Clause 19 will insert a new section 84 into the Architects Act that provides that an entitlement to an immunity under current section 56 of the Architects Act continues to apply to a member of the Architects Registration Board of Victoria or to the former registrar. The liability arising from the immunity will attach to the authority. This maintains an existing entitlement, rather than creating a new entitlement.

Clause 49 will insert new section 83K into the Building Act, which provides that no liability attaches to the authority, a manager of a private surveyor's business, or a person acting at the direction of the manager, in respect of any act or omission by the manager or the person done in good faith and in the exercise or purported exercise of the manager's functions under the division. New section 83B provides that a manager may be appointed if the authority is of the opinion that it is necessary to make the appointment in order to protect the interests of other persons in the following circumstances: the private building surveyor has requested the appointment of a manager; the private building surveyor's registration has been suspended or cancelled; the private building surveyor has died; the private building surveyor is in prison; the private building surveyor has become a represented person within the meaning of the Guardianship and Administration Act 1986; the private building surveyor has become an insolvent under administration or, in the case of a body corporate, is subject to external administration within the meaning of the Corporations Act; or the private building surveyor has otherwise ceased to perform the functions of a private building surveyor.

Clause 58 will insert a new section 163C into the Building Act that provides that the authority, any commissioner and

any member of staff of the authority are not liable in any way for any loss, damage or injury suffered by another person by reason only of the publication of the register of disciplinary action.

In other jurisdictions it has been found that a broad statutory immunity from liability which imposes a bar to access to the courts for persons seeking redress against those who enjoy the immunity may breach the fair hearing right.

However, any implied right of access to the courts is not an absolute right. Even if these clauses do limit the right set out in section 24, such limits are reasonable and justifiable under section 7(2) of the charter act. The immunities are designed to protect the public interest in the maintaining the independence of officials who perform regulatory and administrative functions. The provision of immunities in these clauses supports independent decision making in relation to the carrying out of necessary regulatory functions and accordingly does not unjustifiably limit section 24(1) of the charter act.

Clause 52 will substitute an existing immunity contained in section 127 with new sections 127 and 127A. New section 127 provides that a commissioner or any person appointed or engaged by the authority is not liable for anything done or omitted to be done in good faith in carrying out a function under the Building Act or Architects Act or the DBCA. Instead, any liability resulting from an act or omission that would, but for this section, attach to a commissioner or person appointed or engaged by the authority attaches instead to the authority. New section 127A provides that a member of a public authority or any person appointed or engaged by a public authority is not liable for anything done or omitted to be done in good faith in carrying out a function under the Building Act or regulations in the reasonable belief that the act or omission was in the carrying out of a function under this act or the regulations. Instead, any liability resulting from an act or omission that would, but for this section, attaches to a member of a public authority or a person appointed or engaged by a public authority attaches instead to the public authority.

Clause 174 will insert a new section 46I into the DBCA, that provides that a domestic building dispute conciliator is not personally liable for anything done or omitted to be done in good faith in the exercise of a power or the discharge of a duty, or in the reasonable belief that the act or omission was in the exercise of a power or the discharge of a duty. Any liability that would attach to a conciliator instead attaches to the authority.

These sections do not remove available causes of action, but instead shift liability to either the authority or to a public authority. In my view, these clauses do not impose a bar to accessing courts and consequently do not limit the right to a fair hearing.

Clause 58 will also insert a new section 162B that provides that a person is not liable in any way for any loss, damage, or injury suffered by another person by reason only that the first person lodged a complaint with the authority in relation to a registered building practitioner or produced or gave a document of any information or evidence to the authority for the purposes of this part. In my view, this new section also does not limit the right to a fair hearing. Its purpose is to ensure that individuals can make complaints and comply with their statutory obligations without fear of being subject to

defamation proceedings. The authority is subject to confidentiality requirements, so consequently complaints and information provided to the authority will not impact on a person's reputation given that such things will not be made public until such time as a formal finding, if any, is made against the person. It is unlikely that a person would have a cause of action in defamation in respect of a complaint made to the authority, or information provided to the authority. Accordingly, new section 162B does not limit the right to a fair hearing.

Open court

Clause 108 will insert a new schedule 3A into the Building Act, which contains a new clause 13(3)(e). Clause 13(3)(e) provides that the authority may conduct a hearing in private if it considers it in the public interest or the interest of justice to do so but must otherwise hold its hearing in public. The Building Appeals Board already has an equivalent power. Clause 13(3) therefore replicates that power for the authority when it assumes the functions of Building Appeals Board.

To the extent that section 24(1) of the charter act applies to proceedings conducted by the authority, and to the extent that private individuals will be affected by these provisions as opposed to corporations, clause 13(3)(e) limits the right to a public hearing. However, any limitation is reasonable and justifiable given that a hearing can only be held in private if it is in the public interest or the interest of justice to do so.

Further, clause 112 also makes a consequential amendment to section 128E of the Casino Control Act 1991, so that matters affecting the Melbourne casino site or temporary casino site are treated as closed hearings. This reflects that currently, the Building Appeals Board must hold closed hearings with respect to such matters. The amendment is a consequence of the replacement of the Building Appeals Board by the authority and VCAT as the bodies responsible for reviews and dispute resolution under the Building Act. The intent of section 128E is to maintain the confidentiality of the plans of the casino and in particular, the location of security devices and is therefore for the benefit of the Melbourne casino. Further, the Melbourne casino is operated by a body corporate. The charter act is expressed to apply only to persons who are human beings under section 6(1).

Right to freedom of expression

Section 15(2) of the charter act provides that every person has the right to freedom of expression. Section 15(3) of the charter act provides that special duties and responsibilities are attached to the right to freedom of expression and that the right may be subject to lawful restrictions reasonably necessary to respect the rights of other persons or for the protection of national security, public order, public health or public morality.

Offence to use particular titles

Clause 58 will insert a new section 138 into the Building Act, which prohibits a person who is not registered in the appropriate category or class from taking or using certain titles, or holding out as being registered or qualified to carry out work as a building practitioner.

It may be that the right to freedom of expression extends to certain kinds of commercial expression. However, commercial expression is of less importance than either political or artistic expression. Restrictions on commercial

expression are likely to be subject to less scrutiny generally on the basis that commercial expression serves a private, rather than a public, interest. Also, as with other forms of expression, commercial expression is subject to section 15(3) of the charter act. In these cases, the provision aims to protect consumers from being misled and so is necessary for the protection of the public interest.

In light of the fact that new sections 138 and 137DA serve to protect consumers from being misled by persons in the building industry who are not appropriately registered, qualified or appropriately covered by the fund, these provisions do not in my view limit the right to freedom of expression. They do not fall within the protected scope of section 15(2) of the charter act, or in the alternative, they fall within the exceptions to the right in section 15(3) of the charter, as reasonably necessary to respect the rights of other persons and for the protection of public order and public health.

Right to be presumed innocent

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

Evidential onuses

Clause 174 will insert new section 48D into the DBCA, which provides that an inspector appointed to examine building work may enter a building site at which the work is being carried out and may inspect any part of the building site. Section 48I provides that it is an offence for a person to, without reasonable excuse, hinder or obstruct an inspector exercising any power conferred by this section.

Clause 87 will insert new section 232E into the Building Act, which provides that it is an offence to, without reasonable excuse, refuse or fail to comply with a requirement of an authorised person under division 2 of part 13 of that act.

Clause 96 will amend existing section 244 of the Building Act, which presently provides that it is an offence to, without reasonable excuse, obstruct any person or body carrying out any function or taking any action authorised or required under the act or regulations. Clause 96 will broaden section 244 to provide that it is also an offence to hinder any such person or body and will increase the penalty for an offence under that provision.

In my view, new sections 48D and 232E, and amended section 244, do not transfer the legal burden of proof, because once the defendant has adduced or pointed to some evidence, the burden is on the prosecution to prove the absence of the exception raised. Courts in other jurisdictions have generally taken the approach that an evidential onus on a defendant to raise a defence does not limit the presumption of innocence. The defences of reasonable excuse that are provided relate to matters within the knowledge of the defendant and, if the onus were placed on the prosecution, would involve the proof of a negative which would be very difficult.

Consequently, even if these provisions were found to limit the right to be presumed innocent in section 25(1) of the charter act through imposing evidential onuses on defendants, the

limitation would be reasonable and justifiable under section 7(2) of the charter act.

For these reasons, I consider that it is appropriate for an evidential burden to be placed on a defendant in these instances.

2. *Human rights that are limited by the bill*

Right to equality

Section 8(3) of the charter act provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

Suspension or cancellation of licence due to physical or mental infirmity

Clause 58 will insert a new section 160 into the Building Act, providing the authority with the power to decide to suspend a person's registration for not more than three years or cancel the person's registration if it is satisfied that a registered building practitioner is incapable of practising as a building practitioner because of physical or mental infirmity. This decision is a reviewable decision under new division 3 of part 11.

The new section 160 limits the right to equality by operating to suspend a person's registration because of physical or mental infirmity. However, the limitation is reasonable and justifiable under section 7(2) of the charter act for the following reasons. It is important for safety reasons that a building practitioner be mentally and physically capable. Otherwise, the safety of consumers, other building users, people working with the practitioner and the practitioner themselves may be at risk. A suspension can only last for three years, allowing the issue to be revisited regularly to assess whether the circumstances of a building practitioner have changed. Additionally, the decision to cancel or suspend registration under this section is reviewable.

Section 8(2) of the charter act provides that every person has the right to enjoy his or her human rights without discrimination.

Disabled access to buildings

Clause 58 of the bill will insert a new section 171C into the Building Act providing that an application may be made to the authority for a determination that an access provision of the regulations does not apply, or applies with modifications or variations. This section largely reproduces the existing section 160B in the act. It is just that now applications will be made to the authority instead of the Building Appeals Board. An application must be made on the ground that compliance with the access provision of the building regulations would impose unjustifiable hardship on the applicant. The authority is to take into account all relevant circumstances of the particular case, including detriment reasonably likely to be suffered by persons with disabilities or other building users or affected persons from non-compliance. Given all of the factors the authority must take into account in making a determination under this section, as well as its consistency with national laws regarding disability access, in my view the section does not limit the right to equality in section 8(2) of the charter act.

Right to freedom of association

Section 16(2) of the charter act provides that every person has the right to freedom of association with others.

Clause 58 will insert new sections 148 and 148A into the Building Act, which provide a number of mandatory criteria that the authority must apply when determining an application by a natural person for registration as a building practitioner. One criterion is that they must not be an 'excluded person' for registration under new section 148F. A person is an excluded person under subsections 148F(e) and (f) in certain circumstances where an associate of the person has had their registration cancelled.

An 'associate' is defined in clause 20 to mean 'a person who exercises a significant influence over the person or the operation or management of the person's business'.

While sections 148 and 148A do not directly restrict a person from associating with other persons, they may potentially deter an applicant from associating with particular people if to do so would lead to a failure to be registered as a building practitioner.

However, the purpose of these sections is to prevent an associate of a person, who exercises significant influence over the person or the management of the person's business, from using the person to gain the privileges granted once the person is registered as a building practitioner, despite not being suitable to be registered themselves. I do not consider that there are any less restrictive means available to address this issue. While this may lead to persons wishing to apply for registration restricting associations with particular people, the restriction is proportionate to the end being sought to be achieved, being preventing unsuitable persons from gaining registration by default.

For these reasons, the limitation to section 16(2) of the charter act is reasonable and justifiable within the meaning of section 7(2) of the charter act.

Right to protection against self-incrimination

Section 25(2)(k) of the charter act provides that a person who has been charged with a criminal offence has the right not to be compelled to testify against himself or herself or to confess guilt. It is also an aspect of the right to a fair trial protected by section 24 of the charter act. This right under the charter act is at least as broad as the privilege against self-incrimination protected by the common law. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

Direct use and derivative use immunity

Clause 86 inserts a new section 227G into the Building Act which empowers an authorised person to require a person, whom the authorised person believes is capable of assisting in monitoring compliance, to provide the authorised person with information or documents and to appear before the authorised person. It is an offence to refuse or to fail to comply with a notice issued pursuant to section 227G, and to knowingly provide information or give evidence that is false or misleading. A person is not excused from answering a question, providing information or producing or permitting the inspection of a document required on the ground that the

answer, information or document may tend to incriminate that person. However, the answer by a person to any questions asked in a notice under this section, or the provision of any information or any documents produced are not admissible in any proceedings other than proceedings under this provision.

New section 227H provides that if an authorised person believes that a person is capable of providing information, producing documents or giving evidence relating to a matter that constitutes, or may constitute, a contravention of the Building Act, or that may assist in the assessment of a person's fitness to continue to practise as a registered building practitioner, the authorised person may by notice in writing require that person to provide information, to produce documents or to appear before the authorised person. It is an offence to refuse or to fail to comply with a notice issued pursuant to section 227H, and to knowingly provide information or give evidence that is false or misleading. A person is not excused from answering a question, providing information or producing or permitting the inspection of a document required on the ground that the answer, information or document may tend to incriminate that person. However, the answer by a person to any questions asked in a notice under this section is not admissible against the person in any criminal proceedings other than proceedings under section 227H.

New section 232 provides that an authorised person exercising a power of entry may require a person to give information, produce documents and to give reasonable assistance to the authorised person. New section 232E provides that a person must not, without reasonable excuse, fail to comply with the requirement of an authorised person. New section 232F provides that it is a reasonable excuse for a natural person to refuse or fail to give information or do any other thing that the person is required to do if the giving of the information or the doing of the thing would tend to incriminate the person.

New sections 227G, 227H, 232E and 232F, thus abrogate the privilege against self-incrimination. However, the sections provide a direct use immunity by prohibiting the use of answers, information, and, in the case of section 227G, documents, from being admissible in evidence against the person in any other criminal proceedings. Neither sections 227G or 227H, or section 232F, apply to 'derivative' use, which is when, as a result of the compelled statement, further evidence is uncovered that incriminates the maker of the statement. This means that such further evidence is permitted to be used in a criminal prosecution against the person, which arguably limits the right against self-incrimination.

However, I am of the view that any such limitation is reasonable under section 7(2) of the charter act for the following reasons. The privilege against self-incrimination prohibits the state from compelling an individual to assist in proving that they have committed an offence, prevents oppressive government conduct, ensures the reliability of evidence, and protects privacy. However, a lack of derivative use immunity is capable of justification in a regulatory context. The statutory purpose underlying the limits to the right against self-incrimination in sections 227G, 227H, 232E and 232F is to enable authorised persons to monitor compliance with the Building Act and to investigate potential contraventions. The effective monitoring of compliance and the investigation of potential contraventions are necessary to

adequately protect consumers from detriment resulting from non-compliance with the regulatory scheme.

The availability of a derivative use immunity to counter the compulsory information-gathering powers would limit the ability to monitor compliance with, and investigate contraventions of, the bill. Derivative use immunity would also place an excessive and unreasonable burden on the prosecution to prove that evidence it sought to tender in criminal proceedings against a person claiming the immunity was not obtained either directly or indirectly from the questioning of a person under these provisions.

Granting immunities in a regulated commercial context to individuals most likely to be questioned and exposed to criminal and civil penalties leads to protracted investigations, and those responsible for wrongdoing and misconduct may escape liability. The limitation on derivative use immunity addresses this issue by allowing authorised persons to effectively monitor compliance with the regulatory scheme without jeopardising the success of any proceedings which may be brought after all relevant information concerning a person's activities have come to light.

The availability of derivative use immunity, far from being a proper and balanced counterweight to the compulsory information-gathering powers, would give some persons a forensic advantage far in excess of what was ever contemplated under the privilege against self-incrimination. Accordingly, there are no less restrictive means reasonably available to achieve the purpose of this limitation.

Therefore, I am of the opinion that sections 227G, 227H, 232E and 232F are compatible with the right not to be compelled to testify against oneself and the right to a fair trial in ss 25(2)(k) and 24(1) of the charter act.

Documents exception to the privilege against self-incrimination

Section 227H provides that answers or information provided in compliance with a requirement issued by an authorised person are not admissible in any criminal proceedings other than proceedings under section 227H. However, section 227H does not extend to documents which an authorised person can require to be produced under this section. Similarly, the protection in new section 232F does not extend to documents.

The privilege against self-incrimination generally covers the compulsion of documents or things which might incriminate a person. However, at common law the protection accorded to the compelled production of pre-existing documents is considerably weaker than the protection accorded to oral testimony or to documents that are brought into existence to comply with a request for information.

These sections enable authorised persons to monitor compliance with the Building Act, investigate potential contraventions, and protect consumers from detriment resulting from non-compliance with the regulatory scheme. The duty to provide these documents is consistent with the reasonable expectations of these individuals as persons who operate within a regulated scheme. Moreover, it is necessary for authorised persons to have access to documents to ensure the effective administration of the regulatory scheme.

There are no less restrictive means available to achieve the purpose of enabling authorised persons to have access to relevant documents. Therefore, I consider that sections 227H

and 232E are compatible with the right not to be compelled to testify against oneself and the right to a fair trial in sections 25(2)(k) and 24(1) of the charter act.

Right to freedom of movement

Section 12 of the charter act provides that every person lawfully within Victoria has the right to move freely within Victoria.

As outlined above, clause 86 and 87 of the bill insert new sections 227G, 227H, 229A and 231L into the Building Act.

I note that to the extent that a person may be required to appear before and/or give evidence to an authorised person at a particular place and time in accordance with those provisions, the Bill may limit the right to freedom of movement in s 12 of the charter act. To the extent that this right is limited, I consider that the limit is minor in nature and clearly justifiable in accordance with section 7(2) of the charter act for the same reasons outlined above.

Right to be presumed innocent

Clause 87 will insert a new section 231K into the Building Act, providing that a person who knows that an embargo notice relates to a thing must not sell, lease, move, transfer or otherwise deal with the thing or any part of the thing. It is a defence to a prosecution for an offence against this section to prove that the accused moved the thing or the part of the thing for the purpose of protecting and preserving it.

The right to be presumed innocent is an important right that has long been recognised under the common law. However, the courts have held that it may be subject to limits, particularly where, as here, the offence is of a regulatory nature, and the defence is enacted to enable a defendant to escape liability.

The purpose of imposing a legal burden for this provision is to ensure the effectiveness of enforcement and compliance with the Building Act by enabling the offence to be effectively prosecuted and to thus operate as an effective deterrent and protection of the public.

The limit is imposed only in respect of the defence. The prosecution would first have to establish the elements of the offence. Although an evidential onus would be less restrictive than a legal onus, it would not be as effective because it could be too easily discharged. The inclusion of a defence with a burden on the accused to prove the matters on the balance of probabilities achieves an appropriate balance of all interests involved.

Accordingly, in my view, the limitation imposed on the right to be presumed innocent by this section is reasonable and justifiable in accordance with section 7(2) of the charter act.

Robert Clark, MP
Minister for Finance

Second reading

Ms ASHER (Minister for Innovation) — I move:

That this bill be now read a second time.

Speech as follows incorporated into *Hansard* in accordance with resolution of house:

Victoria's domestic building industry is vital not only to our economy but to the quality of life of all Victorians who want to build or renovate their home.

The majority of domestic building projects in Victoria are completed to a high standard and to the satisfaction of consumers. However if things go wrong, the regulatory system needs to respond quickly and in a fair and balanced way for both consumers and building practitioners. For these reasons, we have committed to support both consumers and builders through improvements to the consumer protection framework and the regulatory system.

This bill delivers on the government's commitments outlined in the Victorian Domestic Building Consumer Protection Reform Strategy released in May 2013 to provide a fairer and more effective building system that will benefit consumers and building practitioners and will give all Victorians confidence in the domestic building industry into the future.

This bill amends the Building Act 1993, the Domestic Building Contracts Act 1995 and the Architects Act 1991 and introduces the most significant reforms to the building system since the introduction of the current Building Act.

The foundations for this bill commenced in July last year with the establishment of the Victorian Building Authority, or VBA, as the new regulator for the building and plumbing industries. The new governance arrangements required to support the reforms contained in this bill are now in place. We now have a regulator focused on regulating and on readying itself to take on the next tranche of reforms.

The primary objectives of the bill are to improve the efficiency of the domestic building process and the accountability of its building practitioners. The bill will improve the protections offered to domestic building consumers through amendments to building practitioner registration requirements, strengthened and expanded disciplinary measures and sanctions and a focus on early intervention and dispute prevention. The bill will also provide easier access to information for consumers about building practitioners. If disputes do occur, there will be improved dispute resolution mechanisms, binding on both builders and consumers, to deal with disputes quickly and effectively. The bill also establishes a domestic building consumer protection fund with considerable improvements over current domestic building insurance.

The bill will make the VBA a truly integrated regulator for the building sector with the transfer of the powers and functions of the Architects Registration Board of Victoria, Building Practitioners Board and the Building Appeals Board to the VBA.

Measures that respond to the recommendations of the Victorian Auditor-General and the Victorian Ombudsman are also included in the bill. These measures include improvements to the building permit application process, the

levy collection system and the regulation of building surveyors, clarification of the roles and responsibilities of building surveyors and local government and improved powers for the regulator to deliver effective regulation.

I will now outline the major provisions of the bill.

Building permits system and regulation of building surveyors

The system of issuing building permits by a building surveyor and the regulation and monitoring of building surveyors plays a key role in domestic building consumer protection, particularly in preventing disputes from arising by ensuring building work is completed in accordance with relevant laws and standards.

The bill introduces a range of reforms that will expand the powers and responsibilities of building surveyors to enforce the requirements of the Building Act and building regulations.

Certification that all documents have been lodged with local government

The Victorian Auditor-General's Office found that there are significant gaps in the documentation lodged by building surveyors at councils providing little assurance that building surveyors have carried out their responsibilities effectively and that they are adequately upholding and enforcing building and safety requirements. Information must be lodged with councils as they have a responsibility for monitoring and enforcing the Building Act in their municipality. I will outline more about the roles and responsibilities of local government shortly.

To address this finding and assist building surveyors, the bill introduces a requirement that a building surveyor must, within seven days after issuing a building permit, lodge a form, to be approved by the VBA and to certify on it that all documentation required by the Building Act to be lodged with council has in fact been lodged with council. As the form will be similar to a checklist this should make it easier for a building surveyor to ensure they supply all the required information to council, together with the requirement for formal certification, will lead to an improved level of compliance by building surveyors.

Failure to certify, or incorrect certification, will be an offence and grounds for discipline.

Information statement

A key aim of the reform program is to improve consumer awareness of the proper function of a building surveyor. The important role of the relevant building surveyor, to independently certify that building work meets the required minimum building standards, is generally poorly understood by domestic building consumers.

Indeed it is often the case that domestic building consumers have their builder appoint the building surveyor on their behalf and may not even know the identity or contact details of the relevant building surveyor.

To redress this situation, for domestic building work needing a building permit, building surveyors will be required to provide consumers with a VBA-approved information statement before accepting appointment as the relevant building surveyor for that work. The information will be able

to be given to the consumer by an agent but not if the agent is a builder.

It is anticipated the information statement will explain:

that it is the owner who is responsible for engaging the building surveyor;

the role of the building surveyor in issuing the building permit and performing mandatory inspections;

the importance of the building surveyor exercising his or her statutory functions in an independent manner; and

the choices a consumer has when considering who to engage as the relevant building surveyor.

Having well-informed consumers can act as a deterrent for inappropriate commercial relationships to develop between building surveyors and builders.

Code of conduct

The bill also introduces the ability for the VBA to establish or approve a code of conduct for building surveyors. The code, once established, will be published in the government gazette and will be made readily available to all building surveyors. It will establish clear standards of professional conduct that are expected of building surveyors in Victoria. It will also be publicly accessible allowing consumers to be well informed about the required standards of conduct.

The code will be able to cover matters similar to those covered in the code of conduct for building certifiers in Queensland. Areas that are intended to be covered include: acting in the public interest, complying with legislative requirements, avoiding conflicts of interest, not performing functions outside competence or area of expertise and similar matters.

There will be consultation with the building surveying industry on contents of the code.

Not complying with the code will result in disciplinary action.

Registration of building surveyor corporations and partnerships

Currently building permits can only be issued by an individual natural person registered as a building surveyor.

The bill introduces more flexibility in this arrangement that will benefit both consumers and building surveyors.

Firstly, it allows for corporations to be registered as a registered building practitioner, and secondly, it allows for the delegation of the functions of a private building surveyor.

Under current arrangements if an individual building surveyor working for a corporation leaves their employment, his or her open permits must go with them. This means little to no value accrues in building surveyor corporations. If a building surveyor leaves the state, consumers are required to seek approval from the VBA to change building surveyors. In many cases this creates significant delays as other building surveyors are often reluctant to take on the liability of an open permit.

Under this reform registered building surveyor corporations will retain open permits providing consumers with a better service.

The corporation will need to nominate up to three individuals who are appropriately registered to perform the relevant building surveyor functions. This will also give the registered building surveyor company greater accountability for delivering the statutory requirements and ensuring that at all times a consumer's building work is being overseen by a registered building surveyor. It also minimises delays because of sickness, leave or other absences from work.

The capacity for a registered building surveyor corporation to be appointed as the relevant building surveyor will commence on the first anniversary of the commencement date of the bill.

Delegations for leave

Building surveyors who are sole practitioners, like everybody else, take holidays, or sick leave. Under current arrangements there is no process for them to delegate their functions to another building surveyor when they require leave of absence. In practice this probably results in some unlawful delegation of functions. The bill therefore provides a process whereby functions can be lawfully delegated on a time-limited basis.

This is also an important red tape reform and part of the government's response to recommendations from the red tape commissioner.

Providing continuity of relevant building surveyor functions for consumers

Problems can arise for consumers if a building surveyor stops performing their functions as it can be difficult to find a replacement building surveyor who is willing to take on the work of the previous surveyor. The circumstances in which this can occur are wide ranging and include suspension, death or insolvency to name a few.

In some instances this has resulted in the VBA being declared as the municipal building surveyor to complete the work. However this process is very time consuming and labour intensive for the regulator and can lead to delays in building projects proceeding.

The bill therefore introduces new procedures to deal with problems that arise when a building surveyor is not able to continue functioning.

The VBA will be given power to require a business that employed the surveyor who has stopped working to transfer the work to another surveyor within the business or to provide information about open permits to the VBA so that the VBA can appoint a manager to complete the permit at the cost of the business.

Where a manager is appointed, the business will be required to meet the costs of this management. These provisions are based upon the Legal Profession Act 2004 and similar legislation.

Section 37 directions

Currently section 37 of the Building Act enables a relevant building surveyor to direct a person in charge of building work (often a registered building practitioner) to carry out work so that the building work complies with the building

permit, the act or regulations. If a builder fails to comply with a direction the relevant building surveyor can issue a building notice or ultimately a building order for the work to be brought into compliance. However, these notices and orders can only be issued to an owner. This can mean that the owner is held responsible for something that the builder should have rectified.

The power to direct is fundamental to the work of a building surveyor to ensure that all building work complies with minimum building and safety standards. The bill therefore provides that a person who is given a direction must comply with it and if a registered builder fails to comply, this will be a ground for discipline. The amendments to this section also include requirements that a relevant building surveyor:

- advise the homeowner of any directions;
- set a time for the building practitioner to bring the work into compliance (with a capacity to extend time); and
- advise the VBA and local government of any non-compliance with the direction.

Provisions will also make it clearer who constitutes a person in charge of building work.

These amendments are designed to ensure increased compliance with directions by registered building practitioners, to provide earlier intervention to prevent disputes arising and to provide greater transparency for owners.

Issuing of building permits and payment of building levy

A significant shortcoming of the existing building permit levy collection system is that it is currently very difficult to determine whether all levies due have in fact been received by the VBA. This has resulted in shortfalls in the amount of levy collected. The issue was raised by the Victorian Auditor-General who also raised the retention of levies for working capital by some building surveyors as significant factors contributing to these shortfalls.

To address this issue, the bill provides that the VBA must issue a building permit number to the relevant building surveyor before the relevant building surveyor can issue a building permit. The building permit number will only be issued by the VBA after all the required information and the building levy payment has been received by the VBA.

In due course the VBA will invoice the applicant for the building permit directly eliminating the need for the relevant building surveyor to be paid the levy to be passed on to the VBA. The relevant building surveyor will then need to record the building permit number issued by the VBA on the building permit.

The current monthly reporting of building matters by relevant building surveyors will be replaced by requirements to provide information ahead of the issuing of the building permit as 'real time reporting' and within five days of important events occurring during the building process. The new information requirements will provide better information about building activity that is occurring in Victoria and better data upon which the VBA can base its auditing activities. As these proposed amendments require IT system changes there will be staged implementation.

VBA power regarding building levy

The VBA will also be given powers to re-assess building permit levy and to assess levy on illegal building work, eliminating the anomalous situation where a person who did not seek a building permit where one was required could also avoid paying building permit levy. This power will be in place from the commencement date.

Clarifying local government responsibilities

Under section 212 of the Building Act, a local council is responsible for administration and enforcement of certain parts of the Building Act in its municipal district. These parts are part 3 — Building permits, part 4 — Inspection of building work, part 5 — Occupation of buildings and places of public entertainment, part 7 — Protection of adjoining properties, and part 8 — Enforcement of building standards. The Victorian Auditor-General has recommended that these responsibilities be clarified.

This bill will amend the Building Act to make it clear that, even where a private building surveyor is appointed as the relevant building surveyor for work within the municipality, the local council will be responsible for administration and enforcement of the aforementioned parts of the Building Act in its municipal district. The responsibility for monitoring private building surveyors will remain with the VBA.

The VBA and local government have been working on a strategy to improve coordination around building control issues including the monitoring of private building surveyors by the VBA. Following consultation with councils and municipal building surveyors across Victoria, it has become apparent that there is a high level of support for the government to mandate that each council should have in place a building control plan. A building control plan would be a document, adopted by a council, which would set out the manner in which that council intends to exercise its responsibility for administration and enforcement of the aforementioned parts of the Building Act. The government intends to address this issue in future legislation.

Registration

The performance of the Building Practitioners Board has been criticised by both the Victorian Auditor-General and the Victorian Ombudsman. Clearly this separation of registration from regulation is not working.

This bill provides for the abolition of the Building Practitioners Board and the transfer of its responsibilities for registration and discipline of building practitioners to the VBA. This bill provides the VBA with the tools to properly regulate and deliver its statutory obligations to monitor and enforce compliance with the Building Act and regulations providing better outcomes for consumers and better support for the industry.

Registration of domestic building corporations

Currently only natural persons can be registered under the Building Act.

This contrasts with other Australian states that allow registration of corporations as registered building practitioners. Most domestic building contracts are entered into by corporations and most domestic building insurance policies are issued to corporations. Given these realities it is

desirable that, subject to appropriate conditions, corporations wishing to enter into domestic building contracts should be required to be registered as building practitioners under the Building Act.

A corporation registered as a domestic builder will be required to have one or more directors who are personally registered to enable registration of the corporation.

These provisions will place greater accountability on domestic building corporations, as they will then be subject to discipline and they will be required to be registered in order to be covered by domestic building insurance or the compensation fund.

It is not intended at this stage to extend the requirement for registration to commercial corporations or to domestic building corporations that build residential high rise and do not enter into domestic building contracts, although these corporations will be eligible to seek registration under the act if they wish to.

Partnerships

Qualified individuals will be able to register in their capacity as a member of a partnership. If a partnership has at least one person registered in this capacity, the partnership will be able to hold itself out as a registered building practitioner. This arrangement will allow greater probity checking of members of the partnership.

A partner whose partnership wishes to enter into a domestic building contract will need to be registered in his or her capacity as a member of a partnership in order to be covered by insurance or the fund.

Registration requirements

Registration requirements will change for all registered building practitioners. Apart from prescribed qualifications, skills and experience, after a transitional period, practitioners will be required to satisfy personal and financial probity tests. This will replace the more subjective 'good character' test.

The personal probity test will involve consideration of whether a person has been convicted of a relevant offence or relevant breach, and will also take account of any disciplinary action taken against the practitioner. The financial probity test will consider issues like insolvency, failure to pay penalties or fines, or instances where the practitioner has had his or her insurance or fund cover declined or cancelled.

The requirement of eligibility for insurance will be removed as a registration requirement for domestic builders when the fund is in place, but appropriate cover will still be required in order to commence each particular domestic building project.

During a transitional period between 1 July 2014 and 1 July 2015 all currently registered practitioners will be 'grandfathered' across to the new registration system without having to satisfy the new financial and personal probity tests. New applicants for registration after 1 July 2014 will need to satisfy the new tests.

Corporations that have been assessed by the Victorian Managed Insurance Authority in the previous 12 months that wish to enter into domestic building contracts will be able to be registered from 1 July 2014 subject to a report by the

Victorian Managed Insurance Authority without needing to satisfy the personal or financial probity tests.

The Victorian Managed Insurance Authority will advise the VBA if there is a reason why a particular corporation should not be registered.

Partnerships with a qualified partner wishing to enter into domestic building contracts will be able to hold themselves out as a building practitioner if they have been assessed by the Victorian Managed Insurance Authority in the past 12 months subject to a report from the Victorian Managed Insurance Authority.

After the expiration of a transitional period all practitioners and corporations will need to satisfy the personal probity and financial probity tests by the date when the annual renewal fee of the relevant registered individual falls due.

New corporations or qualified partners whose partnerships intend to write domestic building contracts will be able to apply for registration from 1 July 2014 but will need to satisfy the personal probity and financial probity tests in addition to the Victorian Managed Insurance Authority financial viability assessment.

A related reform is the extension of liability for offences committed by a corporate entity to the directors and officers of that entity. Not only will the directors of a body corporate be liable for any penalty imposed under the act on the corporate entity, but the officers of the body corporate may also be criminally liable for certain offences committed by the corporate entity in accordance with COAG principles on directors liability.

In addition corporations registered as building practitioners and partners will be subject to discipline such as deregistration or suspension.

These changes also aim to prevent culpable company officers from avoiding liability through manipulation of corporate structures.

Limited periods of registration

The bill will also provide for limited periods of registration for building practitioners. Under the existing process, once a building practitioner is registered, that registration continues unless cancelled in accordance with the Building Act.

This unlimited registration period was criticised by the Victorian Auditor-General because a practitioner needed only to demonstrate their competence on initial registration, with the only ongoing requirement for registration being payment of the annual fee.

The bill also provides that a practitioner will be registered for no more than five years before renewal is required. Providing for a periodic re-registration process will also allow the VBA to require registered building practitioners to demonstrate ongoing competence, as part of the renewal of registration assessment process. This will give consumers confidence that registered building practitioners in Victoria are highly skilled and up to date with all required building standards as well as enhance the professional reputation of the Victorian building industry.

In relation to all registration or renewal decisions there will be a right to internal review by the VBA followed by a right of appeal to VCAT.

Discipline

The bill will significantly improve the existing disciplinary system. Grounds for disciplinary action and the range of disciplinary sanctions that may be imposed will both be broadened.

A new streamlined 'show cause' disciplinary procedure administered directly by the VBA will replace the current cumbersome procedure of long investigations before full hearings before the Building Practitioners Board which has been the subject of particular criticism from consumers. Most building practitioners also want a speedier initial process.

Show cause

The current inquiry-based process of dealing with disciplinary issues can be laborious, time consuming and expensive, with inquiries typically taking several months and often longer to conduct. Under the new system the VBA will be able to use enhanced information-gathering powers in order to form a reasonable opinion as to whether there are grounds for discipline. Where it forms such an opinion and proposes to take disciplinary action it will issue a show cause notice to the registered building practitioner.

The notice will set out matters such as the ground for discipline, the proposed disciplinary action and the relevant facts and circumstances. It will invite the registered practitioner to 'show cause' why the proposed disciplinary action should not be imposed.

The practitioner will have a right to make written or oral representations. If the VBA still believes there is a ground for disciplinary action it may then take the disciplinary action it considers appropriate.

Any decision made under the 'show cause' process will be subject to a process of internal review at the VBA, and if the practitioner is still dissatisfied, the decision may be reviewed at VCAT, where there can be sworn evidence, cross-examination of witnesses et cetera.

Grounds for disciplinary action

The VBA's ability to regulate the industry will be significantly improved through the introduction of a number of new grounds on which the VBA may take disciplinary action against registered building practitioners.

These new grounds include:

- failing to comply with a condition of registration;
- no longer meeting the mandatory requirements for registration;
- failing to rectify work in accordance with an order of the VBA;
- failing to pay fees or other amounts under the act or prescribed legislation;
- failing to complete mandated continuing professional development requirements;

accumulating more than the permitted number of demerit points.

New grounds for immediate suspension will be specified. These will include contravention of the Building Act or a prescribed law, bankruptcy or insolvency, having been charged with or found guilty of a prescribed offence, or no longer being covered by required insurance. Immediate suspension can only be imposed where such action is necessary in the public interest.

Demerit point system

Under the current disciplinary system, a building practitioner may avoid any sanctions because of the relatively minor nature of the disciplinary breach. There is also no streamlined way to deal with repeat offenders. The bill gives the VBA the ability to impose demerit points for breaches of certain provisions of the Building Act, regulations, and related legislation such as the Domestic Building Contracts Act which might otherwise have been considered minor.

Similar to demerit points for driving offences, demerit points will be cumulative and acquisition of more than certain threshold amounts will be considered as a factor going to a practitioner's suitability for registration, and may trigger investigation of the practitioner and/or disciplinary sanctions.

It is anticipated that the introduction of the demerit point scheme will provide a strong disincentive to practitioners repeatedly breaching the relevant provisions.

Partial suspension

The VBA will also have the power to impose a condition on registration and to suspend a practitioner's registration in relation to all building work, specified building work, or a specified class of building work. These new powers are intended to be broad enough to permit the VBA imposing what is referred to in the reform strategy as a 'partial suspension'.

The reason for introducing this flexibility is to ensure that consumers are not disadvantaged. For instance, a builder may be undertaking several projects and there may be defective work in only one of them. Fully suspending a building practitioner would disadvantage the other consumers where there is no problem and it is not the intent of this reform to hold up work.

A partial suspension would enable a builder to continue projects where no problems have arisen, while being prohibited from taking on new work or contracts until the single instance of defective work has been rectified, or compensation has been paid to the owner or the insurer has been reimbursed or the builder has entered into an agreement with the owner or insurer.

Register of disciplinary action

Finally, a Building Practitioner Register of Disciplinary Action will be established and maintained by the VBA. It will include particulars in relation to convictions or findings of guilt for offences or disciplinary sanctions. This will enable consumers to quickly and easily identify practitioners with poor performance records.

Information about a disciplinary sanction is to remain on the register for five years after the sanction ceases to have effect.

Dispute resolution and rectification orders

Currently, responsibility for the resolution of domestic building disputes is split between the VBA and Consumer Affairs Victoria, which results in consumers often being unsure where to seek help when things go wrong.

Consistent with the goal of establishing the VBA as a one-stop shop for the domestic building industry, the bill will see this responsibility shift wholly to the VBA.

Conciliation for domestic building disputes

The emphasis of the dispute resolution process will remain on the conciliation of disputes through bringing the disputing parties to agreement. Where a party refers a dispute to the VBA, an initial assessment will be made as to whether or not the dispute is suitable for conciliation. For example, the assessment would consider whether the dispute is likely to be resolved through the conciliation process. Conciliation may not be appropriate if it is already before a court or tribunal.

If accepted, the matter will be referred to a VBA-appointed conciliator who will assist the parties in reaching a mutually acceptable solution to the issues in dispute.

The VBA will also have the ability to appoint a qualified inspector to inspect the building work in dispute and provide an independent and expert opinion as to whether there is defective or incomplete building work.

Where agreements are reached, they will be recorded in writing. Failure to comply with the agreement may be submitted as evidence at any subsequent hearing of the dispute before a tribunal or a court.

If agreement is not reached, or if an agreement breaks down, the VBA may issue a rectification order.

Rectification orders for domestic building

The ability of the VBA to issue rectification orders as part of the dispute resolution process is one of the most important reforms introduced by this bill. A rectification order is an order issued by the VBA which can require a range of things to occur, including the rectification of defective building work, or completion of incomplete work and/or the payment of money into trust or to any person (such as the building practitioner) on account of building work.

Where building work is so defective that the VBA considers that it would not be reasonable to require a consumer to have the original builder back, there will be capacity for a rectification order to have rectification performed by an alternative builder with the original builder to meet the costs.

Rectification orders will also be able to contain a finding that work is not defective or incomplete and that an owner therefore has no grounds for withholding payment from a building practitioner on the grounds of defective or incomplete work.

The decision as to whether or not to issue a rectification order will rest with the VBA, but will be informed by the opinion of an appropriately qualified VBA-appointed expert who has conducted an onsite inspection of the disputed work.

Parties will be able to seek a review of the decision, both internally at the VBA, and subsequently at VCAT.

Consistent with the broader policy objective of ensuring directors, officers and corporate entities cannot escape liability through the use of corporate structures, rectification orders may be imposed on:

any person who carried out or managed the building work;

an officer of a company or partner in a partnership which carried out the building work; and/or

a company that was involved in carrying out the building work or a related body corporate of that company.

A builder who fails to comply with a rectification order (or be successful in exercising a right of review by VCAT) will be subject to disciplinary action by the VBA and the building owner will be able to terminate the domestic building contract and seek damages at VCAT. Similarly, if a building owner is subject to a requirement under a rectification order and fails to comply, the builder may cancel the building contract and seek damages against the building owner, including payment of any amount ordered to be paid under the rectification order.

Consumer protection fund to replace domestic building insurance

The current domestic building insurance scheme has attracted widespread consumer criticism due to its narrow scope and the difficulty of proving eligibility to make a claim.

Consistent with the goal of establishing the VBA as a one-stop shop for the domestic building industry, the bill establishes a separate, dedicated Domestic Building Consumer Protection Fund, backed by a statutory guarantee, which will replace the current domestic building insurance from 1 July 2015.

Compared to the current domestic building insurance product, the fund broadens the scope of eligibility to make a claim and dramatically improves protections for consumers. Eligibility to claim against the fund will be triggered whenever a project is incomplete or there is a defect and:

the builder (or building entity) has died or disappeared or is insolvent; or

the VBA has certified that a rectification order has not been complied with, or successfully appealed to VCAT, and the building contract has been completed or terminated; or

the builder (or building entity) has been partially suspended, suspended or de-registered and thus cannot complete the project; or

the builder is certified as permanently and significantly incapacitated and no substitute arrangements are available.

The existing domestic building insurance scheme will be retained until the fund is established, but from 1 July 2014 insurance cover will be enhanced with the above additional triggers. To ensure a smooth transition from insurance to the fund, the fund will initially be managed by VMIA on behalf of VBA, but it is anticipated that the VBA will assume management responsibility by 1 July 2016.

The reforms introduced by this bill will enhance the ease with which a claim on the fund can be made. However, the new registration and renewal requirements, the new disciplinary measures and the improvements to the dispute resolution procedures aim to minimise the need for calls upon insurance or the fund. These measures are designed to prevent disputes or assist in the early resolution of disputes when they do occur, thereby improving outcomes for consumers.

Powers of entry and inspection

To further enhance the ability of the VBA to regulate and improve outcomes for the consumers the regulator will be provided with new powers of inspection and entry.

Current powers lack the strong powers of evidence gathering available to other regulators both within Victoria and interstate. This frustrates the ability of regulators including the VBA, municipal building surveyors and Energy Safe Victoria with respect to gas safety to prosecute contraventions of the Building Act.

Broadly speaking, an authorised person will be empowered to require the production of information or documents and, in certain circumstances, enter into and search premises, where doing so will assist in monitoring compliance with the act and regulations. An authorised person will also be able to require a person to provide information or give evidence relating to a contravention of the act or regulations, and that person will not be excused from complying on the basis that doing so may tend to incriminate that person. However, there will be limits on what that evidence can be used for.

These powers will be based on similar powers in the Australian Consumer Law and Fair Trading Act 2012 (Vic) and contain new safeguards not present in the Building Act.

Municipal building surveyors will have the same powers to support their critical enforcement role in their municipalities.

Further governance changes

The bill also makes a number of other governance changes designed to streamline processes for the building industry and removes the last remaining fragmentation of the regulatory system.

Following the first stage of reforms introduced in July 2013, the Building Appeals Board retained jurisdiction to hear appeals in a number of technical areas relating to the building regulations, including appeals on building and occupancy permits, protection work, building notices and orders, and the modification of regulations.

This bill transfers these appeal hearing powers to the VBA. Where the VBA was the original decision-maker, these matters may be reviewed by VCAT. This reform is expected to result in improved and streamlined processes for dealing with these matters. It will also provide valuable information to the VBA on systemic issues that can be considered for further regulatory reform or addressed at a national level for amendments to the National Construction Code.

The bill creates more flexible arrangements for advisory committees to replace the highly prescriptive statutory provisions currently in place. It also deals with the issue that over time industry organisations change names which means that the current statutory membership requirements of the Building Advisory Council and the Plumbing Advisory

Council require legislative change to remain current. The new provisions give the minister a broader power to establish advisory committees to advise on any matters referred to them.

The government intends to retain an advisory committee for building and an advisory committee for plumbing particularly during the implementation of these major reforms over the next two years. It intends to invite the members of the existing councils to form these advisory committees. A committee will also be convened for architects.

The bill also establishes a new technical accreditation committee which will be responsible for the accreditation of building products, construction methods or designs, components or systems connected with building work which is currently undertaken by the Building Regulations Advisory Committee or BRAC.

Members of the technical accreditation committee will be industry experts appointed by the minister.

Integration of architects

Finally but critically, the bill delivers on the government's commitment to make the VBA the single point of governance for the entire building sector and all practitioners and professionals that work within it. The bill amends the Architects Act 1991 to transfer all the powers and functions of the Architects Registration Board of Victoria to the VBA making the VBA an integrated regulator for building practitioners, plumbers and architects.

All the current functions of the Architects Registration Board of Victoria will continue but will be the responsibility of the VBA. This means the VBA will become responsible for making decisions on the registration of architects, as well as disciplinary decisions and the maintenance of the register of architects.

It is expected that this integration will strengthen the consumer protection framework by enabling the VBA to take a 'whole of building' approach to investigating and responding to complaints and building disputes which may involve a builder, plumber and architect and will assist the VBA address broader systemic issues in the building sector.

The bill will also provide for a number of minor amendments to the Architects Act to streamline the registration and insurance requirements for architects and to introduce the requirement for police checks with all applications for registration in line with the requirements introduced for building practitioners and plumbers in July 2013.

The registration and discipline reforms introduced by this bill for building practitioners will not apply to architects. However consultation is continuing with architects about the possible future expansion of some of the initiatives to architects. In particular the provision of a periodic re-registration process with the need to demonstrate ongoing competence for renewal, through for example having successfully completed continuing professional development activities.

Conclusion

These reforms provide for a beginning-to-end improvement in the regulatory framework for domestic building work, from

the earliest stages of permit application right through to the timely and effective resolution of disputes.

The reforms improve the quality and accountability of the industry's practitioners and improve protections offered both to consumers and to honest and capable practitioners.

I commend the bill to the house.

Debate adjourned on motion of Mr ANDREWS (Leader of the Opposition).

Debate adjourned until Thursday, 22 May.

FINES REFORM BILL 2014

Statement of compatibility

Ms ASHER (Minister for Innovation) 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 Fines Reform Bill 2014.

In my opinion, the Fines Reform Bill 2014, 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.

The bill introduces a new system for collecting and enforcing unpaid fines in Victoria and makes various amendments to the Infringements Act 2006 and consequential amendments to the Sheriff Act 2009 and Magistrates' Court Act 1989. The changes introduced by the bill include establishing the position of director, Fines Victoria, within the Department of Justice and conferring powers on the director to collect unpaid fines. The bill also confers additional enforcement powers on the director and the sheriff to collect unpaid fines. The provisions of the bill that are relevant to the human rights set out in the charter act are as follows.

Human rights issues

Right not to have one's privacy and reputation unlawfully or arbitrarily interfered with

Section 13(a) of the charter act provides that a person has the right not to have his or her privacy, family or home unlawfully or arbitrarily interfered with. Section 13(b) states that a person has the right not to have his or her reputation unlawfully attacked.

Amendments relating to the sheriff's power to execute civil warrants

The Sheriff Act 2009 currently authorises the sheriff to use reasonable force and assistance to enter the residential premises of a debtor to execute a civil warrant, but restricts the use of that power to within the hours of 9.00 a.m. to 5.00 p.m. Clause 309 of the bill amends the Sheriff Act to extend those hours to between 7.00 a.m. to 9.30 p.m.

Clause 310 of the bill also amends the Sheriff Act to provide that if the sheriff uses reasonable force and assistance to enter

a residential premises for the purpose of executing a criminal warrant outside the hours of 7.00 a.m. to 9.30 p.m., the sheriff may, after gaining entry, also execute a civil warrant, which includes a warrant for the seizure and sale of property.

The execution of civil warrants by the sheriff is authorised by the Sheriff Act and is subject to the supervision of the court. As the amended Sheriff Act will clearly specify the extended hours of entry to residential premises for the execution of civil warrants, and the type of civil warrants to which these powers will apply, entry and seizure of property during the extended hours will be permitted by, and in accordance with law. Further, the existing legislative safeguards, including the requirement to request consent to entry and to make reasonable attempts to contact the owner of the property, will remain.

The amendments serve a clear purpose, namely increasing the effectiveness of enforcement of civil warrants by empowering the sheriff to execute civil warrants when it is more likely the debtor will be present and able to interact with the sheriff and so are not arbitrary. This will also increase recovery rates and improve outcomes for victims where the civil warrant is enforcing a compensation order awarded by a court to a victim against an offender. Property seizure warrants are commonly used for enforcement of compensation orders, and are typically directed to the sheriff for execution.

Consequently, extension of the hours for the execution of civil warrants does not unlawfully or arbitrarily limit the rights set out in section 13 of the charter act.

Power of the director to direct production of information

The Infringements Act currently allows an infringements registrar to require a person with an outstanding infringement matter to provide information for the purpose of making a payment order, an attachment of earnings order, or attachment of debts order. If, following a request, an infringements registrar is not given sufficient information regarding a person's financial circumstances, the Magistrates Court may issue a summons for oral examination. Clause 59 empowers the director to direct a person to produce information relating to their financial circumstances, or attend before the director to answer questions in respect of the financial circumstances of the fine defaulter. It is an offence under clause 67 to fail to comply with such a direction. Under clause 62, the director may apply to the Magistrates Court for a summons for oral examination. These amendments are relevant to the rights set out in section 13 of the charter act.

However, the amendments are clearly confined by law and serve a legitimate purpose. The power may be necessary to enforce outstanding debts against recidivist debtors where previous enforcement actions pursued by the director have not been successful. The bill contains an important safeguard, prohibiting the use of any information gathered for purposes other than fine enforcement.

In my view, these amendments do not unlawfully or arbitrarily limit the rights set out in section 13 of the charter act.

Power to request information from other bodies

The bill contains three provisions that enable the director or the sheriff to request information from another body.

Clauses 174 and 175 enable the director or the sheriff to request address information from specified agencies including public sector bodies and councils. This replicates the power contained in section 54 of the Sheriff Act. The information that can be requested is limited to the name, date of birth and address of a fine defaulter and can only be requested if reasonable attempts to enforce a registered fine have been unsuccessful. There is a positive obligation on agencies to provide the requested information, unless the agency head certifies in writing that exceptional circumstances apply or if the agency is a law enforcement agency.

Clause 177 authorises a credit reporting body to disclose identification information to the director or the sheriff identification, in response to a written request. This is a new power under this bill. The information that can be disclosed is limited to identification information including the name, date of birth, address, gender and employer of a fine defaulter. In response to the request, the credit reporting body may, at its discretion, provide the requested information. The credit reporting body may also refuse to provide the requested information.

Clause 178 enables the director or the sheriff to request information from specified agencies including public sector bodies and councils. This re-enacts the power currently contained in section 164 of the Infringements Act. The information that can be requested is any information held by the agency that may be of use in enforcing registered fines or executing enforcement warrants. In response to the request, the agency may, at its discretion, provide the requested information. The agency may also refuse to provide the requested information.

In my view, these clauses do not limit the rights set out in section 13 of the charter act.

The use and release of information under these provisions will continue to be regulated by law and will be subject to compliance with the Information Privacy Act 2000. Any information obtained under these clauses can only be used by the director or the sheriff for the purpose of enforcing a registered fine against the person to whom the information relates.

Right to a fair hearing

Clause 239 of the bill repeals the provisions currently contained within the Infringements Act which give a person (who had the opportunity to contest an infringement notice in court and has failed to pay) an additional opportunity to 'object' to an infringement registrars' decision not to revoke an enforcement order, which enables that person to have that matter heard in the Magistrates Court.

The amendment is relevant to section 24(1) of the charter act, which provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. A person retains the right to have an infringement matter heard in the Magistrates Court at any time until a notice of final demand is served by the director. In addition, an infringement offender cannot be imprisoned unless the Magistrates Court makes an order under part 14. Further, a person can seek judicial review in relation to any decision made by the director or the Magistrates Court under the bill. Thus, a person retains the right to have civil and criminal

aspects of an infringement matter determined by a court after a public hearing. I am of the view that the amendment does not limit the section 24 charter act right.

Removal of the right to object to a revocation decision by an infringements registrar serves to remove a potential avenue for a person to further delay a matter, or to bypass the application of enforcement sanctions where that person has exhausted or earlier refused other avenues of review. In addition to the right to contest the infringement notice in court, several avenues of administrative review will be available to a person issued with an infringement notice to object or seek review of a matter. A person may make an internal review application to the enforcement agency responsible for issuing the infringement notice at any time prior to the matter being registered with the director. A person may also apply for enforcement review in relation to infringement fines that have been registered with the director, at any stage until the expiry of a seven-day notice served on a person in respect of the outstanding fine. A direct result of the removal of this process will be a reduction in the number of unmeritorious matters proceeding to the Magistrates Court on a review application, reducing the burden on the court and assisting the court in alleviating delays in hearing matters.

Accordingly, to the extent (if any) that the bill limits the right set out in section 24 of the charter act, any limitation is justifiable and reasonable.

Robert Clark, MP
Attorney-General

Second reading

Ms ASHER (Minister for Innovation) — I move:

That this bill be now read a second time.

Speech as follows incorporated into *Hansard* in accordance with resolution of house:

The mechanisms available to enforce legal debts in Victoria are costly, inconsistent and outdated. There are a range of legal debts commonly incurred by individuals, including fines, victims compensation orders and civil judgement debts, each of which are owed either to the community on account of breaches of the law or to other individuals in recompense for wrongs done or to satisfy liabilities incurred. The complexity and inefficiencies of existing enforcement mechanisms means that recovery of these legal debts can be costly and uncertain.

The Fines Reform Bill 2014 delivers on the government's commitment to overhaul the current system and introduce a new model for the collection and enforcement of legal debt in Victoria. The new model established by the bill will allow for the better collection and enforcement of legal debts and make clear to people who seek to avoid their responsibilities that payment of legal debts is an obligation, not an option. For people suffering genuine incapacities or hardships, the bill will introduce new and better procedures to properly recognise those incapacities or hardships and provide a way forward.

This bill will provide for the introduction of consistent and efficient processes for the collection and enforcement of court and infringement fines, with additional and strengthened

enforcement capacity and sanctions and more payment options.

These reforms involve extensive operational changes, the development of information communications technology systems, and a raft of subordinate legislation amendments. The legislation therefore provides for the introduction of the reforms in stages, and for the separate commencement of individual components of the reforms. The government has backed its commitment to these reforms with the allocation of \$34.6 million of funding over four years in the 2013 budget.

Central to the reforms is a focus on the total amount of fines owed by an individual, rather than the current transaction-based approach. This will ensure that habitual offenders who incur large amounts of fines and seek to evade payment can be more effectively brought to account, while also providing for vulnerable people who accumulate multiple infringements due to circumstances such as mental illness or homelessness to be identified earlier on and have their circumstances taken into account.

I turn now to some of the key reforms.

Fines Victoria

Part 2 of the bill creates the position of director, Fines Victoria, to replace the Infringements Court. The director will be supported by the establishment of a new administrative body, Fines Victoria, within the Department of Justice. Fines Victoria will be a central, accessible body for the public to deal with in relation to fines, providing a single point of entry to deal with legal debts. This will make it easier for individuals to access the system and understand their total liability and will make payment arrangements easier to access by providing consistent payment options and payment methods.

The director, Fines Victoria, will have powers to manage and enforce infringement fines registered with the director. Alongside infringement fines, the director will have responsibility for managing payment and enforcement of court fines immediately after a fine is imposed.

The existing protracted timelines for fines enforcement will be dramatically shortened. A person or company in default will be given 21 days under a notice of final demand in which to pay the fine or take other steps such as entering into a payment arrangement or, in the case of an infringement fine, applying for enforcement review. If no action is taken to pay or deal with a registered fine after the expiry of the notice of final demand, the director can take enforcement action to recover the fine, with similar enforcement powers exercisable by the director for both registered infringement fines and court fines.

Infringement notices issued to children will continue to be enforced by the Children's Court under the children and young persons' infringement notice system, rather than by the director. Similarly, the management and enforcement of fines imposed on a child by a court will continue in accordance with part 5.3 of the Children, Youth and Families Act 2005.

Payment arrangements

The bill will consolidate fines into a single account and make significant improvements to fine payment options and arrangements.

Currently, under the Infringements Act, a person can enter into a payment plan or payment order in respect of an infringement fine depending on the stage in which their matter has progressed in the infringements lifecycle. Similarly, instalment orders and time to pay orders are available for the payment of court fines. However, for court fines payment options are more limited and depend on both court jurisdiction and court venue so that a person with an instalment order can only pay an instalment at the court venue that made the order.

Under the bill, people with infringements originating from several different enforcement agencies, registered court fines, and fines at various enforcement stages will be able to apply to the director, Fines Victoria, to pay their fines under one payment arrangement.

Current provisions in the Infringements Act providing for payment plans will continue to apply to infringement penalties managed internally by enforcement agencies. However, the bill will provide a person with an infringement notice to request the enforcement agency to refer the matter to the director for inclusion into an existing payment arrangement.

Work and development permits

Under the new work and development permit scheme proposed in part 17 of the bill, vulnerable people and people in acute financial hardship will have more options to expiate their unpaid infringement fines. Work and development permits will allow people with special circumstances or people in acute financial hardship to clear their infringement fine debt through approved activities and treatment, including: unpaid work, medical or mental health treatment, courses, financial counselling, drug and alcohol treatment and, for people under 25 years of age, mentoring.

While the work and development permit scheme will be provided by approved community organisations and health practitioners, the director, Fines Victoria, will be responsible for approving work and development permit applications and monitoring the operation of the scheme. This is a significant new initiative for Victoria and one that is expected to support our most vulnerable members of the community to address the circumstances that lead to offending.

More effective sanctions

The Infringements act contains a number of sanctions for use by infringements registrars and the sheriff to enforce unpaid infringement fines. However, some of the available sanctions have had limited or no application to date due to legislative, administrative and technical barriers that prevent their efficient and economical use.

The bill removes many of these barriers (such as the requirement to personally serve a seven-day notice before licence or registration suspension can occur) to enable wider use and greater flexibility in the application of sanctions. The reforms will also enable their use for the recovery of both infringement and court fines.

Sanctions will therefore be simpler, more streamlined, stronger and, where possible, automated.

Enforcement function of the director, Fines Victoria

The bill provides a range of sanctions designed to encourage a fine defaulter to engage with Fines Victoria at an early stage. Wheel clamping, and the ability to make a direction to suspend licence, vehicle registration and similar dealings between fine defaulters and VicRoads are enforcement tools available in the legislation and will become more automated, to facilitate their broader use to encourage payment by a fine defaulter. The bill also provides the sheriff with a power to remove numberplates. This power will be effective where wheel clamping is not possible.

The provisions relating to other existing sanctions (including attachment of earnings and debts orders, charges over and sale of real estate, and mechanisms for enforcement against bodies corporate) will also be amended to enhance their effectiveness. These sanctions may be applied by the director, Fines Victoria, where total fines exceed the prescribed threshold and if they are appropriate in the circumstances.

In addition, the director will have broad information-gathering powers to obtain financial information from people with unpaid fines. The director will be able to obtain financial information to determine the most appropriate sanctions or payment arrangement terms to facilitate payment of unpaid fines.

The current requirement in the Infringements Act that a summons be served to orally examine a person and to compel a written financial statement has made it difficult to gather basic financial information from people with unpaid fines. The bill addresses this impediment by providing the director, Fines Victoria, with an efficient and effective administrative mechanism to obtain financial information.

Enforcement warrants

Part 10 of the bill provides for registrars of the Magistrates Court to issue, recall, and cancel enforcement warrants. The director, Fines Victoria, can apply to a registrar for the issuance of an enforcement warrant in respect of a court fine or infringement fine registered with the director for enforcement. Enforcement warrants will be directed to the sheriff for execution.

Enforcement warrants will provide the director, Fines Victoria, with another method by which to recover a registered fine. Enforcement warrants will have an indefinite life and remain in force until the relevant fines are recovered or the warrant is cancelled.

An enforcement warrant issued by a registrar will generally be directed to the sheriff and executed using powers similar to those that currently apply to infringement warrants under part 6 of the Infringements Act.

Removal of the option for prisoners to serve a term of imprisonment in lieu of paying outstanding infringement fines

The bill will also make prisoners more accountable for legal debts arising from breaches of the law by repealing section 161A of the Infringements Act 2006. The current law provides prisoners with an option to apply for an order from the Magistrates Court to serve a term of imprisonment in lieu of paying infringement fines outstanding under infringement warrants. In many cases the term of imprisonment ordered for the unpaid fines is served concurrently with a prisoner's

existing sentence. This reform will ensure that prisoners cannot absolve themselves of responsibility for paying infringement fines incurred by non-compliance with the laws of this state.

Infringement enforcement periods

The bill makes a range of process improvements to the current infringements system, central to which is the shortening of the current periods involved in enforcing infringements. The bill will significantly shorten the total time involved from the current 168 days to 77 days; a 54 per cent reduction. This will be achieved by reducing unnecessarily long statutory timeframes at each step in the process. The deemed service period will be reduced from 14 days to 7 days, as well as the time to pay for infringement notices, penalty reminder notices and notices of final demand.

A shortened enforcement period will improve the efficiency and effectiveness of the infringements system. It will also enhance the deterrent effect of administrative enforcement, by enabling sanctions to be applied closer to the time of the offence.

Review mechanisms — internal review and enforcement review

The bill also strengthens the review processes currently contained in the Infringements Act.

The act currently provides a right for a person issued with an infringement notice to seek internal review of the decision to issue an infringement notice by the relevant enforcement agency. When operating well, the internal review scheme can resolve cases that might otherwise progress to the Magistrates Court or flow through the infringements system. However, this does not always occur in practice.

The bill accordingly removes the legislative 'default to court' mechanism after confirming an infringement notice following a special circumstances application, so that the onus is placed on enforcement agencies to make an active decision to prosecute a matter. This will ensure that vulnerable people are identified at an earlier stage. It will also reduce the burden on the Magistrates Court by reducing the number of infringement matters that are referred for determination.

Currently, the Infringements Act provides individuals with infringements at enforcement stage with a right to apply to a registrar of the Infringements Court to have an enforcement order revoked. The bill establishes a new administrative process called 'enforcement review' to replace the revocation process, which will be available after a matter is registered with the director for enforcement.

Enforcement review will largely mirror internal review. The bill provides clarity and certainty around the grounds for review at this later stage. Significantly, the bill will require enforcement agencies to 'opt-in' to prosecute a matter if the director determines that enforcement using the administrative model is not appropriate. This significant change to current practice will help to ensure that only matters that should be prosecuted enter the court system.

Monitoring and reporting function of the director, Fines Victoria

The bill provides for mandated oversight and reporting by the director of infringements activity undertaken by enforcement

agencies and, importantly, the operation of the internal review scheme. Enforcement agencies will be required to report to the director on their activities under the Infringements Act and in particular, on internal review processes, decisions, and outcomes. This will enable more effective monitoring of agency compliance with the law and help ensure consistent and fairer internal review decisions within, and across, enforcement agencies. Currently, there is no legislative oversight of enforcement agencies.

Victims compensation orders

To reduce some of the cost burdens on victims of crime, the bill also waives certain sheriff warrant fees relating to the execution of civil warrants to enforce compensation orders.

Where a compensation order has been made against an offender who is found guilty or convicted of an offence, and that person has not paid, one method of enforcement is by way of warrants for the seizure of property, which are directed to the sheriff for execution. At present, the victim bears the cost of obtaining a warrant from the relevant court and paying any applicable court fees and costs. This can deter many victims from taking action to enforce payment of their compensation orders. The amendments will make it easier and more affordable for victims of crime to seek enforcement of a compensation order.

Civil warrant powers

An existing power within the Sheriff Act 2009 enables the Sheriff to use force and assistance to enter the residential premises of a debtor to execute a civil warrant between the hours of 9.00 a.m. and 5.00 p.m. The bill amends the Sheriff Act to extend those hours to between 7.00 a.m. and 9.30 p.m.

The bill also amends the Sheriff Act to provide that if the sheriff uses reasonable force and assistance to enter residential premises for the purpose of executing a criminal warrant outside the hours of 7.00 a.m. to 9.30 p.m., the sheriff may, after gaining entry, also execute a property seizure warrant.

Conclusion

The Fines Reform Bill 2014 will modernise and strengthen Victoria's legal debt collection system — a regime that has long been in need of reform. By centralising fines recovery processes into one model, simplifying payment arrangements, and providing more effective sanctions and more options for vulnerable people to deal with fines, The bill will ensure that offenders who deliberately seek to avoid paying their fines are brought to account, while also better providing for people who genuinely cannot pay their fines.

I commend the bill to the house.

**Debate adjourned on motion of Mr ANDREWS
(Leader of the Opposition).**

Debate adjourned until Thursday, 22 May.

APPROPRIATION (2014–2015) BILL 2014

Second reading

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

Mr PALLAS (Tarnait) — Before the first tree was ever planted on Collins Street two doctors opened a tiny clinic at the foot of Exhibition Street. This was a time when hospitals were considered to be a charity's domain, so when the colonial government chipped in £14 700 to fund the clinic, it was no small gesture. Individuals founded this budding six-bed specialist medical centre, the government backed it and the community supported it. We could call it an early experiment in public health.

We know that centre by a different name today, the Royal Children's Hospital. It is a monument of our state, but no party owns its legacy. Generations of investment built it, and if anything can claim credit for the Royal Children's Hospital, it is a particular world view: one that says a government must constantly seek opportunities to work with business and the community to build something greater and bigger than itself. That world view is the purpose of office, the purpose of a budget, and the Royal Children's Hospital is its lasting testament.

It is not the only one. Victoria is the headquarters of world-leading medical research, the birthplace of multiculturalism, accountability and antidiscrimination, and home to the country's thinking economy. That did not happen by accident. A succession of strong and steady governments put us where we are. These were governments that were not fearful of their purpose. They were not dismissive of the people. Here, more than anywhere else, we saw a greater standard of leadership devoted to the progress of this state and the skills of its people.

That was the Victorian way. Previous governments had a plan; they had a purpose. They were not panicked; they were not preoccupied. I honestly do not know what on earth happened to this one. I honestly cannot explain why a government would so casually undermine the very things that made this state so great. This government fears its own purpose and dreads its own cause. It does not believe it is its role to invest in the people of this state. It does not work its hardest to protect our most vulnerable. Ultimately it does not believe it is its responsibility to build a better society. It might say it in its slogans, but it does not ring in its heart.

This government dismisses the public. Victorians are its obstacle, not its object. It ignores their voice and removes their choice. The Victorian people never chose to spend \$8 billion of their own money on a tunnel they do not want. They never chose to have the lifelines of their economy locked up behind chained gates. They never asked for a war with paramedics. They never asked for a health system in crisis. They got it, but they cannot find out much more than that because this government hides the crisis in our health system. It denies the crisis in our economy. It will not even reveal the business plan, the basic justification, for its signature policy. It established an anticorruption commission that cannot even investigate misconduct in public office. It is a systematic reversal of Victoria's reputation for inclusion and clarity, and the effects are felt in lounge rooms and boardrooms across this state.

There is a different kind of feeling in the cabinet room, however, because this government is unstable. I do not just mean a hint of dysfunction or a trace of despair; I am talking actual, factual, could-collapse-at-any-moment calamity. How can government members fight for your job when they are so busy fighting for their own? How can they address Victoria's priorities when their first priority is mere survival? They are a circus.

When a government is so volatile, so volcanic, its every word and sound is compromised — even its most formal ones, such as those tabled on Tuesday. A simple recipe: put a government in a blender and leave it on for three years. This budget is what it spits out. The government is not strong, it is not steady and it was never ready. And what has it done to the state of Victoria? It has sent it backwards.

Let us look at jobs. Victoria used to be no. 1. We were the engine of the country; today we are more like the exhaust. Unemployment is up above the national average. Wages have ground to a halt. Nearly 52 000 Victorians have lost their jobs under this government. These are not just statistics; they are families. Under this government Victorians are three times more likely to have become unemployed than to have found a full-time job. They are out on their own, the way the Liberals like it.

The Prime Minister, Tony Abbott, celebrates workers being liberated from their old jobs. Liberated! He means sacked. The Treasurer, Joe Hockey, says our economy is structurally sound, resilient and merely in transition. His resilient transition has left behind a trail of wreckage. He liberated a generation of workers who had dedicated their professional lives to putting Australian cars on Australian roads, and his

'structurally sound' economy houses the nation's youth unemployment crisis. If you are a young person looking for work, Victoria is the worst place to be on the Australian mainland. Interstaters used to come here for a job. Now our own sons and daughters are moving to Sydney. More than half of unemployed youth have been so for over a year. We are at a juncture where ordinary young Victorians might not ever be able to build a good life for themselves.

The figures are worse in regional Victoria. Kids are forced to leave home, to leave town just to find work, just to study. Let me tell the house about the part of Victoria that has seen the biggest rise in youth unemployment. There has been an almost 50 per cent rise in unemployment in Melbourne's outer east. A real government would be pulling every lever to give these kids a chance. There is only one university and TAFE in this region — well, there was. The government cut it, closed it and is selling it. The future of Melbourne's outer east is chained up behind 10-foot gates at the Swinburne Lilydale campus. We believe there is no louder warning for the future of any community than the sound of a school shutting its doors. When the books are written about this government, chapter 1, page 1, line 1, will read, 'They cut TAFE'. Government members wear it, they own it and they are actually proud of it. Do you know what? We will reopen it. We will give it back, and we are proud of that.

We are proud of our plans for primary and secondary schools across the state — the schools this government forgot. They are the schools where kids are crammed into portables that were built before the Bulldogs won their premiership, and the schools where classrooms are falling into disrepair and falling apart. Our loved ones deserve the best start, but they are not getting it — children and adults alike. If they cannot get the skills they need, they cannot get the jobs they want. The very people who need their government to step in get put last. They are on their own: people who are at home in a panic waiting those needless extra minutes for an ambulance; people who are in crowded emergency departments waiting for agonising hours; people who need urgent surgery and are waiting longer than ever; people who are waiting on a train platform in the city loop or waiting in traffic or waiting at a level crossing; workers at factories who are hanging in the balance, waiting for good news, waiting for bad news, waiting for an opportunity — waiting for anything.

A generation of Victorians are calling on their government to help, but the response they get is, 'Your call is important to us, but the government is busy with itself right now; please wait'. They might have to wait for a whole new government because this one has

ground to a halt. Victoria has stopped, and this budget will not get it going again. It is too narrow, too shallow, too little and too late. It is not a defibrillator; it is barely a pinch. And Tony Abbott is in Canberra winding up the punch, hitting Victoria harder than any other state. The federal government is cutting our health funding more than any other state and chasing down our pensioners, our students, our seniors and our sick. That is what the Liberals do. Somewhere out there, there is a vital service to confiscate. Somewhere out there, there is a major company that needs a few more reasons to leave our shores. Prime Minister Tony Abbott and the federal Liberals want to charge you for visiting your GP.

They want to tax you for the deficit they doubled. They want to abandon our struggling industries, which provide these things we call jobs. They want to make people work longer, pay more and receive less — and if this Victorian Liberal government does not speak up, it means that it has signed up to say, ‘All the way with Tony A.’ Victorian government members have the same goal, follow the same creed and are from the same Liberal tribe. And what do we get? We get half-baked plans and a half-mast economy; we get the white flag from Ford, Holden and Toyota; we get the red flag from a dozen more; and we get uncertainty for every single Victorian.

When a government will not support our industries, they will not remain industries; when a government has no jobs plan, no job is safe; and when a government does not care, then you are on your own. The Victorian people now have a question to ask: can we trust such a dysfunctional government to make the right decisions for us? If Victorians look at this budget, they will have their answer. It is cunning accounting perhaps, but a collapse of economics — you know, that science that is devoted to providing people with the simple things they need to live and thrive, the most fundamental duties of any government, the basics. On every measure this government fails.

Our health system is in crisis. Victorians are waiting longer than ever on the elective surgery waiting list, and they are waiting longer than ever for an ambulance. They ask this government, ‘Why can’t we get the treatment we expect?’, and the government replies, ‘You get the treatment you deserve. If you get sick, if you need an ambulance or if you need surgery, then you are on your own’.

This government promised 800 new hospital beds — 757 to go. This government spends twice as much on prison beds as it does on new hospital beds. This government provides funding for only three hospital

projects, none of them in Melbourne. That is its solution to the chaos at, say, Frankston Hospital’s emergency department — three projects hundreds of kilometres from Frankston. But the men and women of regional Victoria should not get too excited, because this budget is bad news for them.

Regional Victoria is home to 25 per cent of Victoria’s population, but it will get 4 per cent of Victoria’s funding for major projects. What else? Apparently there is going to be record spending on schools, but I cannot find any evidence of it here. On average per year, the coalition will have spent less than half of what Labor spent on new school buildings, facilities, classrooms and grounds. But I can credit the Liberals with one innovation.

Mr Wynne — What’s that?

Mr PALLAS — Surprise funding. If you are a school that does not make a request for an upgrade, you get funding by surprise. As long as you find yourself in a targeted Liberal seat and you have kept good and quiet, then here is a Premier with a cheque and a wink.

Meanwhile, let me tell members about some of the schools in my community that did submit bids for funding: Baden Powell College, Manor Lakes College and Werribee Secondary College. They have been ignored for the third year in a row. Tarneit Senior College still has a mound of dirt obscuring its school sign, construction has stopped and the kids are doing physical education in the car park. Baden Powell College had to ship in 18 portables — and this is the fastest growing area of the state. How do members think Victorian teachers and parents at this school feel when other schools win the electorate lottery? Perhaps they should not bother making submissions to the government for funding; they should just make submissions to the Victorian Electoral Commission at the next redistribution.

The education cuts have stopped. This government will spend \$124 million less on TAFE. I would have thought the government would run out of things to cut eventually — adult education, TAFE and training, secondary schools, primary schools — but I was wrong. It found one more: kinder. The Premier and Prime Minister Tony Abbott are cutting kinder for 4-year-olds. Together they are tearing up a partnership and short-changing every young family in this state. The shredder is working overtime in Canberra, cancelling our most important national partnerships: funding for essential vaccines, for Victorians needing dental surgery and for schoolchildren with disabilities — going, going, gone.

Those opposite make a lot of noise about tearing up contracts. These were contracts with Victorians. These were agreements people relied upon. Our seniors rely on aged care, and the Premier will cut that too. There will be fewer options for our elderly and more excruciating decisions for their families. Privatising our aged-care facilities is not enough; another \$75 million will be ripped from the system. There will be more funding cuts from home and community care, which lets seniors live in their own homes with their families and not in a hostel. Now these seniors will literally be on their own.

There is a checklist in the Premier's office about how to make life harder for seniors. Every box has been ticked. Increase vehicle registration, done. Increase public housing rents, done. Cut gas and electricity concessions for pensioners, done. This government is on a roll; it is the highest taxing government in Victoria's history. Government members are hoarders — taxing more, charging more, cutting more and keeping more. Government members claim a surplus, but ordinary people do not see the benefit of a surplus if it leaves every school and every hospital in deficit. With this surplus the government has blood on its hands. It was built with the biggest cuts to TAFE in Victoria's history and with institutional neglect of our hospitals and schools. It was built on inertia and austerity. It has made our state a harder place to raise a family and a harder place to live.

This government is obsessed with the baubles and the bonanzas of a budget, but it always forgets the fundamentals and cuts the basics to the bone. We have a Premier walking around like Donald Trump, trying to build the world's tallest building and the world's biggest boat, but our schools are falling apart. Our hospitals are in crisis, crime is going up and companies are going down. This government is turning Victoria into the world's most livable wasteland, and there is nothing in this budget that will fix that. There is nothing in here that will improve our quality of life, and there is nothing in here for the things that matter. Congestion is destroying our city, trains have ground to a halt and cars pile across level crossings every single morning. This government was the last to see it coming. It was the world's last convert to the cause of public transport.

It has gone from a do-nothing government to an 'Oh my God, quick, somebody do something!' government — a government of panic and disorder. Disorder is no substitute for decision, and panic is no substitute for a plan. This government has done nothing for three years. Now it is facing the test of the people, and here it is, cramming for the exam — no time to spellcheck, no time to revise, no time to consult and no

time to consider our priorities. Look at what the government has given us: a mess, with no direction and no design.

Where is the investment for transport in our growing communities, for the roundabouts in half-built suburbs that become car parks each morning or for the country roads and V/Line services that are deteriorating by the day? Meanwhile the government is signing up to an \$8 billion tunnel in inner city Melbourne. It is the Premier's biggest priority, but it is not Victoria's biggest priority. The Melbourne Metro rail tunnel is, but the government is not building that. Melbourne Metro was supposed to double the size of the city loop and have five new stations. It would have been the solution to the gridlock that plagues our train system. It would have been the gateway to new train lines and the project this state needs, but the government is not building that.

If this budget really is a story about infrastructure, then someone tore out the beginning, the middle and the end. It is like a Magic Eye picture: if you squint long enough, you can just make out the bare silhouette of our most important project, but you have to look hard. Melbourne Metro went through the CBD; this one does not. Melbourne Metro alleviated train congestion; this one does not. Melbourne Metro improved access to the city loop; this one does not. Melbourne Metro would have four more stations and service our hospitals; this one does not. It is the evil twin. No, it is a ghost train — a tunnel to nowhere and a service for no-one.

There are four massive problems with it. Firstly, there is no access to four major hospitals or the University of Melbourne. Instead the Premier, Denis Napthine, wants to make it easier to get to South Melbourne Market and the Mahogany Room. These are his priorities — as Neil Mitchell helpfully suggested, 'punters, not patients'.

Secondly, there will be more delays at the North Melbourne station. At the moment, when my train stops at the invisible station in the North Melbourne rail yards, I can listen to an entire Bruce Springsteen song before the train starts moving again. Thanks to the Premier, now I might be able to listen to a whole album. Am I not lucky?

Thirdly, trains on the Frankston line will not run through Flinders Street. They will not even come close. They will be in a tunnel somewhere underneath a suburb they have probably not heard of.

Fourthly, the south-eastern suburbs will be locked out of the city loop — cut off forever. 'We apologise for the inconvenience, but the next city loop service to

depart from the Cranbourne and Pakenham lines has been cancelled — for eternity!'. Welcome to Denis Napthine's Victoria, where commuters on our busiest rail corridors cannot even get a direct service to the city's biggest stations. They have to find their own way to the platforms that most people use — 'Mind the gap'.

This plan has all the elements of something that was drawn up on the back of a napkin on budget morning. I wonder how many people in the department learnt about this ghost train when the rest of Victoria did. The experts who have to untangle this labyrinth are as confused as we are. There is no business case and no justification, and there is nothing to progress its design. There is nothing in the way of a process for public consultation, no possibility of construction starting in 2016 and no firm date for completion. There is just panic, blind panic.

There is all this commotion about where the new station will be located. It is enough to drive you round the Fishermans Bend! I suspect a lot of Victorians woke up yesterday morning asking themselves where on earth Fishermans Bend actually is. One of those people was the Premier. Here is a tip: the casino, South Melbourne Market, the Montague precinct and the factories of Fishermans Bend are not the same place. It is 'design as you go', and 'make it up as you go along'. In fairness, the government has realised its mistake, so now there will be a new tram line for Fishermans Bend where the train was meant to go. Stay tuned, because next we can expect a zip line to the Royal Children's Hospital.

We do not know precisely where the new station will be, but we do know where it will not be. It will not be at the doorstep of Australia's most important hospital precinct. It will not take you to uni. It will not take you to the city. It will not take you where you need to go, so I suppose we can assume this government is telling Victorian commuters where they can go. You cannot even call this Metro-lite. It is not even a Diet Coke version. It is more like New Coke. It is a completely different plan, and it just will not do the job. The plan will not fix our broken train system, and it will not even get a single new cent under this budget.

How much does the government really care? It is doing a con job, which is a shame, and this is a 100-year catastrophe. There was one shot in the locker, and the government missed it by a mile — actually it was about 3 kilometres as the crow flies, and we will never hear the end of it. The government had a choice — it had a chance, but it blew it. It will fill up another 20-page glossy pamphlet and send it to every address in the state. It will run non-stop, taxpayer-funded

advertisements about more space-age projects which are barely a hole in the ground. That will be the real legacy of this government — a hole in the ground.

In the mind of the Minister for Public Transport it is enough to say, 'Mission accomplished'. It reminds me of an exchange between characters in the film *The Castle*, 'Go on, Minister, tell 'em. Denis dug a hole' — and he is still digging! That is the price we have to pay for three and a half years of nothing. That is the cost of a dysfunctional government.

The government is proud of this mayhem, this dollar-sign saturation. Its members think it is politically brilliant, but while the insiders are all high fiving, the outsiders are left high and dry. An election is not a cold distraction. A sham program of panic and disorder is nothing to be proud of. Only Labor has a plan to prevent it. Only Labor will consult the experts about the major projects Victoria needs. Only Labor will take the advice of an independent body — that is, Infrastructure Victoria. Only Labor knows the difference between Victorian politics and Victoria's priorities. We have wasted years for this government to say the same, and we are still waiting. There is more to governing than dollar signs.

If people can drive to a hospital emergency department 5 seconds faster but still face a 5-hour wait inside, their lives will not have improved. If people happen to find a single seat free on their train but not a single new classroom at their kids' school, they are not any better off. If people hear this government boast about jobs but see the whole state falling behind South Australia, they know where they stand. Victorians will not be fooled by another empty promise. They know the difference between a headline and a deadline. They are smart enough to know that the devil is in the lack of detail, because a press release is not a major project and a dotted line on a map does not get you home. An artist's impression is no substitute for the people's impression — and people are not impressed. They were promised Doncaster rail, Avalon rail and Rowville rail, which never came. Now we have some new promises but no new detail and no new funding. The government may as well announce moon rail.

Ordinary Victorians have heard it all, they have watched it stall and they do not buy it, because Liberals lie about public transport. A plan to improve access to the city loop by cutting off access to the city loop is brilliant! If only we had thought of it! The Liberals lie about public transport. It is in their DNA to be dishonest. If a public transport project only ever exists on the Premier's notepad, it is good enough for him but it is not good enough for Victorians. That is not good

enough for the Victorian people, because chaos is not our currency, panic is not our policy and disorder is not a decision. The Victorian people deserve so much better. They deserve a government that will work for them, not around them. They deserve a government that actually governs; a leader who actually leads. They deserve real train lines, not headlines without deadlines, and a health system that is not on the verge of a flat line. They deserve a plan for jobs, growth and skills. Every Victorian child deserves every single chance. We need a government that will deliver the budget surplus that matters the most: the surplus in the family budget. We need a government that will put people first. We need a government who can make Victoria no. 1 again.

Mr RYAN (Minister for State Development) — It is a great pleasure and a privilege to be able to speak first on behalf of our government on what is a fantastic budget for the people of Victoria. For the record, I have agreed to forsake a considerable part of the hour I am entitled to under standing orders and speak for only 15 minutes. I have done that in the spirit of enabling other members to contribute today, so I am restricted to 15 minutes and more is the pity.

Be that as it may, this is a great budget for Victoria. It is building a better Victoria. It is a return to the communities of our state for the faith they placed in us when we were elected to government in 2010. It will provide enormous benefits to the state of Victoria. We will go to the next election on our record of the delivery of what we promised to do before we came to government and then what we have done since coming to government. That is particularly so for the rural and regional areas of our state. The situation has been summed up well by some of the news headlines this week. The *Weekly Times* carried the headline ‘Bush gets good share’. The headline in today’s *Stock & Land* is ‘Cash splash’. The article states:

The Victorian government’s charm offensive ahead of November’s state election has targeted rural and regional Victoria, with billions of dollars assigned to infrastructure projects. Money for rail, road, and export projects, along with the development of a new industry, will directly benefit the state’s farmers.

Those comments sum up so many of the other elements we have seen published over the past few days. I have all the clippings, but in the interests of time I will not read them all into the record.

The foundation of this great budget is our management of the economy. The government has looked after it in a manner which has ensured that we retain our AAA rating and we have surpluses in the out years. It is an extraordinary achievement in a nation where no

other jurisdiction — state or federal — has been able to achieve such an outcome. The key to it is controlling the expenditure of government, and in putting these figures to the house I pay tribute to Clay Manners, who works in my office, because he has done a significant analysis of the figures contained in the budget.

The budget itself sets out that over the years from 2001 until we assumed government in 2010, the average growth in expenditure by Labor was 8 per cent annually. In the coalition period of government it has been 3.1 per cent. In the out years accommodated by this budget it is 2.6 per cent. It is the key to our being able to run our budget on a basis that has preserved our AAA rating and enabled us to build these surpluses. It is the surpluses that will in turn enable us to fund the infrastructure initiatives that we have before the Victorian public — and what a program of infrastructure it is. We have \$27 billion worth of road and rail projects and additional service providers. That \$27 billion worth of infrastructure will create about 26 000 jobs, and as we know, jobs jobs jobs is going to be the key to the future of our great state. These are transformational projects. They will change, for the better, the face of the state of Victoria.

The east–west link will be a major contributor to the way we are able to move traffic in and around Melbourne and the metropolitan area, but there will also be major benefits for those of us who live in the regions. The airport link, the widening of the Tullamarine Freeway, the Melbourne rail link, the Cranbourne to Pakenham train link, the work at Hastings — all of these projects will benefit us as Victorians, particularly those of us who live in the regions of the state. These are practical projects. They will add to the livability of this great city of Melbourne, and they will provide commercial advantages to all Victorians. Victoria exports \$9.4 billion worth of food and fibre. We export one-third of the exports of the Australian nation, and to do that we have to get the product out of the paddock, through the processing and to the ports. What the construction of these various infrastructure initiatives will mean is that the 25 per cent of us who live outside Melbourne will enjoy enormous benefits through this work being undertaken.

As far as the various service providers are concerned, I will go through some of the figures that Clay Manners has provided to me as an extrapolation of the budget papers. These compare the budget papers of 2010–11 to those of this year, 2014–15. Firstly, the budget for early childhood education has increased by 29.3 per cent. Our acute hospitals — just the acute hospitals — have an increased budget of 22.4 per cent. In this budget it will be \$10.275 billion. Ambulance services budgeting

has increased by 23.5 per cent; policing by 20.7 per cent. Regional development — and this is a staggering figure — has increased by 111.2 per cent over the time since we came to government, and that is reflected in the extraordinary work that has been undertaken by our government to concentrate on these initiatives.

The budget papers also contain all-important boosts to our export markets. We understand the need to be able to trade internationally and to do that on an increasing basis. It is the foundation of our future. It is not only China, Japan, India and South Korea but also the other nations throughout Asia and beyond that we are looking to for our exports, and so much of what is contained in this budget relates to that thinking.

As far as the regions are concerned, there are huge wins for rural and regional Victoria. The beacon of it all is the Murray Basin rail project. An amount of \$220 million has been allocated, and at last we will see the standardisation of the freight rail lines from Mildura to Geelong and associated areas. At last we will see what former Premier John Brumby talked about back in about 2000 and 2001, when he said the Labor government would be prepared to do this — but of course it never happened. Like so many of its other promises, it simply never happened. We are going to build this. It is funded in the budget, it will make extraordinary transformational change to our freight delivery here in Victoria and we are proud to be able to do it.

There are many other initiatives as well, including the Latrobe Regional Hospital — \$73 million; the Shepparton court complex — another \$73 million; and the Ballarat employment zone — \$30 million-plus. I pause to say that in terms of developments across the regions of Victoria this will be a magnificent initiative for the people of Ballarat and the regions. It means the prospective growth of 9000 or 10 000 new jobs. We are so proud as a government to support it.

Other initiatives include a \$15 million contribution to the Bendigo aquatic centre; the Echuca police station — \$14 million; and the Boort Hospital — \$14 million. There are 30-plus schools being redeveloped or rebuilt throughout rural and regional Victoria. It is an extraordinary contribution by the government in a budget that will allow more than \$500 million in capital expenditure for the development of our schools this year.

Right through the budget we see so many initiatives. In the interest of time I cannot go through them all, but they are imperative to growing the regions. We recognise that if rural and regional Victoria are doing

well, all of Victoria does well. If we are able to continue to promote and enhance all of those attributes of rural and regional Victoria, the whole of the state benefits.

I want to talk about some of the initiatives within my own electorate of Gippsland South. We are delivering the Sale Specialist School. The communities in Sale that are associated with this magnificent initiative are, quite rightly, celebrating it. It is happening in an environment where for 11 years Labor did absolutely nothing about the needs of the Sale Specialist School. The only contribution it made to this occurred after it was kicked out of government when the shadow minister was in my home city stirring up trouble amongst these communities. Yet when it had the chance, Labor did nothing. In the space of some three and a half years we found a site, we bought that site and we have now allocated \$4 million to start building this facility. It will be a great outcome for that community, for all its families and most particularly for its students. The Korumburra Secondary College will receive \$5.6 million to get its project cranked up.

The Leongatha truck bypass will have about \$5 million going into it, and at long last we will get those heavy vehicles out of the main streets of the town. This area is increasingly being built on the contributions of the dairying sector but also on the contributions of the horticulture and the beef and sheep sectors and other similar sectors. All of them depend on being able to move their product to market. At long last the very necessary truck movements will be moved onto Long Street to bypass the main streets of Leongatha. We are doing that in concert with the federal government, which has made a contribution as well.

There is a huge increase in road maintenance funding, with another \$130 million in the budget. There was the announcement of Federation University training, which will see vocational education and training delivered in a new environment over the course of the coming years. That is part of the \$1.2 billion annually which we are providing to the vocational education and training sector. I hear the shadow minister whingeing about the issues in relation to the funding of this important sector, but opposition members conveniently forget that when they left government they were funding vocational education and training to the tune of \$850 million a year when the actual cost had blown out to \$1.2 billion plus. It would have been gone, dead and buried as a sector had it not been for this government funding it to the tune of \$1.2 billion annually.

Much of the boosts in general services referred to in this budget will find their way into rural and regional

Victoria and into my own electorate. The Regional Growth Fund, which has now seen investment of \$400 million, leveraging outcomes of \$1.6 billion over 1400-plus projects, combined with the initiatives in this budget, is part of a very potent mix which will benefit rural and regional Victoria. That is no better exemplified than by the \$22 million which we as a government provided to SPC Ardmona to enable a coinvestment of up to \$100 million to occur in Shepparton.

What are we hearing today from Labor members? We are hearing glib one-liners. The shadow Treasurer was, I suspect, making some sort of an effort at a comedy festival delivery of glib one-liners and philosophical commentary delivered for the Labor faithful. There were no statements of what Labor intends to do, but there was lots of commentary and criticism. There was nothing about what Labor is going to deliver. Where is the analysis of the budget that Labor should provide? Where is the careful analysis of the numbers that underpin this budget, as we used to see in those dark, black days when we were in opposition and our shadow Treasurers of the time gave careful regard to the way in which the budget was structured?

We heard comments about the motor vehicle industry, but do not mention the fact that Australians have indicated by their actions that they simply do not want to buy Australian-made motor vehicles — 85 per cent of motor vehicles purchased by Australians are manufactured in other nations. ‘Forget the fact’, says Labor, ‘that these manufacturers have said unanimously that they simply cannot keep manufacturing in Australia, no matter what is offered to them’. Forget all that; do not mention any of that.

There were comments about interstaters. Record numbers of people are coming to live in Victoria. It is the largest interstate migration to this state in its history, yet the Labor Party is deriding the fact of the migration to this state. What about the more than 60 000 additional Victorians who are working today than were in work when Labor was kicked out of government? I see a concentration, however, on Prime Minister Tony Abbott and the federal government. It is a sign of what we can expect from Labor. Tony Abbott is undertaking in Canberra the same sort of task that we had to take on in coming to government — cleaning up Labor’s mess. He is cleaning up the mess that Labor left behind, that it is famous for leaving behind, because we all know that Labor cannot manage money. Labor is hopeless at managing money, and Labor cannot manage major projects.

We should not worry about the fact that we have a desalination plant which is costing us \$1.8 million a day and will for the next 28 years — one part of Labor’s mess. What about the pipeline that cost \$1 billion to build and now sits idle and will never be used while we are in government? These are all part of Labor’s legacy. I simply say to people: forget Labor, forget the fact that the Labor Party is run by the Construction, Forestry, Mining and Energy Union, which has a key in the back of the Leader of the Opposition’. This government has delivered a budget which is magnificent in its content and will be a return of faith to the people of Victoria who invested their trust in us in 2010.

Mr HERBERT (Eltham) — Talk about an Alice in Wonderland speech from the Deputy Premier! I normally enjoy his speeches; I am an agrarian socialist, and we love agrarian socialists on this side of the house. But wow! What happened to the defence by The Nationals of their own homeland against Liberal toecutters? That is out the door under this government. It is all about defending the indefensible — defence of the big spend in Melbourne at the expense of country Victoria. That is the way of the modern day Nationals, that is for sure.

I am pleased to rise to speak on the budget. As we have just heard from the other side of the house, this is a budget that professes to be all things to all people. But when you have a good look at it, it is those who are most in need that are being kept right out in the cold. There is nothing for them, that is for sure. It is a budget that looks after those who do not need to be looked after. Nowhere can that be more clearly seen than in the vocational education and training sector. A scant piece of this budget is directed to it, and that sector gets nothing; in fact it gets more pain. We need to look at what is happening here.

Mr Walsh interjected.

Mr HERBERT — The member for Swan Hill says, ‘Have a look at it’. He ought to go and talk to some of the TAFEs up there; he should go and talk to some of his adult and community education providers. For the information of the member for Swan Hill, the adult community and education providers are the ones that service the most disadvantaged in communities right around the state. They are on their knees, and there is no help for them in this budget.

Government members say, ‘Look at TAFE, look at what we are doing’. I am happy to look at TAFE. Before this budget came down, three short years ago we saw a range of measures which devastated what was one of Australia’s best training systems. People from

countries around the world would come here, look at what our TAFE system delivered and emulate it. They tried to take what we did here back to their countries because we had a thriving TAFE system. We had a system that looked after the needs of not only individuals but also our industries and future industries. All that has gone.

In the 2012 budget, which was not that long ago, the government slashed \$1.2 billion from the TAFE sector — not from the whole training sector but from public TAFE providers. This is an indisputable fact. It cut \$130 million from course subsidies and \$170 million from community service provision. That is indisputable. That meant that for some TAFE courses, particularly in rural and regional Victoria, the government training subsidy rate dropped down to about \$2 per student hour. That resulted in 2500 TAFE teachers across the state being sacked. It resulted in fees across TAFEs being lifted to levels that students simply could not afford to pay if they wanted to do some training. It meant that community service provision for disadvantaged students, to run libraries, to provide counselling services, for infrastructure costs, to run courses in small rural towns or what is called thin markets and to provide literacy and numeracy support for kids who want to do an apprenticeship to become a plumber or electrician but need a bit of a hand with their writing and maths was all slashed.

We saw campuses closed, Lilydale being one of the big ones. Swinburne University of Technology made a quick decision. It thought, 'We have got to cut our losses in TAFE; we have to concentrate on higher education for the kids who are academic', and it closed down its Lilydale and Prahran TAFE campuses. We have seen the Northern Melbourne Institute of TAFE Greensborough campus and South West TAFE Glenormiston campus go. You would think those opposite from The Nationals would be worried about the devastation to agricultural training in the state. I am told that right now the biggest provision for agricultural training in this state is not for training in farming or agricultural production but is for stablehand training. That is where the money is, but that is not where the need is. We have seen the complete closure of eight campuses and outreach centres of Advance TAFE in East Gippsland. It keeps going on.

At the time those opposite said, 'That is not true', but when we looked at the annual reports a year later — most of them tabled their 2013 annual reports a few weeks ago, and I will talk more about that later — what did we see? We saw that staff numbers had been slashed in all those community service areas, we saw that courses had been closed in key areas around the

state, we saw fees ratcheted up — we saw a sector in turmoil. Even the summary of the vocational training market report released by the minister — I want to say a bit more about this later — shows that enrolments in apprenticeships have dropped by 4 per cent and traineeships have dropped by a massive 35 per cent. But the government says it is spending more and more. Apprenticeships are down, traineeships are down, campuses have closed, fees have skyrocketed, staff have been sacked, provisions have been dropped and TAFEs are broke, but the government is spending more. If it is spending more, it is doing an awfully bad job at it, because training in this state is an absolute disaster.

Members opposite say, 'That is not true'. Members do not need to believe me, they can have a look at the leaked report from a sector director at the Victorian Auditor-General's Office. The report was not publicly released by the government; someone was so ashamed that the government was telling such porkies about what was happening that they dropped out this report given to the business manager of the TAFE. The report shows that TAFEs dropped a massive \$119 million in state government funding between 2012 and 2013. Members opposite can say that I am not right and that they are putting in more money, but are they seriously saying that the sector director at the Victorian Auditor-General's Office is lying? Of course not. It is absolute rubbish.

We have seen that half of Victoria's stand-alone TAFE institutes are in operating deficit. This is according to the Victorian Auditor-General's Office and the annual reports certified by the TAFEs, not according to me. But members opposite say, 'Hello, that is not right. We have got a solution'. What is their solution? They say, 'We are providing \$200 million a year over four years in structural adjustment funding'. That is a \$1.2 billion cut, with \$119 million less government funding last year, against a \$200 million over four years fund. When the government announced that, we said, 'We cannot see it in last year's budget'. I looked again in this year's budget. Did I find \$200 million? No. I would love the minister or the Treasurer to show me where it is, because I could not find it. It is not there.

There is \$100 million for capital in the budget as part of the TAFE structural adjustment. It is another smoke and mirrors trick on all those communities that are desperately hoping to get a bit more government money so that their TAFEs can keep operating. It is absolute smoke and mirrors, and even so it is poorly implemented smoke and mirrors. The government got KPMG to assess the submissions from TAFEs for them to get a bit of extra funding to keep alive. That is all

very well. I read that KPMG contract. Incidentally it was pretty quiet about it, because there was a bit of a scandal about that. I have no problem with KPMG, but it was like pulling a beak off a chicken to get that information from the government.

According to that project document, those TAFE projects were supposed to have been evaluated and completed by 18 December. That is not a bad time line. The extra funding, the extra part of that \$200 million, was supposed to become available in March this year. You might think that is not bad: tell them in December so they can plan for the year, get a little bit of extra money and keep their courses going, keep their fees down and keep surviving. Did that happen? No. All we find in this budget is \$100 million, half of what it was — remember that this is over four years as against the \$119 million that was cut from last year's budget.

How many TAFEs have seen the money announced last year? The only funding the government has announced out of the TAFE transition assistance fund is \$40 million over four years for the merger of Advance TAFE and GippsTAFE. That is \$10 million a year. That is pretty good, I suppose, but that is the only money the whole sector across the entire state has seen. Then you look a bit more closely at that. We just found out — the government of course kept it quiet until budget day — that Advance TAFE made a \$9.2 million loss last year out of a \$26 million budget. GippsTAFE lost \$5 million. These TAFEs are running at an operating loss of \$14 million to \$15 million. In the budget they got \$40 million over four years, \$10 million a year, and it appears that that is going to be for capital, which is the last thing they need.

What does the Minister for Higher Education and Skills say about this? This is a new minister, and I thought we might have had a change and a new view. He says the TAFE sector is in an 'exciting transformation'. It is a dizzying ride for all those CEOs out there — half of them are broke, there is \$119 million less in government funding and they are going down the gurgler. They are getting nauseated about it, let me tell you. This dizzying ride is a ghost train to oblivion for most of the country and regional TAFEs and their campuses in this state.

That is bad enough, but we then read this budget. Is there help? No. There is \$124 million less in the higher education, training and skills budget output for next year. There is more bad news for apprentices and trainees. These are kids who do not want to go to university; they want to be good tradies and work with their hands. They are in the vocational mindset and that is what they want to do. Despite the rhetoric over the

road, despite the spin we hear from ministers about, 'More, more, more, more', in their very own budget papers we see that apprenticeship and traineeship commencements are going to drop from 51 000 in 2013–14 to 40 000 next financial year. That is 20 per cent less. If this state does not need more trained people, the only reason for that is that industry is going down the gurgler and there are no jobs for people.

It gets even worse. The government says, 'Oh, but we are concentrating on the higher level certificates'. Okay, we need higher level qualifications, but when you look at diploma-level and above in terms of the sector, we see that the government's own target — not mine, not the industry's but the government's target — has dropped from 94 000 last year to 63 400 for 2014–15. That is a 30 per cent drop in those expected to do diplomas in this state. It is indisputable. It is not me saying that, not the industry and not the TAFE Association. It is in the government's own budget figures.

What a disgrace. The sector is in shambles, yet the government is cutting money and saying transparently, 'We are going to have less apprentices, we are going to have less trainees, we are going to have less diplomas'. That means industry is going to have to rely on importing workers — more 457 visas — to meet our skill needs or our economy is going to go completely down the gurgler and no-one will have a job. That of course is on the cards for this government, which concentrates on spin over substance. These are the indisputable facts.

When we talk about how this government operates, what about transparency? Northern Melbourne Institute of TAFE is one of the biggest TAFEs in this state and the government refused to table its annual report before this budget because it knows that \$30 million has been lost and \$50 million in cash reserves has been blown as a direct result of funding cuts. The government will not open the Northern Melbourne Institute's books to the public and show us exactly what is happening with that major provider of further education in the northern suburbs of Melbourne.

That is the way this government governs, and it is an absolute disgrace. It is a disgrace that is replicated in the hospital system, the education system and the debacle that is rapidly unfolding in terms of our transport plans in this state. I am pleased to be going around Victoria, into the electorates of those opposite, particularly in country Victoria, and showing the facts of the government's budget.

Mr WALSH (Minister for Agriculture and Food Security) — Make no mistake: this is a great budget for rural and regional Victoria, and for the food and fibre industries of rural and regional Victoria as well. Let us remember that the food and fibre industries are key economic drivers in this state, particularly in regional communities. One in six jobs in regional Victoria is in the food and fibre sector, so they are key industries. In the budget there is \$34.5 million over the next four years for the Food to Asia action plan. This builds on the government's growing food and fibre initiative in previous budgets and on the international engagement strategy we have had in place since we were elected. These programs have seen real results when it comes to agricultural productivity in this state and growing export markets, particularly into Asian countries and the Middle East.

If you look at the export figures, you find that there was \$9.4 billion of food and fibre out of this state in the last financial year. It has been increasing each year since we came to government, partly because we had good seasons but, more importantly, because of the work that has been done driving us into higher value markets, particularly into Asia.

If we fast forward to 2030, there will be 3.2 billion people in the consumer class in the Asian market. That is a market we in the government are targeting with our food industries. To put that in a relative context, there will be only 26 million people in Australia, so we have a really great opportunity there. With our businesses we are particularly targeting the high-value end of the markets — people who are seeking quality and are prepared to pay for it. The Victorian brand really means something in those particular markets, and that is because they have faith in our regulatory system. They have faith that we are producing good-quality, clean, safe food in this state.

I pay due regard to the staff of the Department of Environment and Primary Industries and particularly to the staff of Dairy Food Safety Victoria and PrimeSafe for the work they do making sure that our regulatory system is appropriate and that our overseas markets have faith in that particular brand. You do not need to look any further than the example of infant formula. There were food scares in China about its own infant formula. A lot of consumers in China have lost faith in their own system, but they have faith in our system, and they are coming here and wanting that particular product.

The Food to Asia strategy will invest money particularly into biosecurity and doing the work on the important protocols to get more product into those

particular markets. We are aware of our successes. The increase in citrus that has gone to China is one example. The Mildura Fruit Company is sending 700 containers of citrus this year to China. The price of citrus has gone effectively from \$20 a carton to \$50 a carton because we have that increased opportunity to export into those high-value markets. We have seen an increase in table grapes going out of this state. We have seen stone fruit for the first time this year going into Thailand. There are two containers going into Thailand as a prelude to increasing that market in the future. That is from the work the department has done in doing the important protocols to get more product into those particular markets.

Since this whole strategy started there have been something like 65 inward-bound and outward-bound trade missions, where we are taking our producers into those countries to build market opportunities for them and bringing the buyers to Australia. Really great things have been happening. If you look at a couple of small examples from what you might consider to be the more non-traditional industries in Victoria, you find that we are really close to having a deal to supply Indonesia with seed potatoes — a great outcome for that particular industry — because we have done the work with the country and with our industry to get the protocols to do that. Mainstream Aquaculture in Werribee is an exciting business that has been overseas and is actually breeding barramundi fingerlings in Victoria. When it is up to full production 50 per cent of the world supply of barramundi fingerlings going into aquaculture will be coming from Victoria, so there are some really great things happening.

If you look at some of the quotes about the budget, the Victorian Farmers Federation, one of those organisations that — —

An honourable member — Great union!

Mr WALSH — Great union. It is one of those organisations that has a lot to say. Peter Toohey, the president, said:

This investment —

he was talking about the Food to Asia strategy —

is an overwhelmingly positive step forward for Victorian farmers and also regional Victoria as we work to strengthen our ties with Asia.

That is a glowing endorsement of this particular program.

Victoria is the freight and logistics capital of Australia. If you look at the figures, you find that 30 per cent of all

container traffic goes through the port of Melbourne. The member for Rodney would always interject in debate and say that the dairy industry is the biggest single user of that port, but it is a key port for exports of our food and fibre products. Melbourne Airport moves more air freight than any other single airport in Australia, so we are the freight and logistics capital. The infrastructure spend that was in this budget will make sure that we as a state stay at the forefront of being the freight and logistics capital of Australia.

A key project that is part of that is the \$220 million that is going into the Murray Basin rail project. This is a game changer for freight and rail in country Victoria. It has been talked about for decades. It has taken a Napthine-Ryan government to deliver this particular project for Victoria. It is a great outcome for regional Victoria; it is something that has been talked about for a long time but never done. One of the great supporters of getting this project done is Ken Wakefield from Wakefield Transport in Merbein, near Mildura. He uses the rail system to get containers to the port. The citrus and table grape products I was talking about go on the train from Mildura to the port of Melbourne to go overseas. Mr Wakefield is quoted in the *Sunraysia Daily* as saying:

This is a game changer for us —

meaning his business. The article further quotes Mr Wakefield:

‘This is a quantum leap forward’, he said. ‘It opens up an availability to more services, and when you have more services, you can have more cargo. We’ll be more competitive.’

This is what it is about — being more competitive in this particular state.

Mr Delahunty — More cargo more frequent more often!

Mr WALSH — Exactly. A lot has been said about the balance of investment between rural and regional Victoria and the city. The investment in transport infrastructure in the city helps country Victoria as well, because it means that we can get freight to port and get freight to market on time. It is more timely and provides more efficiency, which means more money for our particular businesses.

Also in the budget there is \$2.3 million to enable the establishment of a poppy industry in Victoria. One of the things with the increased living standards, particularly in Asia, is that there are more people now who can afford pain relief for the first time in their life. The demand for pain relief is growing at 7 per cent per

year globally. Tasmania produces 45 per cent of the alkaloid poppies in the world. The three businesses that produce the pain relief products want to diversify their growing area, spread their risk and plan for the extra demand in that particular product, so there is money in this budget to put in place the regulatory framework so that that industry can start in Victoria. That industry is estimated to be worth up to \$100 million for the Victorian economy within 10 years. We have introduced the legislation. We have prepared the regulations. We have done what we said we would do for the industry so that it can start commercial production here this year.

In the budget there is also some money for additional work on wild dog control, particularly for aerial baiting and additional targeted ground baiting. Wild dogs have been an issue for farmers and for governments for a long time. It has taken our coalition government to do the work that is necessary by working with the communities and industry to put a better control program in place. In this regard I particularly acknowledge the work that my parliamentary secretary, the member for Benalla, has done in working on this issue. He has worked with the communities and with industry so that this is a shared responsibility and a shared program where we are getting really good on-the-ground results. I say to him, ‘Well done, for the work you have done on that program’.

As the Acting Speaker would know, we were extremely frustrated that under the previous Labor federal government we were not able to get permission to do aerial baiting. One of the great things that happened with a change of government in Canberra was that we got some common sense in the decisions happening up there, and we now have the opportunity to do aerial baiting this year. This will be a good outcome for people in rural Victoria.

From the point of view of my water portfolio, there is money in the budget for governance and administration of the Sunraysia modernisation project. The member for Mildura and I have been trying to get this project over the line for a long time. It is a project that was promised by former Labor Premier, John Brumby, and federal Senator Penny Wong, in 2008. It has again taken a coalition government in Victoria to get this project up and running — to get it under way. I am sure the member for Mildura is absolutely thrilled that that project is now starting, and there will be pipes in the ground this year getting that project done.

The other thing that is in the budget from a water point of view is \$7.6 million for community flood planning and protection work. If we wind the clock back a

decade, we will recall that the Labor government was trying to convince the people of Victoria that it would never rain again and there would never be floods again. It dropped the ball when it came to flood planning and flood protection for our towns. We saw the results of that in 2011, when a lot of communities were flooded, a lot of property damage was done and a lot of cost was generated. Since we have come to government we have spent money on doing community flood plans, and the money in this budget will start to help implement some of those plans. It will be matched in some cases by commonwealth money. In the budget there is also our contribution to the Murray-Darling Basin joint operations program, which is something we as a state have been committed to all the way through to make sure we manage those assets well into the future.

From my point of view as a local member, can I say just how happy I am for the community of Boort that there is in this budget \$14 million for the redevelopment of the Boort hospital site. I was intrigued by comments by the shadow minister yesterday that because I was born in the Boort hospital I somehow had a conflict of interest and it should not get any money. I would assume then that any member on the other side of the house who was born in the Royal Children's Hospital will never be able to give money to that hospital. That is how ridiculous his comments were. This money follows on from budget allocations made since we have been in government to rebuild the Kerang hospital, the Charlton hospital and the aged-care facility in Swan Hill. As a local member I am very proud of what we as a government have done in rebuilding the capital infrastructure of the health services in my electorate in only one term of government. I cannot remember in my time in this place those sorts of investments being made by any previous Victorian government.

There is also \$2.8 million for some rebuilding at the Kerang Technical High School. This follows on from the \$700 000 that was in the budget last year for maintenance at that school. There was nothing for Kerang Technical High School during 11 years of Labor government. Again, this is a great investment in a school that was getting very run down because the previous government would not spend any money on it. The key thing to remember with this budget, particularly from a regional and rural Victoria point of view, is that the budget is one day of the year, but with our \$1 billion Regional Growth Fund projects are being funded in our communities every week of the year and we are seeing some really great outcomes in our local communities. The other thing to bear in mind in relation to our local governments and their road infrastructure is that every week of the year money is

being spent out of our \$160 million local roads and bridges program.

There is a budget and there are some headline announcements, but the key thing to remember for the communities I represent and for those right across rural and regional Victoria is that with the programs we have in place there is money going into those communities every week of the year, making them better into the future, helping businesses grow, creating jobs and building for the future to make sure Victoria is in a great position in the future to supply food and fibre into Asia so that people will want to move to Victoria and enjoy its lifestyle.

Ms GREEN (Yan Yean) — I am pleased to join the debate on the Appropriation (2014–2015) Bill 2014. There has been a lot of overblown rhetoric in the last couple of days from the Premier, from the Treasurer and from a number of ministers, but there are an awful lot of sad faces on the government backbench. There is also the fact that there was an emergency effort to get Matthew Guy, Minister for Planning, into the media today, in particular on to the Jon Faine program, to do a bit of a rescue effort and to try to explain the absurdity that is a centrepiece of this government's budget: the so-called game changer to Melbourne's public transport system.

I found it very interesting to listen to Mr Faine's ABC radio program this morning. Matthew Guy and I have known each other for quite some time. He and I had an arm wrestle for the seat of Yan Yean in 2002, and I am pleased to say that I was successful. However, he came into the Parliament in 2006 and has represented the Northern Metropolitan Region in the upper house since that time.

Mr Guy used a number of arguments in his defence of the government's program of the 'Where the hell are you?' — Montague, Fishermans Bend, wherever it is — station. It sort of sounded like Lara Bingle with 'Where the bloody hell are you?' when the minister was trying to explain where this so-called new, game-changing train station loop with increased capacity was going to be at Fishermans Bend. But it seems like it is near Crown Casino, so that will be good for people who want to go there!

One of the arguments that Mr Guy used was that in 15 years the population of Fishermans Bend will be the same as Shepparton. This means there will be need for a train station — not that the one at Crown Casino will be anywhere near where this metropolis the size of Shepparton is planned to be. It will be 3 to 5 kilometres from where the development will actually be. I would

remind Mr Guy that there is a postcode which he has represented since 2006 and which he sought to represent since 2002, and when I started representing that area there was only a handful of people living there. It is now the size of Shepparton. But there is nothing in the budget for Mernda and Doreen and for a rail line there. I am proud to say that I am joining this debate on the budget with the 'Access Denied' pin on my lapel, and the two biggest infrastructure things that the City of Whittlesea requested in this budget were the extension of the railway line to Mernda and the Hume Freeway-O'Herns Road interchange. Neither of those things were funded in the budget.

Regarding the Places Victoria Aurora estate, Mr Guy actually accused me of lying a couple of years ago. He wrote letters to the editor saying that I was lying when I said that Places Victoria under his watch was now focusing on urban consolidation, would not do anything in the outer suburbs anymore and would be an abandonment of the Aurora community. He said that I was a liar. Nothing in this budget demonstrates more the fact that there was nothing for that community, nothing for Aurora, an area which is growing so rapidly and will not get its interchange. It has a whole lot of bus shelters — weather shelters — but they are not bus stops, because Aurora will not be getting any new bus stops. It is not getting anything that would finalise and complete that estate.

As we speak, the Places Victoria office is actually being demolished. Places Victoria is walking away. It is the boulevard of broken dreams in that suburb. Not only is the minister abandoning Northern Metropolitan Region in his pursuit to lead this state and the Liberal Party and scuttling off to Bulleen, but as the minister responsible for Places Victoria and completing the Aurora estate, he is abandoning them too. He is standing up for a suburb that in 15 years time will be the size of Shepparton. It is an utter disgrace.

The night before the budget I posted on Facebook the 13 things I hoped on my community's behalf would be in the budget. There was the Mernda police station. Did it get funded? No. Yan Yean Road upgrade? No. Bridge Inn Road upgrade? No. Mernda rail? No. Mernda prep to 12 in Breadalbane Avenue? No. Beveridge Primary School upgrade? No.

What about Country Fire Authority (CFA) stations, which the CFA said were necessary? When we put together our plan for this term in office, we made commitments to fire stations in the interface cheek by jowl with where the Black Saturday fires were, but they have been ripped out of the priorities of this government and other areas that were not in the priority

list have been funded ahead of them. The CFA stations are Eden Park — —

Honourable members interjecting.

Ms GREEN — Someone might talk about 11 years over there. The people who have suffered as a result of Black Saturday deserve a fire station. They would have got it under us; they were about to get it. They got 15 fire stations under us. Under this government they have got none. So Eden Park, Plenty and Wattle Glen have not got their fire stations. Did the Diamond Creek to Hurstbridge trail get funded? No, it did not. More trains on the Hurstbridge and Seymour lines? No. More local buses? No. More school buses? No.

Then we get to the 2 out of 13 things on the list that the community wanted and I said on its behalf should be funded in this year's budget because we have been waiting for something to be funded for the most populous and fastest growing electorate in the state. Government members are shouting out and saying, '11 years'. The population has exploded on their watch. You do not build things before the population is there; you plan for them. That is what they are trying to tell us they are doing with their panic station in Montague. They have not built things on their watch. They are saying they are finally funding the Wallan ambulance station, but it is four years late. They have gone, 'Oh, whoops! Now Wallan's in a marginal seat. We'd better actually shift that crew we've been telling people about that is 17 kilometres from Wallan in Kilmore'. They have been trying to say that that is the delivery of an election promise.

Finally, four years on, they expect people to believe that the Wallan ambulance station is now in the budget. I do not think the people of Wallan will believe them. Finally, after a huge community campaign we have got the second stage of Hazel Glen College, but it is three years late. That is the sum total of what the fastest growing and most populous electorate in this state got in this budget.

Now I will move on to some of my shadow portfolio responsibilities in terms of those in need, health and family violence. You would go no further than the quote on budget day from Fiona McCormack of Domestic Violence Victoria. This is what the sector thinks about this government's offer to address what is currently the most serious crime in this state, and that is the threat posed by family violence to women and children. This quote is not from me; it is from the sector:

The murders of these women and children have taken place while Victoria's been on the stewardship of Denis Napthine ...

We're asking him to meet with the families of victims and explain to them ... why this figures so little in the government's priorities.

It's an absolute disgrace.

There is very little in the budget to address that crisis.

The biggest contributor to homelessness in this country is family violence. It is not good enough that the Minister for Housing, Wendy Lovell, has removed family violence from the list of priorities, taking away the ability of women and children fleeing family violence to get priority for emergency housing. For six weeks now my office staff and I have been dealing with a family with three children fleeing family violence. The three children and their mother are living in their car in the cold in the northern suburbs, getting an occasional night in a motel, and the minister is yet to respond. Under the watch of the former Minister for Housing, the member for Richmond, any woman in that situation would have been housed by the end of the day the situation became known or the next day. Women did not have to wait for six weeks in the cold.

It is bad enough that these families no longer have priority, but we now find in this mean and cruel budget that the number of households being assisted with crisis and transitional accommodation continues to fall, with the target for 2014–15 reducing from 9400 to 9000. At a time when in some local government areas we have had a 60 per cent increase in women reporting family violence and fleeing that situation, their lives in danger, we are going to support less families, not more. And for the first time Victoria's social housing stock will shrink. The average waiting time for applicants in urgent need on the public housing waiting list has blown out by 35 per cent, and for the first time this state will sell more social housing than it will build. The budget does not provide any new funding for new public or social housing. The government is letting down the most vulnerable, people who do not even have roofs over their heads. Their lives are in danger, and this government is turning its back and shutting the door on them.

In relation to health, we had the health dump day a week or so back. Under the cover of a public holiday — I think it was the day before Anzac Day or near one of the other public holidays — the health data was dumped to ensure that it got the least scrutiny possible. It indicates that there were huge shortfalls in the meeting of elective surgery targets. For category 2 patients, who are meant to be treated within 90 days,

hospitals like the Angliss are at 61 to 65 per cent, not 80 per cent as they should be. At Casey Hospital we are talking about only 43 per cent. It actually went up a little bit this year — in 54 per cent of cases that hospital is not meeting the target. Over one year at Casey Hospital the number of people waiting for elective surgery increased by 424 persons.

I talked about my electorate before, where growth needs are not being met. This budget does not neglect just the north, it neglects the south-east, it neglects Geelong and it neglects the west. The budget neglects these areas because it fails to fund demand. The government is pretending it is building a hospital for the burgeoning areas of Grovedale and Armstrong Creek. The Waurm Ponds hospital is an absolute con, and the government expects people to believe it. The Northern Hospital got absolutely nothing in this budget — and this is before we get to Prime Minister Tony Abbott's budget next week. He has already cut 326 hospital beds. There has been a major loss of subacute care because the 2010 Council of Australian Governments funding is not being renewed. The budget papers reveal that the Napthine government has added only 43 beds to the system in four years when it promised 800 and the population is burgeoning. It is an absolute disgrace.

Overall the government has cut \$831 million from health, and it has done nothing to address the crisis in the ambulance system, which is under enormous pressure. Its dump-and-run policy has failed to get ambulance transport times to target, and it has heaped more pressure on struggling emergency departments. The Premier, the Minister for Health and the Treasurer have not ended their long-running war with paramedics. That is not looking after the health of this community.

This budget is missing in action as far as vulnerable Victorians and their health are concerned. It does not matter where you live, this is a bad budget for Victorians and their health. There is nothing to address the falling ambulance response targets in this state. It is obscene to see the way this government has been trumpeting its achievements. Government members should try talking to the ordinary people who cannot get hospital beds, who are stuck in traffic, who cannot get roofs over their heads, who are not feeling safe, who are fleeing family violence. This is a budget that fails to deliver, particularly in the outer suburbs where so many Victorians live.

Mr WELLS (Minister for Police and Emergency Services) — This is great budget. I congratulate the Treasurer and the Premier on an outstanding budget. I also pay tribute to the Deputy Premier, the Assistant

Treasurer and the Minister for Finance. We came into government saying we were going to build a better Victoria, and this budget demonstrates that we are doing that. When we came to government in December 2010 we were facing a high Australian dollar and continuing global uncertainty, and then there was the issue of what the previous state government had done. We always say, and it seems to be incredibly true, that when Labor gets into government, it has no financial discipline. Then when the Liberals and The Nationals come in they have to clean up the financial mess we are left with.

Look at the cost blow-outs, which are fact. They come from those major legacy projects that we inherited and had to sort out. The cost of the myki card system started out at a couple of hundred million dollars, but it ended up being more than \$1 billion when recurrent and capital costs were added up. What a fiasco the Melbourne Markets project became, and the coalition government was left to deal with it. Members of the Labor government chose not to talk to the stallholders before making decisions, so when we came to government we were in a difficult situation.

With the regional rail project, how could Labor not have factored in that \$500 million worth of signalling would be required and that, once the tracks were finished, trains would actually have to be put on them? Then of course the fixed cost of the desalination plant is about \$1.8 million a day for the next 28 years.

On top of these costs come the revenue write-downs of \$7.6 billion over the forward estimates, and, as has been spoken about well over the last couple of days, there is the issue that recurrent expenditure growth under the state Labor government grew at the rate of 8 per cent per annum. If revenue growth is only 6 per cent but expenditure growth is 8 per cent, that demonstrates poor management to everyone. Between 2006 and 2011 the public service grew at a rate of 5.3 per cent per annum compared to population growth of only 2 per cent. As the Treasurer outlined, delivering a \$100 million surplus and maintaining the state's AAA credit rating were not negotiable, and he has been able to achieve both — an outstanding effort.

This is a great budget from a police and emergency services point of view. For 2014–15 the police budget is \$2.43 billion — a record amount of funding for Victoria Police — compared to \$1.99 billion in Labor's 2010–11 budget. That is an increase of \$440 million, or 22 per cent, on what the Labor government committed in its budget.

In the 2014–15 budget there is funding of \$457 million for the Country Fire Authority (CFA), another record budget allocation that is surpassed only by the CFA budget allocation in 2011–12. Everyone would understand that the 2011–12 budget included many one-off items to implement the recommendations of the 2009 Victorian Bushfires Royal Commission. Government members remember very clearly that in Labor's last budget, in 2010–11, there was an allocation of \$399 million. The current budget allocates \$58 million more than the last budget of the former government.

The Metropolitan Fire Brigade will also receive a record budget — \$326 million — for 2014–15. In Labor's 2010–11 budget it was \$286 million, so this government is contributing \$40 million more than Labor contributed in its last budget in 2010–11.

So where is the money being spent? It is being spent in a number of areas. Obviously the coalition government made an election commitment to employ 1700 more police and 940 more protective services officers (PSOs). The PSOs initiative has been very popular, and this government introduced that initiative, despite it not always being well accepted at the start.

Ms Thomson — Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr WELLS — As I was saying, an election commitment was made by this government to employ 1700 more police and 940 PSOs, and members of this government are proud of that commitment. We are well on track to delivering on that commitment. There are now 1304 more police on the front line, and there are 701 PSOs on 114 railway stations. I will return to that in a moment.

I turn to where the money is being spent in the police budget. The coalition government has committed to \$13.5 million to purchase 580 tasers for 29 regional 24-hour police stations. These tasers will provide a sensible alternative to using other weapons, which is great news for country Victoria. I note that deputy commissioner of police Tim Cartwright said:

This is a great opportunity for our members to get another piece of equipment which will make it safer for the people that we routinely have to deal with on the street, safer for our members and give us another option other than the use of firearms, batons or OC spray.

It is great news that has been welcomed by police.

Obviously another great budget initiative for police concerns Ballarat West, which the Labor government seemed to forget. The coalition government stepped up and made it an election commitment to fix the issues of infrastructure for police and emergency services in Ballarat West. We have announced funding of \$8.4 million for a new police station to service the areas of Lucas, Alfredton and Delacombe, which is great news. Construction of the new police station is expected to begin next year and be completed in 2017. The announcement was well received by the mayor and the councillors at the time.

The Country Fire Authority regional director for the Grampians region, Don Kelly, is someone who has really pushed for an emergency services hub in Ballarat West, with the co-location of the police station, the CFA station and the ambulance station. It shows great planning to build such a hub in a brand-new suburb, to get the infrastructure in place and to allow the population to grow around it. This funding is well appreciated by the local community.

This government has made another huge commitment, this time regarding the arts. The Minister for the Arts is very proud of the \$42.5 million expansion of the University of Melbourne's faculty of the Victorian College of the Arts and the Melbourne Conservatorium of Music. As part of that project, Victoria Police has needed to move its horse stables away from its site in Dodds Street, where they have been located for a number of years. It has taken great planning and cooperation between the Premier, the Minister for the Arts and the Chief Commissioner of Police to get to this stage. Planning for this project had been under way for some time, but it took political will to get it up and away by relocating the mounted branch of Victoria Police to a new fit-for-purpose facility at Attwood. There will also be holding stables close to the city.

Funding for the Echuca police station is great news for the member for Rodney, who is caring and passionate about his electorate. Some \$14.3 million will be invested in the construction of a new 24-hour police station in Echuca, which will be completed in mid-2016. This is great news for the people of Rodney and the people of Echuca.

I return to the PSOs initiative. One issue that has been brought to the government's attention is that there are radio black spots on some railway stations. The government has provided extra funding in this budget to ensure that PSOs have great radio communication. This investment of \$13.4 million will allow police to eliminate radio black spots.

I mentioned earlier what a great policy the PSOs initiative is. Already 701 PSOs are patrolling 114 railway stations. Just recently the government announced that PSOs would be patrolling railway stations in Ballarat and Bendigo. It was fantastic last Monday week to be in country Victoria to announce that. The community, the police force and the commuters of Ballarat and Bendigo are so excited that they are getting PSOs. The great thing about it is that the PSOs on those railway stations will come from local areas.

On Monday of this week I was able to make an announcement about PSOs at Geelong. We promised 701 PSOs at 114 railway stations, and we are well on track to delivering on that election commitment. As I said, there was great excitement about these announcements in Ballarat, Bendigo and Geelong.

I again refer to the Country Fire Authority. The CFA is a great organisation; it is one of the great volunteer organisations in the world. There are 55 000 volunteers out there keeping Victorians safe. Sometimes they give up a trip to the football or the opportunity to attend a family commitment to make sure they are on their truck to keep Victoria safe. We are very proud to announce \$29 million for the purchase of 78 brand-new CFA trucks. Money will flow as of 1 July, and that is over a one-year period. Trucks will be provided all of the state at the discretion of the CFA chief officer, Euan Ferguson. This is a great commitment to the CFA. It is about not only keeping CFA volunteers safe but also providing greater protection for the community.

There will be 74 medium tankers and 4 prototype vehicles. The prototype vehicles will include a medium pumper, a heavy tanker, a breathing apparatus truck and a heavy sand tanker, which will be used in the north-west. This is a great announcement, and it has been very well received. I note with great interest a letter to the editor of the *Bendigo Advertiser* by Andrew Ford, the CEO of Volunteer Fire Brigades Victoria, in which he says:

The announcement of \$29 million and 78 new trucks for volunteer fire brigades is good news for CFA volunteers.

...

CFA volunteers will be pleased with the announcement. It is a sign the government is listening, and a good start towards an ongoing solution that better protects the Victorian community.

An article in the Warrnambool *Standard* of 3 May, citing Euan Ferguson, states:

... the vehicles would give Victoria one of the most advanced firefighting fleets in Australia.

He said the authority was already planning where the new trucks would be deployed following their expected completion about the middle of next year.

That is extraordinarily good news.

The other good news is a significant upgrade to the breathing apparatus, not just for CFA volunteer and career firefighters but also for the Metropolitan Fire Brigade (MFB). Breathing apparatus is incredibly important when you are fighting a fire, whether it be a house fire, a chemical fire or a fire at a farm shed where chemicals are stored. The ability to have that breathing apparatus is significant. We have committed \$20.5 million to replace all existing breathing apparatuses and associated equipment over the next three years. This is a great investment and one that has been very well received and appreciated by the CFA and the MFB.

Talking about emergency services, the Emergency Services Telecommunications Authority (ESTA) has received a 000 communications enhancement. ESTA does an extraordinary job. The expertise of the people in the ESTA call centre enables them to deal with people who are in a mad, flat panic. We have put in another \$15 million to provide critical systems to support emergency call-taking dispatch services at ESTA that will replace the outdated, 30-year-old platforms.

I have mentioned the breathing apparatus, but this budget also includes record investment in MFB as a whole. That is an extraordinary effort. The MFB does such a good job. This was especially so during the last bushfire season, when MFB firefighters were out with firefighters from the Department of Environment and Primary Industries and CFA. We are providing more money so that MFB can upgrade its buildings and equipment.

I again thank all the emergency services and their staffs for the hard work they do in keeping Victorians safe, whether it be police, CFA, MFB, State Emergency Service (SES) or Life Saving Victoria. We have made commitments to Life Saving Victoria and the SES, including the upgrading of buildings, and in the case of the SES, upgrading some of its equipment. This is all very important. It is another example of our commitment to the emergency services in this budget.

Mr HOWARD (Ballarat East) — I am pleased to add my comments about this budget, which was brought down by the government earlier this week. Residents of the Ballarat East electorate, and indeed the new Buninyong electorate, could rightly be very disappointed by this budget. This budget was heralded

by the government as an infrastructure budget, so it is incredibly disappointing to see that only one capital project has been funded in my electorate. It is extremely concerning to me as a member representing regional Victoria that of the total spend of \$27 billion on infrastructure in this budget, just \$1.2 billion has been allocated to infrastructure in regional Victoria. Just 4 per cent of the total infrastructure spend for the entire state has been allocated to regional Victoria in this government's budget.

This budget takes us back to before 1999, when under the last coalition government regional Victoria had become the toenails of Victoria. We all remember that. The previous coalition government said that if it concentrated on Melbourne, eventually the blood would flow and somehow or other regional Victoria would benefit. With only 4 per cent of the capital spend going into regional Victoria in this budget, you would wonder what regional Victoria has become under this coalition. We cannot even be the toenails any longer; we must be the toenail clippings. Regional Victoria can rightly be very disappointed.

I will turn to deal with my electorate. In the new electorate of Buninyong, as has been the case in the electorate of Ballarat East, no school has received any capital spending in this budget. What is the total of spending on schools in my electorate over four years by the government? Zero. There has been no capital spending at all, yet my residents will clearly remember that under the former government every year there was at least one school funded, if not two and sometimes three. Of the 40 schools in my electorate, only 3 missed out on capital upgrades funding in the 11 years of the Labor government, yet there was still more that needed to be done.

Clearly in my electorate, or in the new electorate of Buninyong, Phoenix P-12 Community College was looking forward to the next stage of its reconstruction. The college was very pleased that Labor said that if re-elected, it would commit \$11.5 million for the next stage of the Phoenix P-12 development, but what has this government said about Phoenix P-12's next stage? It has said nothing. The community of Sebastapol, and more broadly the area associated with Phoenix P-12, would rightly be very disappointed with this government.

I note that in the present Ballarat East seat funding of a bit over \$3 million has been promised to Kyneton Primary School. The government has said to the school, 'You can do with it whatever you want; we know you want to move to a new site'. Although Labor has promised over \$10 million for Kyneton Primary School

to move to a new site, this government has said, ‘You can have \$3.2 million’ — I think the figure is — ‘and you can decide whether you want to spend it on your existing site or on a new site’. But what will the school get for \$3.2 million? Poor old Kyneton Primary School is thinking, ‘It is nice that this government eventually remembered that we exist’, but it cannot do anything with the money because it wants to move. Naturally enough the school community is hoping Labor will be elected to government and enable it to have the full \$11 million to move to the new site as part of the Kyneton K–12 school plan. Education has significantly missed out in this budget.

Looking at other items in the budget, I notice that one capital project in the Buninyong electorate has been funded, and that is the Rowsley rail loop. The Rowsley rail loop that has been included in the budget by this government will be finished over a two-year period to 2016, but this is actually the replacement of a promise the coalition made in 2010 when it was in opposition. In opposition the coalition said, ‘We are going to duplicate the rail at Ballan train station. We will put in a new second platform and that will provide greater flexibility and it will solve Ballan’s problems’. Four years later, we ask: has the government done anything about that promise to the Ballan people? No, it has done nothing, but now it says, ‘We made a mistake when we proposed to put in a passing loop at the Ballan rail station; instead we will put it at Rowsley, and while we are going to give you some money for parking where we have demolished a house beside the railway station, that will be your promise for Ballan, but you will not get a second platform’.

The coalition government — the Minister for Public Transport is at the table — made that promise to the Ballan people in 2010. In 2014 the minister sent a member for Western Victoria Region in the other place, Simon Ramsay, to make the announcement. Mr Ramsay had to say, ‘Sorry, even though we made that promise in 2010, now in 2014 we are not going to honour that promise. Instead we will do something down the rail track, so you ought to be very pleased, and that will come in 2016. We made the promise in 2010, we are dishonouring it in 2014, but in 2016 there will be another rail passing loop further down the track’. The people of Ballan would rightly be a little disappointed about that.

On that sort of issue — and we have just heard from the Minister for Police and Emergency Services — we know that in 2010 the then opposition, now the coalition government, said to the people of Sebastopol, ‘We will build a new police station for you when we come to office’. Now, three and a half years later, it

says, ‘Sorry, we made a mistake again. Even though we made that promise in 2010, in 2014 we find we have made a mistake and we are not going to build a new police station in Sebastopol. Instead we are going to build a new police station in the western growth zone and that might be finished by 2015’. The people of Sebastopol could rightly feel very disappointed because they were promised a police station, but four years later, after the coalition has been in government for three and a half years, it says it is not going to give Sebastopol a police station, it will put one out in the Ballarat West growth zone and that will happen in another two years. They can rightly feel very disappointed.

As I said, the education community in my electorate can also rightly feel very disappointed that this government does not seem to care about building new schools. It has really let people down in that area. In terms of education, TAFE is an area where this government has not only let people down, as we heard from the member for Eltham earlier on, but TAFE as we know it has been completely gutted by this government. Maybe after three and a half years as this government is approaching an election it might finally realise that people in our communities are distressed by that. People see TAFE as being important because it provides a link for young people — and not necessarily young people but all people who are looking for retraining and options to lead them on a path to a job — but what we have seen under this government is the absolute decimation of TAFE.

As an example in Ballarat, what was formerly the School of Mines Ballarat (SMB) campus of the University of Ballarat, now Federation University Australia, which is a great institution providing great opportunities for so many younger and older people looking for retraining opportunities, has cut over 47 courses as a result of funding cuts. You only need to go to the SMB site at Lydiard Street and have a look around to see the contrast. Three years ago it was a thriving site with lots of young people about, attending their courses and mixing with each other between classes. It was an active hub of young people gaining new skills and feeling confident about their future. If you go there now you could just about fire a gun through the campus — not that I am advising that that should happen of course — but nobody would be hit because it is dead.

It is really sad to see what is happening to that SMB campus. I commend Federation University for looking at that site and deciding to do something with all those empty rooms — it has moved what it called the Ballarat Technology Park Central into part of that site, which I hope does have benefits for growing businesses. The

site was designed and purpose built, especially the new brewery complex, to house TAFE educational facilities, but now there are no students there and the university is having to find alternative uses for it. It is very sad to see what this government has done at the TAFE end of the spectrum.

Now let us look to kindergartens, which are at the other end of the spectrum. It is really important that young people have the opportunity to learn, to gain skills and to go on to a good start at school, but what do we see at page 8 of budget paper 3? Under the heading 'Early childhood development' for the children's facilities capital program in 2013–14 there was an amount of \$15 million, which was good because kindergartens knew they could get capital works for upgrades. However, looking at the figures for 2014–15, there is zero. Actually there is not a zero in the budget papers; there is just a couple of little dots, which means 'zilch'. When one looks across the table at the four-year ongoing program from 2015–16 and on to 2017–18, one sees that there are still those little double dots showing there are no more capital works programs in the early childhood area. It is very sad. What we have also seen as part of the federal agreement is that kindergarten hours will be cut, so parents will be paying more for their kids to go to kindergartens for fewer hours. Kindergartens will be funded to provide only 10 hours of care for children rather than 15 hours as had been proposed initially, which is a serious cut. We should rightly be very sad.

While the Minister for Roads is in the chamber, I will comment on the fact that this budget, as I said earlier, is all about Melbourne road and rail infrastructure and all about projects that are not well planned and are not the ones that people want, even in Melbourne. In addition, they will not be completed until after 2020, so we have to wait a long time even to get to those projects and as far out as 2026 for the unfortunate replacement of the Melbourne Metro rail tunnel. What my constituents really wanted to see in terms of road infrastructure was money spent on the crumbling roads around the electorate. When I try to drive down to the minister's electorate, towards Colac on the Ballarat–Colac road, there is a proliferation of signage — not works done, but signage — saying 'Rough surface. Drive slowly'.

Mr Mulder interjected.

Mr HOWARD — There has been a bit of work done because I have been down there, as has the Leader of the Opposition and the shadow Minister for Roads, drawing the media's attention to this proliferation of signage rather than works done to improve the rough surfaces and many potholes, but all we see are more

signs. That is just one example. There are roads right across my electorate that are falling apart, where people could rightly have expected some capital works funding but it is all going to that tunnel in Melbourne and to the rail link that is an abomination. We have heard commentary on radio and elsewhere about it. It is a farce because it was not planned. It is something there in the budget to try and catch people out. A thought bubble.

Mr MULDER (Minister for Public Transport) — It is great to join in the budget debate today. Of course I have about 15 minutes to talk about \$24 billion worth of projects, so I am going to have to move on quite quickly. It is great to see a couple of Labor members in the chamber. Firstly, the members for Ballarat East and Ballarat West are here, and they will appreciate that fantastic link road project out there, as well as the Ballarat West employment zone money and the Ballarat rail passing loop, all of which are being delivered by a coalition government. I see also the member for Bendigo West, who will appreciate that great Epsom railway station, the Ravenswood interchange and that beautiful new hospital, all of which are being delivered by a coalition government out in the regions. They are fantastic projects that people have long been waiting for. There was 11 years of no action by the Labor government, but this is a fantastic budget for Victoria.

I thank and congratulate the Treasurer on the work he has done in turning the state's finances around. What an extraordinary effort, to come from a structural deficit to produce a \$1.3 billion surplus, with massive surpluses going forward and a AAA credit rating, enabling us to build the infrastructure we need for the future. In addition there will be a record \$7.5 billion worth of infrastructure investment in 2014–15. We now have a 10-year pipeline for major transport initiatives that will build a better Victoria. That is exactly what the construction industry has been asking for in this state — that we deliver a pipeline of projects rather than having a stop-start, stop-start situation, as was the case under the Labor government.

Through the budget the coalition government is delivering a real plan for jobs, and with each and every one of those major projects that was announced in this year's budget comes jobs, jobs, jobs and more jobs. And they are not just in the metropolitan area of Melbourne but also right throughout the regions. Of course we know there are alternatives to what we have put forward in this year's budget and the projects we have been announcing. We know the position of the opposition. It is a stance of no east–west link, no western section of the east–west link, no Melbourne rail link and no Melbourne Airport rail link. We have heard

so far about two transport projects. One is all-night public transport on Friday and Saturday nights to take the night clubbers from King Street home in the early hours of the morning, and the other is the West Gate distributor to take 5000 trucks off the West Gate Bridge, which carries roughly 200 000 vehicles a day. That is the full extent of what has been put forward in public transport initiatives by the opposition. Everything else is block and saying no, no and no.

The commentary on the coalition budget is interesting. An article in the *Herald Sun* of 7 May states:

The government is fast-tracking a bold and visionary plan to drive growth in Victoria.

The only way you can do that is by managing the state's finances well, keeping the AAA credit rating, creating surpluses and then allocating those surpluses to the infrastructure projects that this state needs to make sure it retains its reputation as the world's most livable city, the freight capital of Australia, as well as making a massive investment in regional Victoria to grow transport infrastructure there. Our bold visionary projects for the state of Victoria going forward include a rail link to Melbourne Airport. The 30 million passenger movements that exist at the moment will increase to around 64 million in the early 2030s. We have to have a rail link to the airport. That is not supported by the opposition, but it is a project that we are going to deliver.

We will deliver new underground stations at Montague and Domain, and new platforms at Southern Cross and of course South Yarra. In relation to Montague, the project has been mocked by those opposite, and a member for Eastern Metropolitan in the other place, Brian Tee, said in the *Age* of 13 September:

You are going to have families and people moving in but they won't have any access to public transport.

Yes they will — and of course it was announced in this year's budget. There is \$100 million to enhance trams and buses to the Parkville precinct, and we will have more to say about that going forward. We will have discussions with the operators of the medical precinct at Parkville and also those who are providing education there about how our overall budget allocation for Melbourne rail link will also cater for their public transport needs. Our link will boost rail capacity by 30 per cent, and avoid disruption to Swanson Street and Melbourne's trams. There is construction funding for the link in the budget, and the project will create 3700 jobs.

The coalition government is partnering with MTR, John Holland and UGL Rail to deliver the \$2 billion to \$2.5 billion Cranbourne-Pakenham rail corridor upgrade. It will deliver high-capacity signalling and remove four level crossings — at Murrumbeena, Carnegie and two at Clayton. The member for Clayton will be very interested to see these projects under way. I do not want to see him standing outside any of these sites leading up to the next election holding up a sign saying 'Honk for Hong' and indicating that he had anything to do with this, because we know the member for Clayton sat there for 11 years and did nothing.

There is \$390.4 million in the budget for cheaper public transport. This includes free CBD and Docklands tram travel, and zone 1 and zone 2 travel at the price of a zone 1 trip while retaining discounted zone 2 fares for people who travel in zone 2. There is \$220 million for the Murray Basin rail project. We are standardising that rail line and driving productivity in regional Victoria. There is \$209 million to operate and maintain the regional rail link with additional buses at Wyndham Vale and Tarneit. The coalition does this every time it opens a new railway station: it makes sure it coordinates the opening of that station with buses that integrate with the timetable of the new regional rail link project.

There is \$58 million for the port rail shuttle to get containers off inner city roads and onto rail. This is something that has been spoken about for years — \$38 million sat in the former government's budgets but it did absolutely nothing with it. The coalition has added another \$20 million to that project and it will deliver that project for Melbourne.

There is \$43.8 million for safety upgrades in the city loop. These upgrades are drastically needed; we want to make sure that the work we are putting into the Melbourne rail link is complemented by a rail loop that works effectively and operates safely. This is yet another major investment in metropolitan rail, ensuring punctuality and reliability and continuing the trends we have delivered as a coalition government.

There is \$14.3 million for the Ballarat crossing loop at Rowsley. This will mean a far more reliable service for the people of Ballarat. I was up there recently and was asked, 'When are you going to deliver it?'. It was announced within a week. It will result in far better reliability and punctuality on the Ballarat line. Ballarat will also get access via the regional rail link. The regional rail link, protective services officers on the stations and the Ballarat crossing loop — all announced and funded in the coalition's first term.

There is \$5.4 million to improve access for people with a disability at Geelong railway station. With the national disability insurance scheme, it is important that people who come to Geelong can get easy access to our public transport network in and around the Geelong railway station.

There is also \$1.3 million to protect the corridor for a future rail link to Avalon airport. This government knows the importance of having airports that are curfew free. Other states would give their eyeteeth to be in the position we are in here in Victoria with an airport in Melbourne that is curfew free and the ability to develop a rail link to our second airport, which is also curfew free.

Members would be aware of the money that has gone into the Tullamarine Freeway widening project — we know that we are going to have a massive increase of people out there. The coalition is delivering this project with Transurban through the unsolicited bid process and it will widen that road to deal with the Bolte Bridge. When we came to government the coalition was in an impossible budget situation in terms of road projects at the end of the Eastern Freeway, the Bolte Bridge and the West Gate Bridge. Who in its first term is delivering on that work? The Liberal-Nationals coalition government. In its first term in office it is providing the funding to deal with those projects.

How has this been received? ‘Victoria brings home the bacon’ was a headline in the *Australian* of 7 May. We are the envy of every other state government in Australia, the envy of the federal government and the envy of every federal politician. The Victorian coalition government has yet again come into power and is fixing up the mess left behind by a Labor government and getting on with the job of building a better Victoria. The coalition will continue down that pathway.

In a media release dated 6 May Victorian Employers Chamber of Commerce and Industry (VECCI) stated:

VECCI welcomes the strong infrastructure focus of the budget that will create jobs and support the Victorian economy to grow.

Of course the \$8 billion to \$10 billion allocated for the western section of the east–west link — an alternative to the West Gate Bridge — will bring about a further 3000 jobs in addition to the 3200 jobs for the eastern section, making a total of 6200 construction jobs. What has Labor got against construction jobs? What has Labor got against its mates in the union? Labor would have them all sitting home in their lounge rooms on their lunch boxes looking out the window with no money to pay mortgages and no money to go on

holidays because Labor is against major infrastructure projects in this state.

There is an extra \$685.3 million to remove level crossings, including from Main Road, St Albans. Where are the westies? Where are all the Labor Party members from the west? A miserable \$83 million was all that was in Labor’s last budget for grade separations — half the cost of the St Albans project. The coalition is delivering this in its first term out of savings on the regional rail link project because we can manage money but Labor cannot manage money. We all know that.

We are delivering the Blackburn Road, Blackburn, crossing, along with Burke Road, Glen Iris, and North Road, Ormond. As I said before, the government is partnering with Transurban to deliver a \$850 million project to widen the Tullamarine Freeway, creating another 700 jobs. There is \$130 million for road maintenance. Where are the members for the Ballarat region? Out the door? We have one representative in the chamber. There is \$130 million to fix yet more of the potholes left by the former government. This is on top of the \$170 million in last year’s budget and takes our road maintenance budget to over \$500 million — a record level of funding in relation to road maintenance.

There is also \$56.2 million for transport solutions projects in regional areas, including \$30 million to build a Princess Highway interchange at Sand Road near Longwarry and \$19.8 million to relieve congestion on suburban roads, which includes \$8.2 million for the Wedge Road intersection upgrade in Carrum Downs. Well done to the member for Carrum for the hard work she has put in to get funding for that project. The member for Carrum is a real fighter, and we wish her well going forward.

The budget allocates funding for the \$86 million Calder Highway interchange at Ravenswood and the Great Ocean Road upgrade, which are jointly funded with the commonwealth government. The Committee for Melbourne is right with us. An *Age* editorial yesterday headed ‘Bold plans in a budget to shape the election’ states:

The *Age* supports the full east–west link as a means of relieving pressure on the West Gate Bridge.

RACV welcomed the Victorian budget, saying in a media release of 6 May that it:

... is the biggest boost to road and public transport infrastructure ...

Infrastructure Partnerships Australia chief executive says in a media release of 6 May:

Together, the Melbourne rail link and full east–west motorway corridor provide new, high capacity corridors to connect all the points of Melbourne’s compass.

The Master Builders Association of Victoria, in commenting on the Victorian budget in a media release of 6 May, says there is ‘unprecedented funding levels for major construction projects’ going forward. And the list goes on.

There is no doubt that this budget provides the catalyst for a state that is on the move, and provides a catalyst for the government to deliver the projects that we know Victorians need to grow the economy, to have confidence to invest and to make sure that they have a real understanding of and a great sense of pride in being a Victorian. That pride was starting to slip under the Labor government. Victorians understand that you cannot have these projects unless you manage the finances well. We have gone on and we are delivering these projects, particularly the major grade separation projects.

If we look at some of the commentary from former Labor members of Parliament, we see that the member for Dandenong, the former Minister for Public Transport and the former Minister for Roads all said that the projects were too difficult, could not be done and were too expensive. They turned their backs and walked away from them, and it has taken a coalition government to put them back on the agenda and start to deliver them.

A number of these crossings are in Labor’s heartland — St Albans, Springvale and Clayton — all ignored by sitting Labor members who have no intention of fighting the cause for the electorates they serve — —

The ACTING SPEAKER (Mr Morris) — Order! The minister’s time has expired.

Ms BEATTIE (Yuroke) — I rise today to respond to the coalition government’s budget and in particular to applaud the community effort of Mount Ridley College, whose fight for stage 5 of its funding, including a petition driven by the school teaching and student leadership teams, has finally reaped a reward. I am glad the Minister for Education is in the house because he knows that for three and a half years I have been on about this. The coalition government has been dragged kicking and screaming to fund these building works, in spite of the college being in one of Melbourne’s biggest growth corridors.

To the students, teachers, school council and parents of Mount Ridley College, congratulations on your

campaign to ensure that the much-needed facilities are built. I congratulate the minister for finally getting the cloth out of his ears and listening to that school campaign. To the school, this is your victory, a victory for community action and a demonstration of what a cohesive and focused community campaign can deliver for a local community. To school principal Lino Pagano, school captains Fasiha Faiza and Alex Ross, prep students Jacob Jorgis and Gabriella Messariti and director of community links and student leadership Timothy Cottrell, you deserve our thanks for all you have done to deliver this great result for the community.

I also thank the Labor candidate for Yuroke, Ros Spence, who helped to lobby for this outcome. This exercise in democracy was the great real-life learning experience for the students, in particular the 50 students from the school’s two year 11 legal studies classes with whom I met to discuss the process of funding and how to have a voice in this.

I have no doubt that the petition that was lodged in the Parliament with more than 500 signatures on it helped to get the cloth out of the minister’s ears and was a critical factor in the Napthine government releasing something at least for the northern suburbs. For the rest of the Yuroke electorate, however, this budget was an abysmal act of neglect. Despite repeatedly raising with the minister the perilous state of both Craigieburn and Somerton roads, the Napthine government has again thumbed its nose at the motorists of Yuroke in favour of an \$8 million 18-kilometre stretch of road with no business case and which no-one wants.

The government’s much-lauded widening of the Tullamarine Freeway is only funded as far as Melrose Drive. As my colleague the member for Niddrie will know, that will do nothing to address the daily bottleneck that funnels traffic painfully into Melbourne Airport each and every morning, causing chaos for commuters and travellers alike. We all know that the airport does not start at Melrose Drive. The freeway continues from Melrose Drive to the airport, so there are quite a few kilometres that are unfunded.

A much-needed extra lane for Mickleham Road was again ignored by this city-centric Minister for Public Transport. This is a government that cannot even get the signage working properly on the Tullamarine Freeway, so the chances of it delivering a functioning road system is always going to be beyond its ability. I have written to the Minister for Public Transport many times about the signage on the Tullamarine Freeway, and he writes back that it is somebody else’s problem, parts are coming from China or something like that. In the eastern suburbs the signage is working okay. I

remind the government that the growth in our city is happening well outside of inner city Melbourne and the leafy eastern suburbs, and growth is happening outside of its fantasyland. The electorate of Yuroke is a significant growth corridor and we have seen not one new school nor road nor health service provided for. This budget demonstrates the regard in which Melbourne's north is held by the past and present coalition governments.

Even further north, beyond metropolitan Melbourne in the rural and regional areas with which I share electoral boundaries, the shameful neglect continues. As the shadow Treasurer pointed out in his budget reply, you are more likely to become unemployed than get a job under the current Victorian government. This has been the sad reality in the suburbs in and around Yuroke and I have seen firsthand and more times than I should have the devastation and dejection that destroys families when a job is lost, when income runs out and the pressure of unemployment starts to hurt. Behind every job loss overseen by this government, and that is well over 50 000 in the past three and a half years, are families hurting, individuals devastated and businesses collapsing.

Members in this house will know that when Qantas was making people redundant at its engineering facility, the Premier could not even get out there to offer a kind word to them. With the Ford closure, again there was nothing. They are nothing to do with this Premier — move along, nothing to see here, folks. But we know that a fat surplus is of no benefit to our community when services are slashed and decimated to the point where people cannot get a job, are unemployed, cannot get an ambulance, cannot get to an emergency department and, if they do get there, cannot get a hospital bed. And they cannot get into a course when they leave school.

Voters expect governments to balance the books and deliver services, that is true, not to stockpile billions of dollars for three and a half years and then embark on a city-centric, marginal seats pork-barrelling exercise six months out from an election. Our communities on the fringes of Melbourne and in rural and regional Victoria have been the beneficiaries of a big fat nothing under the Napthine government. This is a government that is big on promises, yet lacking in delivery. It is big on talk, but lacking in action — aside, that is, from Tuesday's desperate scramble to create the impression of something happening in Victoria, albeit without any community consultation or effective business and project planning or due process.

But I have news for the Premier and Treasurer: the voters are wising up. They are not the fools that you hope they are. They have heard your promises and then watched your failure to deliver on them, and they are looking forward to November. It is a message that will be delivered loud and clear in the suburbs, the regions and the towns. The coalition government has neglected the people of Victoria; it has failed them with empty promises and they will not be fooled a second time. Victorians want a government that will budget for and focus on better education, health, jobs and public services — the basic needs in life, not the hoopla and razzle-dazzle of the Premier in a high-vis vest and hard hat pretending that he is doing something when he is just panicking.

On education, a Labor government budget will ensure that the children passing through our education system are given the best opportunities in life. It will be drafted and delivered with passion by people who understand and appreciate the fundamentals of education — unlike members of the current government, which has made deep cuts and destroyed our TAFE system. There is a Swinburne TAFE site on the other side of Melbourne which is now fenced off and locked up. I am sure that when the member for Eltham becomes the minister responsible for higher skills and training, he will be the first one out there with a boltcutter in his hand. He will cut the bolts, get the fences down and restore the system.

In health, a Labor government budget will fix our fracturing health system so that it can be rebuilt, valued and funded as the key pillar of a First World nation should be. It is a shame that this government is creating more prison beds than hospital beds — what an indictment of our system. It is an absolute disgrace.

When it comes to jobs, a Labor government will understand that employment brings more than dollars into the home and does more than just pay the bills. Employment provides fulfilment, achievement and self-worth. It provides pathways to success — the kind of success that should not be beyond anyone in a country and a state as fortunate as ours. Strong, resilient communities thrive, grow and are strengthened through secure employment opportunities. We have seen too many times over these past three and half years the damage done when business pulls out of areas, offshores services or shuts down production. Suburbs and towns across this state have been decimated by massive job losses, and members of the government have just stood by with their arms folded and watched it happen.

We need a government that understands that public transport is critical not just to Melbourne and the inner suburbs but also to outer suburban communities. Commuters are not going to get out of their cars and onto public transport if they cannot park their cars at the local station or rely on trains getting them to work on time. I point to the problems at the Craigieburn station car park: it is full by 7.00 a.m. What are people supposed to do? They drive to Mickleham Road, and because this government will not put another lane on the Tullamarine Freeway, they sit there through about eight traffic light changes and watch the traffic go by. Local roads are in disrepair and in varying states of crumble. Potholes are becoming craters, and traffic conditions are increasingly hazardous as a result of the Napthine government's budget cuts to road maintenance.

Victorians deserve better. They deserve a government that will focus on the real things — health, education and jobs — not a government whose members will, after three and a half years in office, don a high-vis vest and a hard hat, run around with a photographer and pretend they are doing something. That is what members of this government do. They just do not get it. Wearing a high-vis jacket and a hard hat is not a replacement for doing the real work, getting those plans in place and going out to the suburbs. Good heavens, the only time most coalition members come out to Yuroke is when they are catching a plane from the airport. That is why they are focused on the airport — because that is the only time they visit.

I ask the government to keep supporting the airport. The Minister for Public Transport raised a good point about the airport's 24-hour curfew-free status. I urge the minister to go back and have a look at which government enacted the airport's curfew-free status. It was a Labor government. It was not a Labor government and an inept Minister for Planning that then tried to put factories under the airport overlays. We want to keep the airport's curfew-free status. Labor understands the value of the airport to the Victorian economy. There are 12 000-odd jobs at the airport, and there could be more if the government duplicated Somerton Road to get the traffic from Epping to the airport.

We could do much more. We can do better. The people of Victoria deserve better than this government, and they can get better when they vote for an Andrews Labor government on 29 November.

Mr DIXON (Minister for Education) — It is an absolute pleasure to speak about this year's budget, which is a fantastic education budget for all Victorian

families, students and teachers. This budget is about building a better Victoria. It is about building better schools, more schools and better services within schools here in Victoria. To that end, the budget commits an extra \$1.6 billion outside the capital works funding that is on the books to be spent in Victorian schools. In this financial year we are already spending a record \$8.8 billion on Victorian schools.

When you build in what was announced in this year's budget for the next financial year, that will increase to a record \$9.2 billion. That is \$9.2 billion that will be spent on education by this government in the next financial year. When you look at the last budget of the previous government, there is now a \$1 billion difference. We have hit the \$1 billion mark. Next financial year we will be spending \$1 billion more on school education in this state than the previous government did in its last budget.

This budget reaffirms that the government is committed to the agreement we made to increase funding for Victorian schools. We are spending that additional \$5.4 billion over six years that we committed back in August last year. When you look at the Victorian system of education, you see that it is the best in the country. This is because it is centred on the individual needs of every single student. Everything we do is building towards that end.

Feelgood programs and fly-by-night good ideas are not what we are on about. We are on about putting the money, investment, time and effort into things that are going to make a real difference. For example, in this year's budget there is \$305 million of additional funding for students with a disability. Whether it is in relation to getting to and from school, programs at the school, time in the classrooms or time out in the playground, we think especially of those children. That funding of \$305 million is made up of \$273 million for the program for students with disabilities and \$32 million in extra funding for the Students with Disability Transport Program. In the next financial year, 2014–15, we will be spending a total of \$710 million on the program for students with disabilities. That goes into a whole range of issues — it is about teacher aides, equipment and resources for the students. Whether in relation to a special school or a mainstream school, it is very important that we give parents and students the choice of the best possible education setting for any child with any disability. This funding will touch 23 500 students, who will receive it next year, and 8800 students will benefit from our funding of the transport program. If you look at just the new funding in the program for students with a disability, both capital and recurrent money, you see we

have put an extra \$621 million into students with a disability since we came into government. That speaks for itself.

We are not only looking at students with disabilities. There are children in our schools who are vulnerable for a whole range of reasons, and we have not forgotten about them. We are continuing to invest in many programs that address those needs. For example, an extra 70 schools are now part of the Schoolwide Positive Behaviour program. We have delivered our commitment regarding 150 primary welfare officers, so now 800 primary schools in Victoria have the services of primary welfare officers. We took \$50 million out of the regions and put it into the schools for Student Support Services to operate where it is relevant and needed and not into the bureaucracy. We are continuing to spend \$10.5 million with the Alannah and Madeline Foundation for the eSmart program, and four out of five Victorian schools, government and non-government, are now part of that program.

Our \$4 million Bully Stoppers campaign has been tremendously successful, and that money is still flowing into our schools, no matter what those opposite might say about that funding. We are partnering with headspace to work with vulnerable young people in our secondary schools. The School Focused Youth Service is a very important service that connects local government with local providers in our schools and provides real intervention with young people, especially in our secondary schools. It is a great program that was a coalition initiative and has been totally and utterly supported by this government.

Earlier this year I launched Unity Through Diversity, the Victorian government's vision for civic citizenship and multicultural education. As the guidelines in the program state, it is about promoting social cohesion in our schools and establishing the values of respect, resilience and self-worth. We want that at a very young age. They are the values that parents look to us to provide, and that is what we are providing in our schools. A good example is that recently, together with the Premier and the AFL, we launched the One Team, One Goal program, which emphasises the importance of cultural diversity and respect on the sporting field. There will be more seen about that as the football season moves on. We are really providing for a whole range of students, including students with a disability and those with a whole range of special needs.

We have runs on the board not just in terms of programs but in terms of the infrastructure for students with a disability. In fact our first budget saw the largest single year's capital works infrastructure spend on

special schools in more than a decade. Since then we have invested in even more. It is fantastic to go out to our special schools. The teachers are the best teachers we have, and what they do and how they work in incredibly difficult circumstances is mind blowing. They are a real credit. To be able to provide those schools with the capital facilities that they require is an absolute joy, and it is always so well appreciated. We have the \$15 million Officer Specialist School now operating in a growth suburb, and there is \$12 million for the P–12 autism school in the west; \$12 million for Belvoir Wodonga Special Development School; \$9.5 million for Rosamond Special School; \$9 million for Hume Valley School; \$8 million for the Eastern Ranges School; \$7 million for the Horsham Special School — and I was up there recently to open that school; \$4 million for Broadmeadows Special Developmental School; \$4 million for Sale Specialist School; and \$3 million for the Northern School for Autism. We have also put funding into both the Nepean Special School and the Yarrabah School.

Just last week I was out at Frankston Special Developmental School, and what a joy that was. They thought I was going to announce a \$2500 grant for their vegie garden, but it was \$2.5 million to upgrade the facilities at that wonderful school, which is doing a great job for students who need that very specialised support, assistance and education. This week too the Premier announced in Geelong that one of our 11 public-private partnership schools will be a special development school at North Geelong. The member for South Barwon has been a great advocate for the need for specialist schools as well as mainstream schools as the population in that area increases.

It is very important that we provide the schools to give parents the choice of education for their child. Whether it is supporting them in mainstream schools with specialist programs and specialists, whether it is providing resources and buildings in our special development schools, whether it is working in partnership with a whole range of outside agencies and community organisations, we are on about the individual child — helping them, looking at their needs and meeting those needs. The money for that in this year's budget just re-emphasises that point. It is not only this year; it has been the story of this government since we were elected in 2010 that we see these individual children with special needs as very important to us.

Moving on to other aspects of the budget, what a great capital works announcement we have! There is \$500 million worth of capital works in our government schools. That money will be shared amongst

100 Victorian schools. The largest group, receiving about \$190 million of that money, will be — —

The ACTING SPEAKER (Mr Morris) — Order! That brings us to the lunch break. The minister will have the call when the debate resumes.

Sitting suspended 1.00 p.m. until 2.02 p.m.

Business interrupted under standing orders.

QUESTIONS WITHOUT NOTICE

Melbourne rail link

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. Can the Premier confirm that under his botched transport scheme commuters on the Cranbourne and Pakenham lines will not be able to catch a train directly to Parliament, Melbourne Central or Flagstaff stations?

Dr NAPTHINE (Premier) — I thank the Leader of the Opposition for his question and for his great support for the Melbourne rail link. This is a great project that will transform Melbourne and deliver the additional capacity we need on our metro rail system to cater for the growing Melbourne population and growth in the community. We know that under the Labor government one of its biggest failures, amongst its many failures — —

Honourable members interjecting.

The SPEAKER — Order! The member for Footscray!

Dr NAPTHINE — One of its biggest failures, as admitted by the opposition, was the absolute failure of the previous Labor government to invest in key infrastructure for growth in population and growth in the needs of the community. That is why we are proud of a budget that delivers massive infrastructure expenditure that will create 26 000 new jobs in transport infrastructure alone. This is about building the infrastructure Melbourne and Victoria need — building the full east–west link, building the Melbourne rail link and building the airport rail link.

The question related to the Cranbourne rail line. In this budget — —

Honourable members interjecting.

Dr NAPTHINE — I am pleased to get a cheer from the opposition because it is supporting the massive investment under this government in the expansion of

the Pakenham-Cranbourne-Dandenong rail corridor. It is a massive \$2 billion to \$2.5 billion investment that will significantly increase the capacity of the busiest rail line in Melbourne. The busiest commuter rail line in Melbourne will significantly increase in capacity under this government — a project that would never have been done under the Labor government.

Honourable members interjecting.

Dr NAPTHINE — We have not even heard the Labor opposition give its support. It has not supported this project. The people from Cranbourne, the people from Pakenham and the people from Dandenong will welcome the investment in 25 new trains.

Honourable members interjecting.

Dr NAPTHINE — Our project to expand the Cranbourne-Pakenham-Dandenong rail corridor — a project not supported by the opposition, not supported by the Labor Party and not supported by the members for Cranbourne and Dandenong — will deliver 25 next-generation trains. It will deliver high-capacity signalling. It will deliver the removal of key level crossings to decongest Melbourne and to improve punctuality and reliability on the system.

Honourable members interjecting.

The SPEAKER — Order! Members of the opposition know very well that that level of noise is not permissible. I ask them to cease; otherwise I will be asking members to leave the chamber.

Dr NAPTHINE — This project is vital to increase the capacity on the Cranbourne-Pakenham-Dandenong rail corridor to produce a better outcome for commuters. Commuters know already that under the coalition government there are 1078 additional services. Punctuality and reliability have increased. They know about the Springvale upgrade with the removal of the level crossing at Springvale Road and the upgrade of Springvale station. Indeed the Leader of the Opposition knows about it because he was tweeting a photo of himself with the member for Clayton standing in front of the new Springvale station opened by me and the Minister for Public Transport.

Honourable members interjecting.

Dr NAPTHINE — I do not know! It is a great station for the people of Springvale, and we are proud to have delivered it.

East–west link

Mr DELAHUNTY (Lowan) — My question is to the Premier. How will the east–west link provide benefits to regional Victoria, Melbourne’s western suburbs and movement of goods around the state?

Dr NAPTHINE (Premier) — I thank the member for his question and for his enthusiastic support for the western section of the east–west link. I was recently pleased to be with the Prime Minister, Tony Abbott, to announce that the Victorian coalition government will build the western section of the east–west link with the assistance of \$1.5 billion from the federal coalition government. We will get on with the job and build this important project, which will be a transformational project to improve traffic movements in the busy western suburbs through to Ballarat, Horsham, Geelong and Western Victoria. The western section of the east–west link will provide the absolutely essential second river crossing that Melbournians, including the people of the western suburbs, and the people of western Victoria have been calling for.

The western section of the east–west link will take thousands of trucks off suburban streets in Yarraville, Seddon and Footscray, and I am sure the members who represent those areas are cheering with joy at that decision. It will take pressure and traffic off the West Gate Bridge and the Monash Freeway, our busiest artery through Melbourne. It is a great project for the growing western suburbs, and it is certainly welcomed by the people of Geelong, Ballarat and the rest of western Victoria.

This project will reduce travel times from Ballarat to central Melbourne by 10 to 15 minutes. It will significantly reduce congestion and significantly improve transport productivity, especially to and from the port of Melbourne. It will create 3000 jobs and improve the quality of life of millions of Victorians.

Let me refer to some of the commentary that has been made about east–west link. LeadWest, which represents six western suburban councils, said:

LeadWest has long advocated for the western section of east–west link.

...

The western section of east–west link is vital infrastructure to support our growing freight task, increase productivity and retain Melbourne’s status as Australia’s freight gateway.

The Wyndham City Council has said:

This funding announcement is great news for those people who travel to the city by car from Wyndham each day, using the overcrowded West Gate Bridge ...

Indeed the member for Tarneit is quoted in the *Wyndham Weekly* of 21 August 2013 as saying:

We know the West Gate Bridge carries about 175 000 vehicles a day, and by 2020 that number is anticipated to reach 22 000 ... The fact the government has denied the need for an urgent second river crossing shows their priorities lie against the people of Geelong, Ballarat and the western suburbs of Melbourne.

I did not hear the member for Tarneit mention it in his speech this morning, but I am sure he enthusiastically embraces the second crossing.

The Leader of the Opposition is quoted in the *Herald Sun* of 30 April as saying in October 2012:

A back-up for the West Gate, which currently handles more than 165 000 vehicles a day as well as the significant commercial and residential growth in the west, makes the case compelling.

Former Premier John Brumby said that it was:

... undeniable ... we’ve got to address this issue of a second east–west crossing.

A media release by the member for Tarneit dated 24 April 2012 was headed ‘Labor MPs urge Baillieu to invest in the west’. We have had the members for Tarneit, Williamstown, Melton, Altona, Kororoit and Footscray all saying that their no. 1 priority is a second river crossing. That is what Labor members have said, and they will be very pleased to see that the coalition is delivering it for the western suburbs.

Melbourne rail link

Ms HENNESSY (Altona) — My question is to the Premier, and I ask: under the Premier’s botched transport scheme, how many passengers travelling from Frankston, Carrum, Mordialloc and Bentleigh will be forced to change trains to get to Richmond station or Flinders Street station?

Honourable members interjecting.

The SPEAKER — Order! The member for Clayton! The member for Gembrook!

Dr NAPTHINE (Premier) — I thank the member for Altona for her question and for raising her concern about the need for significant investment in key infrastructure to cater for a growing population and the growing number of people who are using our metropolitan train services, particularly on the Frankston line. It was pleasing to see in a tweet by the

member for Altona this morning a photo of angry Frankston line commuters — —

The SPEAKER — Order! The Premier knows better than to use props.

Ms Allan — On a point of order, Speaker, standing order 58 states that questions should not be debated, but all week we have had the Premier debating questions. We ask you today to have the Premier answer the direct question from the member for Altona. The question was not about what she may or may not have tweeted this morning; that is not government business. The Premier should do the job that is required of the Premier of this state and answer the question that was asked.

The SPEAKER — Order! The member for Bendigo East is turning a point of order into a point of debate. The question was about the transport scheme and listed several stations.

Honourable members interjecting.

The SPEAKER — Order! Members of the opposition are turning Parliament question time into a farce.

Honourable members interjecting.

The SPEAKER — Order! I advise the Leader of the Opposition that when a point of order is taken and when I am answering the point of order, he will be silent.

Ms Allan interjected.

The SPEAKER — Order! Is the member for Bendigo East dissenting from what I am saying?

Ms Allan — No, I was making a comment.

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

Dr NAPHTHINE — I am sure the member for Altona when she was on the Frankston line this morning, along with many more commuters on the Frankston line, would have found that the service was on time and that myki was working, because it was probably one of the 1078 extra services delivered by this government.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition! The member for Pascoe Vale will cease interjecting in that manner, as will the member for

Altona and the member for Mill Park — in fact, half the opposition. Let us continue with question time.

Dr NAPHTHINE — What the member for Altona would have determined is that in April 2010 the punctuality of the Frankston line was 66 per cent and in April 2014 it was 87.1 per cent, which is a significant improvement in punctuality. In addition this government has allocated an extra — —

Ms Hennessy — I raise a point of order, Speaker, under standing order 58, which requires the Premier to be relevant to the question. The question requested further information in respect of his botched public transport scheme and what it would mean for people on that line, not a retrospective mischaracterisation of his failed investment in public transport.

Ms Asher — On the point of order, Speaker, the question referred to the overall transport scheme. In the introductory remarks — —

Honourable members interjecting.

The SPEAKER — Order! How many times do I have to say that points of order will be listened to in silence? Every member in this house has the right to make a point of order. Every member in this house is entitled to the respect that should be shown to them when they are on their feet.

Ms Asher — On the matter of relevance to the question that the Premier is answering, Speaker, the question related to the transport scheme overall, and the Premier is making — —

Honourable members interjecting.

Ms Asher — We are having a debate in the middle of a point of order! The member for Bendigo East objects to that. The Premier is being relevant to the question.

Mr Merlino — On the point of order, Speaker, this was a very simple and clear question. There was no preamble. The members for Bentleigh and Mordialloc may not be interested, but I am sure their constituents are.

The SPEAKER — Order! The member for Monbulk knows very well that that is not a point of order. The Premier still has 2 minutes and 15 seconds to answer the question.

Dr NAPHTHINE — This question goes to the advantages of the Melbourne rail link, which will significantly increase capacity for people on all lines,

including the Frankston line, because the Melbourne rail link will deliver more trains carrying more people more often. When you compare the Melbourne rail link to previous proposals, you realise that it will carry 35 000 extra passengers each hour in peak hour, compared to 19 000 or 20 000 under the previous proposal. It will be significantly less disruptive because we will not have to dig up Swanston Street for two to five years, and it will also deliver an airport rail link as part of the same process.

What we do know is that Sir Rod Eddington, the author of the original proposal, is saying this is a great step in the first step for a new urban rail link similar to other major international cities.

Honourable members interjecting.

The SPEAKER — Order! The members for Kororoit and Melton are warned.

Dr NAPTHINE — So Melbourne rail link will build on the great work of this government that has fixed the problems inherited from the previous government. It has fixed the problems on the Frankston line, including reliability and punctuality, investing \$100 million in upgrading that line so the new X'trapolis trains we have ordered can run on that line and making sure that trains are not overcrowded.

When you look at the photo this morning you see that they are certainly not overcrowded. The only ones they had to sit with were their own candidates. Nobody else would talk to them. Nobody else would talk to them on the line. What the people on the Frankston line understand is that the punctuality and reliability on that line had been a disaster under the Labor government, and we are fixing that problem.

Regional and rural investment

Ms McLEISH (Seymour) — My question is to the Minister for Regional and Rural Development. How will the record infrastructure investment in the 2014–15 state budget work with the coalition government's strategic regional investment programs to drive economic growth, create new jobs and build a better regional Victoria?

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Clayton

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

Honourable member for Clayton withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Regional and rural investment

Questions resumed.

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for Seymour for her question. She is doing a great job in her role, and I am sure she will in her future role. Our government is building an even more robust regional Victoria because, as the house knows and we on this side of the house certainly know, when the regions are doing well, Victoria is doing well.

As I outlined when I spoke in the house yesterday, this budget delivers record investment in future infrastructure and services to further unlock the potential of the regions of the state. Through this budget we are seeing investments in roads, rail, hospitals, schools and safer local communities, and there is great news for local businesses because we are cutting payroll tax.

I will quickly run through some of the budget's key regional infrastructure projects. There is up to \$220 million for the Mildura–Geelong rail standardisation — the Murray Basin rail project; more than \$730 million to maintain, restore and improve our regional road networks; \$362.2 million for the duplication of the Princes Highway from Winchelsea to Colac; \$86 million for the Calder Highway interchange at Ravenswood — a project which was never done under the previous administration but we are going to do; and \$73 million for Latrobe Regional Hospital.

Regional and rural schools will share a massive \$500 million in school capital investment. More than 31 of our schools will share that money. There is \$35.4 million over four years plus a further \$6 million for the government's Food to Asia action plan, and \$73 million for the Shepparton courts precinct development.

This budget builds a better regional Victoria, it builds on our programs and achievements since we have come to government and it works hand in hand with our

\$1 billion Regional Growth Fund. We have already seen that fund doing great work for the regions. For example, the government reopened the Rainbow–Dimboola railway line in February 2012. A line which faced closure under Labor has been reopened. That involved an allocation of \$1.7 million from the Regional Growth Fund, which in turn engendered further investments by GrainCorp. That is far from the end of the story.

Insofar as our state is concerned, over the last year 48 700 regional jobs were created across Australia, 64 per cent of them — over 31 000 — were created in the regions of Victoria. Our unemployment rate is 5.9 per cent, the lowest of any region in Australia. This can be contrasted with the 6.3 per cent rate we had when Labor left office. We have been able to generate these programs while we have been in government and in turn they have resulted in the creation of an enormous amount of employment. We anticipate that by the end of our first term about 6500 new jobs will have been created.

As I said, that runs hand in hand with our budget. Either one of these propositions would have been terrific for the regions of Victoria. This budget in itself would have been marvellous. The Regional Growth Fund and the work we have been able to achieve through it alone would also have been wonderful. But when you put the two of those things together and have them working together and doing what they are doing, you have a very powerful influence on the growth of the regions of Victoria.

As I said, when the regions of the state are doing well, the whole of Victoria is doing well — a situation reinforced at our highly successful Regional Victoria Living Expo. We were all there; it is a pity members of the Labor opposition did not turn up.

Melbourne rail link

Ms HENNESSY (Altona) — My question is to the Premier. I refer to his announcement this morning that the proposed station at Fishermans Bend–Montague–Southbank–South Melbourne Market will include a light rail service to Fishermans Bend. Can the Premier outline where this desperate add-on to his botched transport scheme is mentioned even once in the budget papers and documentation released on Tuesday?

Dr NAPTHINE (Premier) — About 12 months ago the Minister for Planning, the Honourable Matthew Guy, and I released a plan for the Fishermans Bend urban planning precinct. We released a document

calling for consultation and community input into this great opportunity for the development of Fishermans Bend. This is an enormous area of land that has significant potential for both residential development and job-creating development through investment in that region.

Ms Kairouz interjected.

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

Melbourne rail link

Questions resumed.

Dr NAPTHINE (Premier) — When the Fishermans Bend urban planning precinct was launched over 12 months ago, we outlined that there would be four components to it: the Wirraway precinct, the Sandridge precinct, the Lorimer precinct and the Montague precinct. It covers a number of suburbs. It includes the suburbs, or parts of the suburbs, of Port Melbourne, South Melbourne and Southbank. In the precinct of Montague the proposal — —

Honourable members interjecting.

The SPEAKER — Order! The member for Albert Park will cease interjecting or he will be leaving the chamber.

Mr Andrews interjected.

Dr NAPTHINE — The Leader of the Opposition might not know where the precinct of Montague is because he takes no interest in growing jobs, business opportunities or residential opportunities for Melbourne’s growing population.

The document that was released by the Minister for Planning at the time states — if I can recall, I think it is on page 35 — that there was an option for light rail services as part of the Montague precinct development. As Mr Tee, the shadow Minister for Planning, said at the time, you need to connect those transport links from Fishermans Bend with the broader metropolitan

transport network. We appreciate his advice, because that goes along with the vision we have. That is why we will be building a station at Montague into the Melbourne rail link project not only to provide services to that growing community in Montague but also to provide an opportunity to link into the transport that will be developed to service the growing Fishermans Bend urban precinct.

I am advised that the likely site for the Montague station will be about where Montague Street and the 109 tram route intersect. It will be about in that region, subject to final expressions of interest and geotechnical confirmation. This will provide a station to service not only that growing area, the employees in that area and the residences in that area but also some of the broader Southbank precinct.

This is about planning and vision for growth. This is about community consultation on the Fishermans Bend precinct. These are issues that are absolutely foreign to members of the Labor Party, who simply did not plan for growth.

Level crossings

Ms MILLER (Bentleigh) — My question is to the Minister for Roads. Can the minister update the house on the progress of the coalition government's delivery of the largest level crossing removal program in Victoria's history?

Mr MULDER (Minister for Roads) — I thank the member for Bentleigh for her question and for her strong interest in level crossings and level crossing safety, particularly in her electorate.

On Friday, 2 May, I joined the Treasurer, the member for Caulfield, the member for Bentleigh and the member for Burwood in announcing an extra \$457 million for projects to remove a further three level crossings: at North Road in Ormond, at Burke Road in Glen Iris and at Blackburn Road in Blackburn. This funding is in addition to the announcement the coalition made — by me with the Premier — of \$200 million to remove the dangerous level crossing at Main Road in St Albans.

The level crossing at Springvale Road in Springvale has already been removed, as the Leader of the Opposition has tweeted. The level crossing at Mitcham Road and Rooks Road in Mitcham has also been removed. The coalition government is partnering with UGL, John Holland and Mass Transit Railway to remove four level crossings at Murrumbeena, Carnegie and Clayton — the \$2 million to \$2.5 million Cranbourne-Pakenham

rail line upgrade. Labor never allocated a single cent to any of these projects — not a single cent.

At North Road, Ormond, some 41 200 vehicles a day use the level crossing, including 180 buses, and the boom gates can be down for 39 per cent of the peak period. Up to 40 per cent of the pedestrians at that crossing are children, who are looked after by the member for Bentleigh.

At Burke Road, Glen Iris, rail under road at Burke Road is planned. At the moment the boom gates are down for up to 47 minutes in the peak period, with traffic frequently queued up to the Monash Freeway.

At Blackburn Road in Blackburn, rail under road at Blackburn Road is also planned. At the moment 15 000 vehicles a day cross the railway line at Blackburn Road and boom gates are down for up to 45 minutes in the peak period.

Not everyone has the confidence to remove level crossings. There has been commentary in the past that says this cannot be done. An article in the *Whitehorse Leader* of 10 November 2010 states:

Mitcham state Labor MP Tony Robinson and transport minister Martin Pakula told the *Leader* the level crossing —

at Blackburn —

was too complex to grade separate.

'If you wanted to get rid of the crossing, you would need the line about 6 metres below the road. There is no way you could drop the line', Mr Robinson said.

This was with the former transport minister.

An article in the *Dandenong Leader* of 10 May 2010 states:

Dandenong Labor MP John Pandazopoulos said Springvale Road was not an ideal site for a tunnel or overpass.

'We want to get a rough idea of which crossings are more affordable and viable to grade separate', Mr Pandazopoulos said.

Around about \$120 million; that is a very rough idea.

An article in the *Age* of 4 December 2010 states that Rob Hudson, the former member for Bentleigh:

... had approached outgoing Premier John Brumby and his transport and roads minister about problems with level crossings in his electorate ...

It goes on to quote Mr Hudson as saying:

... I certainly argued as strenuously as I could about the need to tackle the level crossings — —

Honourable members interjecting.

Mr Nardella — On a point of order, Speaker, question time is about government business, and I ask you to bring the minister back to government business.

Ms Asher — On the point of order, Speaker, in *Rulings from the Chair* of December 2013, at page 164, one ruling reads as follows:

While it is not appropriate to attack the opposition during question time, it is permissible to talk about something that the former government did.

Therefore, ipso facto, it is permissible to talk about something the previous government did not do. The Minister for Roads is complying with previous rulings.

The SPEAKER — Order! The minister was not doing as was suggested in the point of order.

Mr MULDER — In this house on Wednesday, 12 June, the member for Clayton called on us to reprioritise the grade separation of the Clayton railway station crossing as a matter of urgency. Done, by two. Not one level crossing, but two.

Finally, the Labor Victorian government response to the parliamentary Road Safety Committee on level crossings released in June 2009 states:

... grade separation is an extremely costly and long-term solution, which is unsustainable to the community ...

That was the Labor government that used the word 'unsustainable'.

Melbourne rail link

Ms KANIS (Melbourne) — My question is to the Premier. Why has his botched transport scheme axed stations at the University of Melbourne and the hospital precinct, which is an area where 150 000 Victorians work and visit every day?

Dr NAPHTHINE (Premier) — I thank the honourable member for her question. We have announced that we will be building the Melbourne rail link and the associated airport rail link because we believe these are in the best interests of providing opportunities to expand our metropolitan transport system to service the growing population of Victoria.

The Labor government, as was admitted by the Leader of the Opposition, failed to invest in key transport infrastructure and key infrastructure to meet the growing population needs of our community. We examined the needs of our growing community, and we are pleased that we are investing in the east–west link,

we are investing in the expansion of the Pakenham–Cranbourne rail corridor and we are investing in the Melbourne rail link.

The Melbourne rail link has advantages over other options that were examined. It has advantages in terms of providing more trains for more people more often. It will deliver a capacity of an additional 35 000 passengers per hour in peak hour compared to the alternative examined. It will be less disruptive to Swanston Street, as that street will not be dug up for two and a half to five years. It will also include an airport rail link. This alternative has been welcomed by Sir Rod Eddington.

The question was in relation to public transport services in the hospital and university precinct area, and I can advise — —

Ms Kanis — I have a point of order in relation to relevance, Speaker, the Premier just paraphrased my question incorrectly. I was asking about the axed stations in the hospital and university precinct, not about other things.

The SPEAKER — Order! That is not a point of order in the sense that the Premier is answering the question and is being relevant to the question. He may not be answering it exactly as the member wishes, but he is being relevant to the question that she asked.

Dr NAPHTHINE — The question went to public transport services to the Parkville precinct. I can advise that Parkville is well served by public transport. Indeed in the Parkville precinct there are the following existing tram routes: on Flemington Road, 55, 57 and 59; on Royal Parade, 19; and on Swanston Street, 1, 3, 3A, 5, 6, 8, 16, 64, 67 and 72. In addition to those tram services, there are bus services — the 401, 402 and 505 — that serve that precinct and serve it extremely well.

We recognise the need to continue to expand public transport services to that important residential precinct, hospital precinct and university precinct. That is why as part of our Melbourne rail link plan, which was outlined in the budget yesterday, there is a further \$100 million to further expand public transport services to service that very important precinct in the Parkville area.

The Parkville area is well served by public transport. There will be a further \$100 million invested in increasing public transport services in that area. But at the same time we know as a result of careful evaluation that the Melbourne rail link project will provide greater capacity for more trains to serve more people more

often than the previous option. We will get increased capacity to service the growing metropolitan community and visitors to Melbourne. We will also get less disruption because Swanston Street will not be dug up for two and a half to five years on a cut-and-fill tunnel. I know that proposal is supported by the opposition, which wants to disrupt Melbourne.

We also know that under our Melbourne rail link project we will also get an airport rail link. We have waited 40 years for that, but it is opposed by the Labor opposition. We will deliver the transport that Victoria needs and that Melbourne needs to meet the needs of a growing, vibrant community.

Betrayal of Trust

Mr WATT (Burwood) — My question is to the Minister for Community Services. Can the minister detail the coalition government's response to the *Betrayal of Trust* final report by the Victorian parliamentary Family and Community Development Committee?

Ms WOOLDRIDGE (Minister for Community Services) — I want to thank the member for Burwood for his question and for his thoughtful contribution to the government's response to the important aspects of this report and how we all can move forward having this information.

I know it has been done a number of times, but I would like to start by congratulating the members of the Family and Community Development Committee from both chambers and all sides of Parliament. This is a very important piece of work that was led by Georgie Crozier, a member for Southern Metropolitan Region in the other place. I am pleased that the government has today tabled its response to this comprehensive report, and there is a comprehensive response to go with it.

Many people displayed great strength and courage in sharing their stories, and I believe the progress we have made today by taking action on the report reflects the courage and strength that they have displayed. I must also acknowledge the leadership of the Premier; the former Premier, the member for Hawthorn; and the Attorney-General in establishing the inquiry, resourcing the committee and making sure the work was done, and in now providing an appropriate response.

The government has already implemented a number of the recommendations as outlined in the response. The Crimes Amendment (Grooming) Bill 2013, which has already been passed by this Parliament, and the bill we have been debating, the Crimes Amendment

(Protection of Children) Bill 2014, are both important pieces of legislation in relation to the protection of children. It is also important to acknowledge that since 2012 Victoria Police, through Taskforce Sano, has been responding to and working with referrals from the parliamentary inquiry and has already prosecuted a number of cases that arose during the inquiry process, including Victoria's most prolific paedophile, Gerald Ridsdale. That is a real credit to the work of the police, the work undertaken during the inquiry and the people who came forward.

Today marks the second phase in terms of announcements about responding to the inquiry. The government has announced today that we will require ministers of religion to hold a current working-with-children check if they have any contact with children. We have also announced a reportable conduct scheme for organisations with a high level of responsibility for children, requiring them to centrally report all allegations of abuse to the Commission for Children and Young People. That will require the development of consistent minimum standards for responding to allegations of abuse.

We will also introduce minimum child-safe standards for organisations that have direct and regular contact with children. That will enable the raising of awareness and understanding of child abuse and also minimise the risk of that abuse happening in the future. Once again, the Commission for Children and Young People will help to develop the standards to raise awareness and develop materials to assist organisations to put the standards in place. We will also mandate that all schools, including non-government schools, will implement a policy for responding to allegations of child abuse.

We are very committed to the reforms, and there is a commitment of over \$10 million to support the work particularly in terms of the Commission for Children and Young People, led by Bernie Geary, to implement the minimum child-safe standards and the reportable conduct scheme. There is further work. The third phase is looking at the issues that are still being worked through. They are things such as options in relation to liability, incorporation, insurance, redress and time limits, and that work will be done. All this is a reflection of the work commitment of the government and, I believe, the Parliament, to making sure that we are doing the work to protect children from abuse in this state.

Melbourne rail link

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. Can the Premier tell the house who advised him to axe proposed stations at the University of Melbourne and the hospital precinct in Parkville; who advised him to lock Frankston line passengers out of Flinders Street and disconnect Cranbourne and Pakenham line passengers from Parliament, Flagstaff and Melbourne Central stations? Premier, who on earth advised you to do this, or did you think this up all on your own?

Ms Asher — On a point of order, Speaker, the Leader of the Opposition is permitted to ask one question, not a series of questions, and I put it to you that his series of questions is out of order.

The SPEAKER — Order! It appeared that there were several questions asked by the Leader of the Opposition, and he might like to rephrase his question.

Mr ANDREWS — I am more than happy to rephrase my question, Speaker. Very simply: who advised the Premier on this botched public transport scheme? Who was it, Premier? Was it someone else or did you think of it all on your own?

Dr NAPTHINE (Premier) — I thank the Leader of the Opposition for his question about the Victorian government's absolutely fantastic agenda to improve transport in this state. The budget delivered this week is a landmark budget of massive investment in key infrastructure to improve transport services in the state, to improve freight logistics productivity in this state, to create 26 000 new jobs in transport infrastructure alone, to make a real difference to servicing a growing Victorian and Melbourne community and to deliver the economic benefits that will serve the community for decades to come.

What we are doing through the Melbourne rail link project, which is only one component of our overall — —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition has asked his question and should listen to the answer. I ask members of the opposition to come to order.

Dr NAPTHINE — This government is proud of the fact that we have fixed up the regional rail link project, which was botched by the Labor government. Last year we announced funding for east-west link stage 1, and we developed a strategy to deliver the increased port

capacity that our great state needs. In the budget this year we have built on those plans with the Melbourne rail link project and the airport rail link project that Melburnians and Victorians have been calling out to have for 20, 30 or 40 years. It was not delivered under the previous government and now the Labor Party opposes the airport rail link.

We are pleased that we have announced the Cranbourne-Pakenham-Dandenong rail corridor; the Tullamarine-CityLink widening project; the Mildura rail standardisation project — —

Mr Merlino — On a point of order, Speaker, the Premier has been speaking for more than 2 minutes now. Under standing order 58 the Premier is required to be relevant to the question. The question is: who set you up, Premier; who set you up?

The SPEAKER — Order! The member for Monbulk! When the house is ready, the Premier will resume his answer.

Dr NAPTHINE — Can I say how proud I am of my government team that is delivering these transformational projects for the people of Victoria. I am proud of the public servants who have worked on these projects. I am proud of the external experts who have worked on and delivered these projects and who will deliver the Melbourne rail link project, which will mean more trains carrying more people more often. They have taken the work of Sir Rod Eddington and made an even stronger case for a better project. Is it any wonder that a *Herald Sun* article says:

... the new route has been endorsed by Sir Rod Eddington ...

Sir Rod Eddington has endorsed the new route because he knows it will allow for greater capacity to cater for the growing needs of the Melbourne community.

Mr Andrews — On a point of order on relevance, Speaker, the Premier has been speaking for more than 3 minutes. The question was very simple: who advised him — —

The SPEAKER — Order! Do not repeat the question.

Mr Andrews — Who advised him to axe stations and the rest of this shambles he has put forward as a scheme? Who advised him to do this? That is what he ought to answer. Who advised him to do this?

The SPEAKER — Order! The Leader of the Opposition knows he should not use the opportunity of taking a point of order to ask a question again.

Dr NAPHTHINE — I am very proud that our team has worked hard with a professional independent public sector and with expert advisers to deliver the transport infrastructure that Melbourne needs to meet our growing community, that Victoria needs throughout the length and breadth of the community. I can assure members that they are not the same advisers who advised the previous government to build the desalination plant or the north–south pipeline or to sell the poker machines for \$3 billion less than they were worth.

Mr Merlino — On a point of order, Speaker, on the issue of relevance, the Premier has just referred to other advisers. He can tell the house who — —

The SPEAKER — Order! The member for Monbulk is defying the Chair. He will return to his seat.

Dr NAPHTHINE — I can say very proudly in this house that my government is proud of delivering the transport infrastructure that Victoria needs to meet the growing needs of our community.

Budget

Mr SOUTHWICK (Caulfield) — My question is for the Treasurer. How is prudent financial management building a better Victoria for families and businesses, and is the Treasurer aware of any comments about the coalition’s strong budget?

Mr Pakula interjected.

The SPEAKER — Order! The member for Lyndhurst may have been trying to be funny, but that was unparliamentary. I ask him to withdraw his comment.

Mr Pakula — I withdraw.

Mr O’BRIEN (Treasurer) — I thank the member for Caulfield for his question. The budget we brought down this week shows strong growth for Victoria, including population growth. On that note I extend my congratulations to a contributor to that growth — the state political editor of the *Age*, Josh Gordon, and his wife, who had a baby last night. I thought, for a budget week baby, Michael might have been a nice name. They have gone with Dash instead, and we wish them the best.

This is a budget which cuts payroll tax and which abolishes stamp duty on life insurance. It introduces more affordable public transport, with free trams in the CBD and Docklands from 1 January next year, and getting rid of the zone 1 and zone 2 price discrimination

so that from 1 January you can travel between zones for the price of a zone 1 fare.

This budget has been warmly welcomed for the jobs that it will create. The Housing Industry Association’s Gil King said:

It is very hard to be critical of a government that has the vision to invest up to \$27 billion in shaping Victoria’s future ...

That \$27 billion includes projects like the Melbourne rail link, which Labor opposes. It includes projects like the airport rail link, which Labor opposes. Here is what the head of the Australasian Railway Association, Mr Bryan Nye, OAM, had to say:

A fast, efficient rail line linking Melbourne Airport to the CBD is a silver bullet project that will reduce the gridlock, frustration and excessive urban sprawl currently felt by commuters ...

He went on to say:

... if that is not efficient public transport I don’t know what is.

Opposition members do not know what is: the airport rail link, they oppose; the Cranbourne–Pakenham upgrade, Labor opposes; the east–west link, Labor opposes; the CityLink–Tullamarine Freeway upgrade, Labor opposes; the tens of thousands of jobs that will be created, Labor opposes. Labor members oppose all of the measures in this budget to create jobs and grow and connect Victoria like never before.

This budget has brought down a very substantial surplus of \$1.3 billion in 2014–15 rising to \$3.3 billion by the end of the forward estimates. Today’s editorial in the *Australian Financial Review*, under the heading ‘Victoria shows how to run a budget surplus’, says:

Dr Naphthine has an understated style —

I am not sure about that —

but his government is setting up the state for the future and creating a role model for other states and the federal government to emulate.

This is a very strong budget that cuts business taxes, creates jobs and delivers a major budget surplus and major infrastructure.

I thank the member for Caulfield for his question and his great interest, but there is somebody I do not thank. It is 12 months to the day since the member for Tarneit asked his one and only question to me as Treasurer. I remember our anniversary even if he does not. It just shows you that Labor does not care.

APPROPRIATION (2014–2015) BILL 2014*Second reading***Debate resumed.**

Mr DIXON (Minister for Education) — I am jealous of the Treasurer, because he has had one question in 12 months. I have had no questions in 12 months, and that anniversary is today. Education used to be the no. 1 priority for Labor, but obviously it is not any more. It is our no. 1 priority, with \$500 million worth of capital works in this budget. Included in that are 11 brand-new public-private partnership schools. These are schools with the lot, so not only is the school built as a whole school but added to that is all the playground equipment and the sporting fields, which will be maintained for 25 years. As a former school principal I know how much time is taken up on project management and maintenance over the years. This will free up our principals to be educational leaders rather than maintenance contractors.

The \$500 million that was announced in this year's budget brings to more than \$1 billion our capital investment in Victorian schools since we came to government. Not only are we building for the growth areas in the outer suburbs and some of the inner growth suburbs of Melbourne, but we are also working our way through the neglect of 11 years of Labor when it had so much money. It had the GST, it had the BER, but what did it do? Labor racked up a \$420 million maintenance backlog, and we are working on that so \$200 million of the \$500 million is about renewing and modernising schools that have been neglected.

We came to the 2010 election with a range of commitments on capital works. All of those have been completely fulfilled now. It is interesting too with Labor that not only did it neglect the eastern suburbs, it neglected its own suburbs. Members in this house will remember me talking about Galvin Park Secondary College in Werribee; \$13 million was required to totally rebuild that school and we had to pay that. It just fell down around the ears of the teachers and students while the local member, who was a member of cabinet, sat around the cabinet table and let it disintegrate. There was also Mount Pleasant Road Primary School in Mitcham. It was so neglected that it had to be pulled down; we had to completely rebuild it.

This year we are delivering for the western suburbs of Melbourne. Those champions of the western suburbs — Bernie Finn and Andrew Elsbury, members for Western Metropolitan Region in the other place — have worked so hard for the western suburbs. Sunshine

College will receive \$6.3 million to start the complete redevelopment of that school. In the north-east, Rosanna Golf Links Primary School will receive \$5.6 million. But we are not only investing in the suburbs of Melbourne, we are also investing in regional Victoria where we are making massive investments in Geelong High School, Ballarat High School and a range of developments in Bendigo.

I note that this morning the member for Ballarat West said that we neglected Ballarat. However, she forgot to tell everybody that we have funded the first two stages of Phoenix College and we have also announced funding for that great central school in Ballarat, Ballarat High School. As I said, we have also announced funding of \$8.5 billion for Geelong High School and, if re-elected, a further \$11.5 million. Castlemaine Secondary College has been allocated \$5.5 million for stage 2 of its redevelopment. In the south-east we are delivering six new schools, including Officer Specialist School. In Melbourne's northern growth corridor we are delivering four new schools, including the \$33.5 million Hazel Glen College.

In Melbourne's inner city suburbs the government is delivering South Melbourne Primary School and the brand-new Prahran and Coburg secondary colleges. In Melbourne's west we are delivering seven new schools. We have also announced \$48.8 million for seven stages of school construction in growth areas. In these growth areas schools have already been started, and now we have announced further stages for those schools. They include Doreen, Officer, Sale and Truganina.

As I mentioned earlier, 70 schools in rural and regional areas and in the suburbs of Melbourne are going to be modernised. We have seen great joy from all those school communities, including yours, Acting Speaker, at the investment we are making in schools right across Victoria. It just shows that with careful financial management the dividends pay off so we can build a better Victoria, we can build better new schools, we can build and renovate schools and we can provide the programs for those schools. We can also provide for the kids in special schools and a whole range of students who are struggling and whose families are struggling. We are putting money into those individual students and into those individual programs. We are putting money into the bricks and mortar of those schools. I am very proud to stand here and say that education is the priority for this government. It stands in stark contrast to the neglect of the former government.

Ms ALLAN (Bendigo East) — The 2014 budget handed down this week by the Liberal-Nationals government tells regional Victorians what their true

worth is. Regional Victorians have discovered this week just how little this government values them and just how very much regional and rural Victoria is on its own under the government led by the Premier. This admission has come from the Deputy Premier himself. The Deputy Premier admitted as much about how regional Victorians are placed in the priorities of this government. On the Channel 9 news last Saturday evening, 3 May, the Deputy Premier let the cat out of the bag by saying, ‘The basic aim is to make sure we do everything we need to do to secure government for another term’. That is a direct quote from the Deputy Premier, and it says it all. That is why we have seen a panicked budget handed down by a panicked Premier and Treasurer that is mostly focused on road and rail projects in the centre of Melbourne.

These are projects that we know well. They have either been neglected for years or there has been a refusal to release details on them or they have been badly bungled in just the last few days. Time and again over the course of the last couple of days the Premier could not describe his own projects. Of all the people in this government it has taken the discredited Deputy Premier to reveal the true intention of what is behind the budget that was handed down this week. It is all about trying to win votes for the government and the panicked Premier in Melbourne. It is a panicked, patchy, packaged budget that is trying to paper over some significant problems that the government is having in metropolitan Melbourne. The Deputy Premier has revealed that the ‘basic aim’ is to make sure they secure government for another term. That is obviously why regional Victoria did not receive its fair share from the government. Regional Victorians have discovered that they are well and truly on their own with only 4 per cent of the infrastructure spend being allocated to regional and rural Victoria in this government.

Concern about the budget comes from a number of different places. I will start with the Victorian Farmers Federation (VFF). The VFF, in a press release of 6 May put out under the name of its president, Peter Tuohey, says:

... I think it’s only fair that farmers ask whether they’re getting a fair share ...

It goes on to say:

... we need more spent on rural and regional roads, rail and water infrastructure ...

The VFF is clearly not impressed with how badly regional Victorians have been neglected by the Napthine Liberal-Nationals government.

But let us look at specific areas that have missed out on funding for projects and who else is not impressed with this government. I refer members to an article in the *Shepparton News* of 7 May in which the mayor of the City of Greater Shepparton, Cr Jenny Houlihan, is reported as having said that she was disappointed that no funding had been included for extra rail passenger services. Goodness me! Until recently Shepparton had been represented by two ministers in this government. For the past three and a half years, two ministers have sat at the cabinet table and Shepparton is still without its no. 1 priority, which is an increase in passenger rail services. The Shepparton community has been pleading with this government to see an improvement in passenger rail services, and for another year it has been ignored on its no. 1 priority. To her credit, Cr Houlihan said this just means that they will have to keep working hard. They are working hard and will continue to work hard, but their requests are well and truly falling on deaf ears.

Speaking of deaf ears, I turn to a front-page story in the *Riverine Herald* of this week. Referring to the Victorian budget, the front-page headline is ‘Still no bloody bridge’ and the article headline is ‘A slap in the face’ and the subheading is ‘Despite pledges, second bridge overlooked’. The article quotes the Deputy Premier as telling a public meeting in Echuca in 2012 that he would ‘build the bloody thing’. The bloody thing has not been funded once again in this year’s budget. The article describes this as a glaring omission. Committee for Echuca Moama chief executive Hayden Cock is quoted as saying, ‘We are bitterly disappointed’. The mayor of the Shire of Murray — this is about the Echuca–Moama bridge, so it affects people on the other side of the river — is quoted as saying:

We had the Deputy Premier of Victoria come here and say, ‘We will build it’. Either put up or shut up. I’m tired of being treated like a mushroom.

Once again the Echuca community has been abandoned. When you spend all your money in the centre of Melbourne, there is precious little to go around for vital infrastructure projects in the rest of the state.

I will finish by referring to another heartland of The Nationals that has been neglected under this budget because all the money is being spent in metropolitan Melbourne. This week’s *Wimmera Mail Times* has the front-page headline ‘Budget crumbs’. Under the subheading ‘No new state money for Wimmera’ it states:

The Wimmera has largely missed out in this year’s state budget.

These are the clippings you will not hear of from members of the government during question time as they strut and boast about their budget. You will not hear the government refer to these articles, but we will talk about them. They just show once again how regional and rural Victorians, particularly those in areas held by The Nationals, are told that they are well and truly on their own — that they are taken for granted. The Nationals are particularly good at grabbing votes from country people on the one hand and completely ignoring them on the other.

I turn to another display of a complete lack of respect from this government. On Monday morning the Deputy Premier and the Treasurer announced the sale of Rural Finance from the Treasury Place offices in the centre of Melbourne. It says a lot about the character of the Deputy Premier that he could not even be honest with his own people in The Nationals. On Saturday at The Nationals conference in Benalla the Deputy Premier announced funding for rail gauge standardisation in Mildura. This is another project that there is scant detail on; there are only a few lines on a map that has been produced by the Deputy Premier. There is a business case supposedly coming at the end of the year, but it is another project about which we have no details. It is no wonder that he did not want to go into detail with the people in that room, because to fund that project he is selling off the farmers bank. On Saturday in Benalla he said one thing to the party faithful and on Monday morning he scurried down to Spring Street and to the Treasury Place offices and lauded the sale of the farmers bank, again without any detail.

I have been contacted by members of the farming community who are very concerned about what this means for them. Again it shows a lack of respect for regional and rural Victorians. If the Deputy Premier cannot even be honest with his own people in The Nationals, what hope does the rest of regional and Victoria have? A further sign of disrespect is the hoax that is being perpetrated on the state about a \$1 billion growth fund. The budget papers do not reveal one cent of the forward allocation for this \$1 billion growth fund. There has been \$500 million allocated over a four-year period. We keep being told how it is \$1 billion and how it is locked into the budget. This budget shows what a betrayal that is, because nowhere in the budget papers is it articulated that the forward estimates show a funding allocation of the next \$500 million. It would be a betrayal if the Deputy Premier tried to pull a rabbit out of his hat by pretending there is money there and saying down the track that the money is available. Again it just shows how he treats the people of regional and rural Victoria. The Nationals and the Liberal Party treat the people of

regional and rural Victoria with a great deal of disrespect.

We saw that once again when even more money was taken out of the TAFE system. A further \$124 million has been cut from our TAFE system on top of the \$1.2 billion that had already been ripped out of it. We are seeing even more money being taken away. The problems that is causing across our TAFE networks in country Victoria are just disastrous, as so many people are missing out on opportunities. I also note that the budget does nothing to repair the damage to the Department of Environment and Primary Industries, the agriculture department. Around a quarter of the workforce has been slashed, and that is affecting the efforts of that department in firefighting and in pest and disease risk management. Once again we are seeing the effects of the job losses inflicted by this government and how the department that works so closely with so many people in regional Victoria has been abandoned in this budget once again.

I turn to some specific issues concerning the area of Bendigo that I represent. It is interesting to follow the Minister for Education, who made some quite silly and inaccurate statements about the previous government. I am happy to tell the minister that his government is spending less than half the amount on capital works projects that Labor spent. Certainly in Bendigo East we will have been left badly behind. Over the last three and a half years of this government the only activity in our community has really been when government ministers have been happy to come up and cut ribbons on Bendigo education project school openings that were funded, built and supported under the Labor government and, I must say, opposed by Bendigo Liberals at the time.

We now see some surprise funding popping up for two Bendigo schools in this budget. I absolutely welcome funding for my schools, and the two schools — Quarry Hill Primary School and Eaglehawk Primary School — work very well and hard in their local communities. But what I think is quite interesting are the circumstances in which this funding has been allocated. I had the opportunity to attend the announcement at Quarry Hill Primary School. A bit like Denis-in-the-box, the Premier bobbed up in Bendigo one day and decided to visit a school. I was at the school for this visit, and I followed the Premier around as he talked to the students and teachers and then stood in the schoolyard to make the announcement. I was there when the Premier announced the \$1.9 million for the school to spend ‘on whatever they like’. The Premier had no details and no information about what that funding was for. This is an absolute disgrace because anyone who knows anything

about the funding of school capital works knows that there is a proper process to be followed.

It was interesting to read the comments reported in the *Bendigo Advertiser* by the school principal himself. The article states:

School principal Andrew Schaeche said he was shocked by the announcement, which he said came as a complete surprise.

'I didn't know it was coming ... I had no background on what it was about' ...

When he was asked why his school was singled out, he said:

I'm shooting in the dark a bit as well.

As I said, I am pleased to see the government finally spending some money on schools in Bendigo and in our community after having been neglected for such a long time. But what is greatly disappointing is that schools are not being treated with respect. They are not being told about and included in what the funding is for; they are being left to flounder around. Following this announcement I had conversations with people in that school community and other school communities who are concerned about the processes that were followed. People are wondering how they are going to be able to spend this money. They are concerned about the burden this is putting on those schools.

Honourable members interjecting.

Ms ALLAN — Those on the government benches may laugh, but these are real problems that are being faced by school communities. I think what they are seeing is that they are being treated disrespectfully by this government.

I turn to the announcement of \$15 million in funding for the Kangaroo Flat aquatic centre. This clearly shows that the new Minister for Sport and Recreation, Damian Drum, a member for Northern Victoria Region in another place, is quite prepared to use taxpayer funds to cover up for the problems that have been caused by his mates in Canberra. The Kangaroo Flat aquatic centre was supported by the Bendigo Liberals during last year's federal campaign. They were quite prepared to write letters to the Kangaroo Flat community talking about this being a top priority, and quite prepared to have the community believe there was funding in the federal budget. There was no federal funding coming forward for this project. It has forced the state to increase its allocation from \$10 million to \$15 million. There is grave concern about where the remaining funds are going to come from, and there is absolutely

no guarantee that this project is going to go ahead, because without federal funding this project is not getting off the ground.

This is a hoax that has been perpetrated by the Victorian Liberal-Nationals government. It has been used as a political tool by the sports minister, who has pretended that this project is going ahead. It once again shows how the Bendigo community is really on its own when it comes to this government's handling of important projects in our community. Members of the Bendigo community are being used as political tools in a political campaign. They are discovered only on the eve of an election, and they are used to the maximum extent of political manipulation.

We have real problems in Bendigo, with our TAFE potentially being taken over by a TAFE in Melbourne, a crisis in our ambulance system and our hospital waiting lists. These critical issues have not been addressed in this budget. These are issues that the Bendigo community wants to see addressed, but once again they have seen that they are very much on their own as a result of this year's budget.

Mr NORTHE (Minister for Energy and Resources) — It is a great pleasure to rise this afternoon to talk about the 2014–15 Victorian state budget — and what a wonderful budget it is. I also take the opportunity to congratulate the Treasurer, the Premier, the Deputy Premier and all our finance ministers for the great job that they have done in delivering this massive budget, which will have great and positive repercussions across all Victoria. It commits to \$27 billion of infrastructure, and from my perspective as Minister for Small Business it is a great opportunity to create jobs and boost productivity across our great state.

I will first talk about a couple of fiscal matters. It is terrific that the Treasurer has been able to announce an operating surplus of \$1.3 billion in this financial year, rising to \$3.3 billion in 2017–18. No doubt, looking at other jurisdictions across Australia, the last few years have been a very difficult time, but our strong economic management — with some difficult decisions along the way, but the right decisions — has now put Victoria in a great position in terms of its economic future. One only has to compare the annual expenditure growth that occurred in the 2000s with growth under the coalition government over the last two to three years. It is simply not sustainable to have annual expenditure growth of 8 per cent when your annual income growth is 7.3 per cent. As with the way you run a business or a household, it is simply not sustainable. Under the former Labor government that average

annual expenditure growth was 8 per cent, and we have curtailed that; it is now just over 3 per cent. That is what you need to do when that income stream is not coming through — you have to curtail expenditure. That is what we have done as a government in making those tough decisions over a period of time.

The last point I would like to make on financial management is that you have budgets for a reason, and you have to make sure that you live within the means of that budget. When we are talking about expenditure, over Labor's reign in Victoria it was a 4.7 per cent actual expenditure spend over budget on average per year, and that made it simply unsustainable. Congratulations to the Treasurer and our finance ministers on the great job that they have done.

I will turn my attention to energy and resources, a portfolio for which I have responsibility as a relatively new minister. One of the major announcements in the energy and resources portfolio was the \$15 million target initiative. The resources sector is a significant one in Victoria, worth around \$6.4 billion in gross state product, with around 7700 employees. But we have had some challenges over the previous years with respect to trying to drive minerals exploration in particular. This \$15 million announcement seeks to assist us to collaborate with industry and to have a look at our minerals sector right across Victoria.

We know that there are opportunities, particularly in the northern part of the state — and indeed in the west and in parts of East Gippsland — with a number of different commodities. Whether it be gold, copper, lead, zinc or otherwise, it is important from Victoria's perspective that, firstly, we know what is in the ground, and secondly, that we look at potential development into the future. It is important to make sure that in the future Victoria is not reliant on importing those commodities. We must first do the work and understand what we have in the ground, and then look at the opportunities for developing that into the future.

This \$15 million seeks to partner companies that have an interest in this space. It will consist of grants being made on a one-to-one basis. This important \$15 million TARGET program seeks to really instigate that. When you compare Victoria to other states, you realise that we have probably fallen behind. Between 2007 and 2010 there was \$5 million expended in these types of exploration activities. Through this budget there is \$15 million, which is a terrific outcome and great news for the sector.

I note that the chair of the former Economic Development and Infrastructure Committee is in the

chamber. One of the recommendations that came out of that committee's report to Parliament on greenfields mineral exploration and project development was to make sure we invest in exploration in Victoria and consider initiatives that are occurring in other jurisdictions, such as the PACE project in South Australia. This government is undertaking a number of initiatives that have arisen from that report.

This also builds upon previous commitments we have made through the Strengthening Earth Resources initiative, which is a \$19.5 million program over four years that we announced last year. That initiative does a number of things, including making sure we have community engagement, investment attraction and regional-scale geoscience, and it also makes sure we undertake regulatory reform as part of that. This data will be captured once we get off the ground, so to speak, and it will be available through the Geological Survey of Victoria. The information will be made public, again helping to attract investment into the future.

It is not just me who is saying that this is good news about the \$15 million TARGET program. In the *Sunraysia Daily* of 7 May, Cr John Katis of the Swan Hill Rural City Council is quoted as saying:

I think it's a great investment by the government for the region, and I think it's a great opportunity to look for those minerals for future generations to know what we have ...

The \$15 million in funding for the TARGET program is likewise endorsed by the Victorian division of the Minerals Council of Australia, which in a media release of 5 May said:

This announcement represents much-needed investment in further understanding the state's geology and will hopefully identify new mineral deposits that can bring economic and employment prosperity to Victorians.

That is great news for the energy and resources portfolio.

One of the other important announcements we made in the budget was of the \$4.7 million upgrade to the My Power Planner website. This seeks to build on the work that has already been done on this website, which allows consumers to compare energy prices, products and opportunities. Part of the upgrade is about making sure we include multicultural communities and ensure that they understand the opportunities available through the My Power Planner website. It is also about introducing gas and solar energy options on that website.

Work needs to be done to make sure we give consumers in Victoria the opportunity not only to compare electricity prices but also to talk about household solar, which is very important. As I say, it is important to make sure those who use languages other than English are able to access information through the My Power Planner website as well.

Since it was launched in September last year, around 56 000 people have visited the website. We know that a number of people have taken up new power plans. My understanding is that about 40 per cent of people may have changed power plans as a result of visiting the website, which is important when you have a competitive market. It is about finding the better tariffs and better plans that are available. The flexible pricing plans are also part of that, as is making sure that people have the option to save energy in Victoria. I know from talking to people in other jurisdictions that the My Power Planner website and flexible pricing opportunities are things that the other states say very clearly put Victoria well ahead of the game, but it is important that we continue to upgrade. We will continue to look at those opportunities. I am pleased we have been able to announce this \$4.7 million upgrade to the My Power Planner website.

While I have the opportunity I want to also take up some of the comments that the member for Tarneit made earlier about concessions, because I think it is important to note that the information around energy concessions available to Victorians is accurate. The fact is that when the coalition came to power it made a commitment to make sure the electricity concession would be extended from during winter only to the whole 12 months of the year. That is what we have done, and it is a significant financial commitment. If you look at the budget papers of 2010–11, you see that under Labor there was \$306 million allocated for concession card holders with respect to electricity. Under our budget this year that has increased to \$508 million — a 66 per cent increase over that period of time. Making sure the record accurately reflects what has happened with respect to concessions is really important.

We have announced \$18 million to support the small business sector. I note the great feedback we have received with respect to the reduction in payroll tax. We are investing \$14 million for expert advice to be provided to small businesses and \$4 million to revive local shopping strips and boost business trade. These are really important initiatives. The small business sector comprises about 530 000 businesses, and they contribute much to the Victorian economy.

Mentoring services are important, and the small business bus that tours all around Victoria, including in metropolitan and regional areas, is very popular. The mentors do a fabulous job, and it is a great initiative that we are pleased to continue to support. The mentors provide around 2300 mentoring sessions each and every year, and we are going to continue to build upon that. Workshops and seminars are also vitally important, so we are working with local councils, trader groups and industry associations to make sure we continue to invest in those workshops and seminars that are relevant to local communities.

We have upgraded the Business Victoria website to make it more user friendly and to update the information it contains, which is terrific. As I mentioned earlier, we have also invested in reviving local shopping strips. This is separate to the Streetlife program, which is a very popular program that has been funded to the tune of \$6 million. This budget funds the local area capital improvement program, whereby \$1 million per year is made available for councils to upgrade their shopping strips with capital improvements that we will provide for through this particular fund. I will not go into all the plaudits from a number of organisations in the small business sector that are pleased with the budget — I simply do not have the time. Suffice it to say that many industry groups and others are absolutely thrilled with the budget that has been handed down by the government.

Being the member for Morwell, I will turn my attention to the great outcomes that will be achieved through this budget. The biggest investment in a long time in our region, which is very welcome, is the \$73 million that has been announced for Latrobe Regional Hospital. This is just a wonderful announcement for our local community — not just for the local community but also for those who work within the hospital system.

Whilst it might be a relatively new hospital in the bigger scheme of things, we have had capacity issues and delivery of services is something of an issue. Through this \$73 million we will see a significant expansion of the emergency department that will more than double the bed capacity in that department, a new 30-bed ward and a 12-bed short-stay unit. We will basically rebuild other parts of the hospital, and we will also see the introduction of some cardiovascular services, which will mean that local community members will no longer have to travel to Melbourne to undergo some kinds of cardiovascular testing and so forth. That will be done on site, which is absolutely terrific. I know the community is thrilled with that announcement.

We have already announced that wi-fi will be available on trains between Melbourne and Traralgon, which is great to hear. We have part of a \$1 million package to undertake planning for the Morwell school regeneration project, which the minister at the table, the Minister for Education, is acutely aware of. We are keen to see that pursued as quickly as possible. The school community in Morwell is absolutely thrilled that we can start the process of planning for that school.

In response to the Hazelwood mine fire, there is a commitment of \$11.5 million over a period of time not only to continue the monitoring but also to assist with the mine fire inquiry.

There are other elements of the budget which I cannot go into because, as I said, I simply do not have the time, but I will say that this is a fantastic budget. From my perspective as the Minister for Energy and Resources, and Minister for Small Business and as the member who proudly represents the Morwell electorate in this Parliament, I can say that we are particularly pleased about the \$73 million to Latrobe Regional Hospital. Well done to the Treasurer!

Mr PANDAZOPOULOS (Dandenong) — This is a budget that treats Victorians like mugs. It is a budget that hopes Victorians will forget the basis on which this government was elected. It hopes people have forgotten about the funding commitments this government made to fix the problems and a whole lot of priority projects. The coalition went to the last election promising action on Doncaster rail, Rowville rail and Avalon Airport, but now we have some new projects. The promised projects are on the shelf, and suddenly we have some new projects and we are supposed to believe that this government will deliver on those projects.

This government said it would fix the problems. It was going to put money into 800 new hospital beds, yet we have hardly any new hospital beds — 40-odd new beds across Victoria — and it is underperforming on every single key performance indicator it set itself for hospitals. It said it would fight crime, yet crime has increased. These are the things the government, as a Liberal–Nationals opposition, promised before the last election.

This government spent three years with headlines calling it a do-nothing government. This meant it had to dump the former Premier, the member for Hawthorn, and it has now had its third reshuffle in one term. This shows a government in a shambles and on the run. It spent three years doing nothing and strangling the Victorian economy without delivering any projects.

Let us not forget all those headlines. Let us not forget all the industry groups that were criticising this government because it had no infrastructure plans. It abandoned agreed infrastructure plans that had gone through significant processes under the previous government. It was so arrogant upon coming into government that it wanted to forget everything that had been done in the past. The Victorian public is tired of governments that keep chopping and changing priority projects as if we have spare cash around. We had an admission in effect from the Premier today that he made up the transport plan, because he could not tell us who was advising the government on its supposed transport priorities.

We had three years of inaction and then suddenly we had a new Premier. There was no plan for infrastructure but the government announced an \$8 billion dud tunnel, the biggest infrastructure project in Victoria's history. The government suddenly announced that project, not because there had been any proper assessment done against other priorities but simply because the Premier wanted to end this view that people had of the government being a do-nothing government.

The government has gone through its third reshuffle, time is quickly running out before the next election and suddenly it has this mishmash of projects that this budget does not fully fund. Doncaster, Avalon and Rowville were there in the past, and we had an agreed Melbourne Metro rail project. Now we have, let us call it, a dodgy Metro rail. It is not even Metro-lite; it is Metro-dodgy. We have the east–west link stage 2, we have a Cranbourne–Pakenham rail corridor upgrade that is going to be very expensive but not get you through the city loop, and suddenly we have another airport link.

But where is the money in the budget? Not all of this \$28 billion worth of projects is funded in the budget. The money is not there. The government says the Cranbourne–Pakenham rail corridor will cost up to \$2.5 billion, but the budget allocates only \$20 million next year. This is the government's big project for the south-eastern suburbs and it allocates \$20 million. In fact there are only resources there for the next four years.

If we look at the Melbourne rail link, which will cost up to \$11 billion, there is only \$1.2 billion committed over the next four years. For stage 2 of the east–west link, a project that will cost up to \$10 billion, only \$3.2 billion has been committed over four years. What we have is a government that wants to look like it is doing a lot by doing very little on each project at a time. Rather than being a government that will do things, it wants

Victorians to believe that suddenly things have just clicked and it has got its act together. In desperation the government is creating projects that are not going to be the most beneficial projects for Victoria.

I am very concerned about the Cranbourne-Pakenham rail corridor project. Let us put this into context. It is in response to a well-considered Labor opposition public transport and road transport plan. Because the government did not have any plans of its own, because we had done a lot of work when we were in government and because we had retained a lot of that knowledge, the opposition created these projects that are fundamentally based on a huge amount of existing work and research and support by stakeholders over a period of time. Because the government did not have its own, it suddenly pulled up these projects.

We are going to have this Cranbourne-Pakenham rail corridor project on which we will be spending \$1 million a day to not get people into the city loop. We are going to spend all of this money not to make it easier on everyone but to make it harder on the people who use that rail corridor. We can sit here and argue about global cities where you change at different platforms and different stations but we are talking about a city that has a very small underground rail system versus cities that have scores of kilometres of underground rail loop which means that you change systems.

The cities of London and New York have underground rail loops; we basically have a loop under our CBD. That is how the Melbourne Metro rail project came about. You would think the first priority would be to increase the capacity of that loop, because everyone will benefit from public transport improvements. You would be able to move people to where they need to go, and you would be able to increase frequency. But this government says, 'In other cities in the world you can change over'. So we are really New York, London and Paris, with huge underground systems. People will be able to come from Dandenong and get off at Richmond to go to Flagstaff station, or get off at Melbourne Central and visit the new Emporium store next door, which this government is saying is so important for revitalising the economy. The government is telling people in those places, 'We're going to spend all this money to give you in effect less than what you've already got'. That is what the government is really saying to the people in the south-east.

The revelation about the Frankston corridor says a lot about what this government thinks about anyone who lives in the south-east of Melbourne. Whether it is the outer south-east, which is my constituency, or the

Frankston rail corridor, it is telling people that they are going to get a second-class service as well. Members are sitting there saying, 'Oh, yeah, we'll get upgraded infrastructure and all that sort of stuff' — whatever that means — and, 'We're going to get rid of a few rail crossings versus Labor's 40 railway crossings. We'll give you a few. We'll give you some spicks and speckles and make it look like we're delivering something, but in the end we're giving you something less than you currently have'.

The government wants us to believe that this is good for us. That is why it is treating us like mugs. It thinks that voters in these areas are actually dumb. These people want improvements in public transport. They want to be able to get to where they want to go, but they also want to be able to reduce local road congestion. A lot of people who live in the outer suburbs do not come to the city on many occasions. They do not want to be sitting there in peak hour at railway crossings as happens on the South Gippsland Highway in Dandenong, or on Abbotts Road in Dandenong South, where for 40-odd minutes at peak hour the barriers are down, and meanwhile cars are all over the place. When people finish work and try to get home, it takes nearly an hour to travel 10 kilometres. We can travel on the freeway from the city to Dandenong in less than half an hour at the speed limit.

This is what the local people want, and that is why Labor's policy is very balanced. It is balanced on the basis of good history, knowledge and stakeholder support of public transport priorities, as well as a recognition that the best way to reduce congestion is to do road upgrades where they are appropriate in regional Victoria and outer suburbs with increasing population growth and to get rid of a whole lot of priority railway crossings where the priorities are provided for by the RACV.

It frustrates the heck out of me when I keep hearing government members say, 'Look at all this stakeholder support'. When you talk to stakeholders, the reality is that when they have had nothing they are pleased that at least something is in the pipeline. It is not that they are ecstatic about it. Stakeholders do not like criticising government. They did it for three years. Of course they are happy that at least something is out there. Government members should not rest on their laurels believing every stakeholder is suddenly thinking they have this grand plan that no-one else ever thought about and that they are going to deliver in a very short period of time. The public also wants to see — and has not forgotten — investment in basic, essential services. Public transport is of course a priority, and it is about reducing congestion in the future and providing more

choice and options for people to legitimately be encouraged, and coerced in some regards, to shift from road to public transport. Of course this is where most of the money is going.

In terms of schools — and the Minister for Education was here before — this government is spending half of what the Labor government was spending on capital works. A whole lot of schools in my electorate have received nothing from this government. This morning the member for Hawthorn, the former Premier, was praising the former principal of a school for his innovation in education and his belief in a good public education system. This same principal, Martin Culkin — a fantastic principal, who has moved on to a new school project in Hawthorn — developed a project to rebuild Dandenong High School. This government, including the member for Hawthorn and the Minister for Education, keeps on talking about it, yet it has not funded the last stage of the same project. The school is three-quarters complete, and we have got the same story in many other parts of Victoria.

We have a whole lot of schools that were master planned and are now getting band aided by this government. Rather than getting rebuilt, they are getting band aided. School communities have been waiting for many years, having undergone proper processes to have their schools funded, and it is not happening. They have done all the right things. They are not out there campaigning in the media. They are not trying to undermine the government. They are trying to play by the rules, yet they are continually cheated by this government, compared to other schools that got funding and did not expect it and did not even apply for it.

What sort of a government does those sorts of things? It is a government whose only priority is itself and not the people of Victoria. It is not about equity. There is nothing equitable about most of this budget. It continues to cut, as if the government has not cut enough over the last three years. It has cut even more from TAFE. It has cut kinders now. There is a national agreement about 15 hours of kindergarten, and it is cutting them back to 10. It is even cutting back on aged-care services in a growing aged community. This is the stuff the public will not forget.

The government is hoping in its infrastructure whiz that everyone has forgotten these things, but these are the basic things members of the public want. They want safety in their community, they want good schools and good education for their kids and they want good access to health when they need it. They do not want to continually have press releases about another elective

surgery waiting list blitz. Despite every elective surgery blitz, the government still does not meet the performance indicators it set itself in its own hospital admission records for its emergency departments. We continue to have ambulances ramped outside emergency departments simply because the government has failed to deliver its election promises of fixing the problem and providing 800 extra hospital beds. These are the things that Victorians will remember.

Of course we need infrastructure projects. The shame is that we will get a little bit here and a little bit there and most of the projects are actually not funded in the forward estimates. Because the government does not fund them in the forward estimates, it makes it look like we are going to have a \$3 billion-odd surplus. It is smoke and mirrors. This is a smoke and mirrors budget. The government is saying, 'Get us elected and trust us. Trust us that we will deliver'.

The only trust Victorians can have in this government is the trust that they have seen breached in the last three budgets. They can only trust in the broken promises and the government's failure to deliver on the things it said it would do when it was in opposition — the breaches of promise about the Rowville line, the Doncaster line, Avalon Airport and the 800 hospital beds. There have been continuous breaches of promises to tackle crime and not see it increase as it has. This government has failed on most measures, including the unemployment rate, which it has revised upwards. This state was an economic leader, and now it is dragging its feet.

Mr WAKELING (Minister for Higher Education and Skills) — It gives me great pleasure to contribute to the debate on the Appropriation (2014–2015) Bill 2014. This is a great budget. It is a fantastic coalition budget, and I stand here as a proud member of the coalition government and a proud Minister for Higher Education and Skills. I am proud of the work this government has done in delivering for Victorians. With respect to my portfolio of higher education and skills, I am very proud of the fact that this government is committing \$1.2 billion to training not only this year and next year but for each of the four years over the forward estimates. That is a fantastic commitment by this government to the delivery of vocational education and training (VET) in this state.

By way of background, the Victorian community knew that the previous government significantly underfunded the VET sector, providing less than \$855 million. When it was elected, this government knew that that sector needed a significant increase in funding. If you want to get more people in training and you want more skilled

workers, you actually have to invest the dollars; it is pretty simple. It is something the former government would not do, but this government has done it. That is why we have increased the funding to \$1.2 billion.

Mr Lim interjected.

Mr WAKELING — What has that actually delivered? I know it is unruly to take up interjections, but the member has asked what that funding has actually delivered. There were 426 000 student enrolments under the previous government; today there are more than 645 000 students enrolled — that is a 50 per cent increase in enrolments.

The SPEAKER — Order! The time set down for consideration of items on the government business program has expired, and I am required to interrupt business. The minister will have the call when the matter is next before the house.

CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014

Second reading

Debate resumed from 7 May; motion of Mr WELLS (Minister for Police and Emergency Services).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

JUSTICE LEGISLATION AMENDMENT BILL 2014

Second reading

Debate resumed from 7 May; motion of Mr WELLS (Minister for Police and Emergency Services).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

VICTORIA POLICE AMENDMENT (CONSEQUENTIAL AND OTHER MATTERS) BILL 2014

Second reading

Debate resumed from 7 May; motion of Mr WELLS (Minister for Police and Emergency Services).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Mr Carbines — On a point of order, Speaker, I wish to draw your attention to the failure of the Minister for Public Transport to respond to an adjournment debate matter I raised on 13 March 2014 calling on the minister to take action to immediately provide the four extra peak services on the Hurstbridge line that were promised by the government after the Eltham railway station stabling project was completed in 2013. Sessional orders require ministers to respond in writing to matters raised on the adjournment within 30 days. I ask that you write to the minister and seek an explanation of this delay and a response to my adjournment matter.

The SPEAKER — Order! I will bring the matter to the minister's attention.

Yan Yean Road upgrade

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Roads. I seek his urgent action to progress the declaration of Yan Yean Road between Karak Road and Bridge Inn Road. Before I go into the substantive matter I just want to thank my work experience student, Isabella Satchel, who has assisted me very well in my work in the Parliament this week and in preparing my notes for this adjournment debate.

The matter I raise in asking for the declaration is extremely serious. I will not labour the point, but I am very disappointed that yet again another budget has ignored roads in the most populous and fastest growing electorate in the state. Yan Yean Road in particular needs attention, and it needs declaration due to the huge safety issues that have arisen there. I have raised the situation of this road on more than a dozen occasions in this house. The road is the spine of the Yan Yean electorate, and with each year it is carrying more and more traffic. On 27 March I tabled a petition with 2214 signatures and earlier this week I tabled another petition with 598 signatures, so almost 3000 people in my community have recently expressed their concern about the situation on this road.

Tragically only a week or so after I tabled that first tranche of petitions, and on the day the local paper was reporting on the situation at Yan Yean Road, something we had all been concerned about — that the level of traffic and the number of crashes occurring on this road would ultimately result in death — occurred in the last month. A Diamond Creek woman was killed on that road, and it was a horrific situation. Since then there have been numerous casualty crashes, which have caused a great deal of distress to the community and to the emergency services personnel who have responded to them. The road is wholly within the shire of Nillumbik.

After last month's fatality, the government has said publicly that despite having taken it off the declared list when it was almost declared as Labor was leaving office — it was even in the *Melway* in one edition but was taken off the list late last year — it is in negotiations with the City of Whittlesea. I ask the government to negotiate with the Shire of Nillumbik, because that is the responsible shire. I ask the minister to please do this quickly. People are dying, and the community is concerned.

Kilmore-Wallan bypass

Ms McLEISH (Seymour) — I rise to make a request of the Minister for Roads. The action I seek is that he make a decision about the final route for the Kilmore-Wallan bypass as soon as possible. A number of issues have arisen about the bypass. The lack of certainty for those living on the three proposed routes and the volume of traffic that presently flows through the heart of Kilmore are continuing problems. Originally five routes were examined for the bypass, but they were narrowed down to three some time ago. Those three routes have been undergoing extensive works through the environment effects statement process.

People in the community are tired of not knowing what is happening and not having a decision. They are very much looking forward to hearing about a decision for the route so they can make further decisions for themselves and plan their futures in the knowledge of whether or not they will be impacted. As with any major project or with any road, there is going to be some degree of heartache — I acknowledge that — but people need to have this understanding sooner than later. A decision will benefit everybody.

One key issue for both Wallan and Kilmore, but particularly Kilmore, is the congestion and heavy traffic that continues to dog the town because the Northern Highway is also the main street of Kilmore. The highway divides the town down the middle, and it is extremely difficult to navigate from one side of the road to the other either by car or by foot. The road carries extremely heavy traffic, including many trucks. This has caused people in the town to lack a sense that their town is livable. There are many opportunities for the livability of the town to be enhanced. Kilmore has experienced ongoing damage to historic buildings through continual wear and tear, and it is important that the town preserve its historic nature, which is becoming more and more difficult. The lack of a decision is holding the town back in that it is unable to realise its potential.

The shire and the locals are very much looking forward to developing a structure plan for Kilmore and, probably to a lesser degree, Wallan. The development of such a plan relies on everyone knowing the final route for the bypass. It is extremely important that we have good access to and safe connections for the towns. The town of Kilmore is also the centre of a large educational precinct which includes Assumption College, Kilmore International School, Kilmore Primary School and St Patrick's Primary School. Kilmore is a very busy town. The previous government failed in this regard and wanted to put the bypass past the schools. I am glad that is not on the agenda.

Clayton South Primary School

Mr LIM (Clayton) — The matter I raise is for the attention of the Minister for Education. The action I seek is that as a matter of urgency the minister make a commitment to redevelop Clayton South Primary School to enable the school and the school community to move forward with certainty. I raised this matter with the minister during the adjournment debate of 15 June 2011 after the school was not allocated funding in the May 2011 budget. A departmental report was prepared six years ago, in 2008, and the school was clearly assessed as meeting all the educational criteria for a

rebuild. Many of the school buildings date back more than 50 years, and the art room was built in 1930. However, in 2008 these school buildings were rated as being in poor condition.

In response the minister rejected the view I had formed on reading the 2011 budget papers — that is, that the government had allocated funding based upon political need rather than demonstrated need. However, as time has moved on to 2014 and the need to rebuild the school has become greater, and with the new budget being delivered, I think that if voters take the time to read through the budget papers, by November they will judge this government harshly for its educational funding decision — or should I say lack of one. The reality is that Clayton South Primary School has gone through all the necessary procedures for a rebuild, not with the previous government but with the department. Plans were completed and subsequently they were ready for tender, but someone in this coalition government thought it best not to rebuild an ageing school in need.

I also raised this issue during the adjournment debate of 30 May last year, when I advised the minister of asbestos issues and requested him to visit. I understand the department was fined for not completing urgent maintenance to remove the asbestos, which is quite an indictment, and that the school is still awaiting the minister's visit.

Clayton South Primary School has a diverse mix of students from over 40 nationalities, and many students come from disadvantaged backgrounds. However, it is a vibrant school community. The school has been proactive in ensuring a continuing strong future in Clayton South. The school approached and was supported by the Kingston City Council to obtain funding and build a kindergarten on site incorporating a playgroup and meeting room in a modern new building. In future years this project will ensure that increased numbers of students will be able to attend the school. With the demography of this area showing growth, this project will also ensure a future increase in student numbers at the school, which the community is very excited about.

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

Orrong Road, Armadale, development

Mr NEWTON-BROWN (Pahran) — My adjournment matter is directed to the Minister for Planning. The action I seek is that he accept the will of the Stonnington community and sign off on new

controls for 590 Orrong Road, as sought by Stonnington City Council in amendment C153. The community and the Stonnington council have made it quite clear that the proposed Orrong Towers development at 590 Orrong Road is not acceptable. This has been a community fight of epic proportions, spearheaded by a group of volunteers in the Orrong Group, including Margot Carrol, David Fallick, Peter Matthews, Gary Lloyd, Brett DeHoet, Marie Watt and hundreds more.

At first the developer sought towers up to 16 storeys high. This was comprehensively rejected by the community. The revised plan was still too high and still too intense at 466 new apartments in buildings up to 12 storeys high. Sadly for the community the decision at the Victorian Civil and Administrative Tribunal (VCAT) was significantly out of line with the community expectation for the site, and VCAT granted a permit for the number of apartments and the height sought. This site is on the border of the electorates of Malvern and Prahran, and while it is in the Treasurer's seat of Malvern, it also impacts on my seat of Prahran. Both the Treasurer and I have previously expressed our concern about the outcome of the VCAT hearing about the site. Proper controls should have been sought by Stonnington council for this site many years ago, and certainly well before any developer had the opportunity to present an inappropriate development.

Prior to 2011 the community sought that a coalition government planning minister would not call in a development application. This commitment was given, and the application went through the usual process of council consideration and appeal to VCAT. The outcome at VCAT was a disappointment to the community, a disappointment to me and a disappointment to the Treasurer. Council has now proposed through amendment C153 that the site should be restricted to no more than 250 dwellings, with each building having a height of 17 metres, or six storeys. Furthermore council seeks that there be 6-metre setbacks around the site and a site coverage of no more than 50 per cent. The amendment has been lodged with the minister.

The minister must now make a decision on what he believes is the appropriate form of development on the site. The Treasurer and I urge the minister to make this decision having regard to the strong community views expressed over many years. The fact that a development permit has been granted should not colour the decision. It is not necessarily the case that the approved development will proceed. Projects regularly stall through lack of finance or poor presales. Any new permit application will need to comply with these new

controls. The Treasurer and I believe that the minister should place controls over the site and that the controls now sought by Stonnington council are appropriate for our community. The community has spoken loudly and clearly on this issue, and we ask that the minister listen and act to represent our community's views.

Kingswood Golf Club site

Mr PAKULA (Lyndhurst) — The matter I raise is also for the Minister for Planning. It concerns the site of the Kingswood Golf Club and the amenity of residents of Dingley Village. Last year the members of the Kingswood Golf Club in Dingley voted to merge with the Peninsula Country Golf Club in Frankston, and the club committee has determined that the Dingley site should be developed and that members will ultimately be required to utilise the facility in Frankston. That has been a very contentious decision for members of the club, and one about which many members remain substantially aggrieved. It is one which a number of them continue to contest, which is absolutely their right and a matter on which I will continue to engage with them closely. I concede that that part of it is outside the responsibilities of the Minister for Planning. However, the question of whether Kingswood Golf Club is rezoned residential is within the purview of the minister.

The Dingley community is rightly concerned about the prospect of hundreds of new dwellings on the site of the Kingswood Golf Club. Dingley is a community constrained by its infrastructure. It is not serviced by rail. It has one major road in and out, which is Centre Dandenong Road. Dingley suffers from significant congestion in peak hour. It does not have a government secondary school, and the primary schools in the area are basically full. The residents of Dingley cherish the village atmosphere of their community. In recent days it has become clear that Kingswood Golf Club is indeed preparing the golf club land for sale and redevelopment. In the event that such a sale proceeds, I believe the residents of Dingley are entitled to some information and some reassurance.

The action I seek from the Minister for Planning is that he provide me and the Dingley community with an indication of the matters he would consider in deciding whether to approve a rezoning of the golf course to residential; what limitations, if any, he might be able to place on the density of development on the site; and what infrastructure requirements, if any, he may be able to impose on any such approval.

Tatura energy opportunity study

Mrs POWELL (Shepparton) — The matter I raise is for the attention of the Minister for Regional and Rural Development. The action I seek is that the minister consider supporting a Tatura energy opportunity study through the coalition government's \$1 billion Regional Growth Fund. Tatura is an important community in my electorate, and it is home to a number of key businesses such as Tatura Milk Industries, which started in 1907 and produced 100 tonnes of butter in its first year. It now processes 80 000 tonnes of dairy products annually. Members may recognise the name Tatura butter. It is the butter that we use in the dining room of Parliament House, which I am really pleased about.

Unfortunately, though, the supply capacities of electricity and natural gas networks in the area are fully committed, which is limiting opportunities for economic growth and town expansion. Goulburn Valley Community Energy, a not-for-profit social enterprise in northern Victoria, is planning to conduct a study into the best way to provide cost-effective electricity to enable industry expansion in Tatura. This will be the first stage of the project, which over the longer term will consider infrastructure to generate electricity, such as solar power, and options which make use of waste material from the region.

A great thing about the coalition government's Regional Growth Fund is that it can provide funding for feasibility studies to help get longer term projects off the ground and make sure that the projects are feasible. I believe this study will be an ideal candidate for the funding under the Regional Growth Fund's Putting Locals First program, as it is a community-driven initiative that will aid future economic growth and development in an important town in my electorate.

Through the Regional Growth Fund the coalition government provided \$200 000 in December 2012 to support the Tatura abattoir expansion sewage pump station and rising main project, which allowed for increased production and capacity at the Tatura abattoir and delivered significant economic benefits for the region. I congratulate the Gathercole family, who operate the Tatura abattoir, for the \$5 million investment in their business. I call on the minister to further support expansion and economic growth in Tatura by considering funding for the Tatura energy opportunity study.

Cranbourne Secondary College

Mr PERERA (Cranbourne) — The matter I raise is for the attention of the Minister for Education. I call on the minister to take action and fund the final stages of the modernisation of Cranbourne Secondary College. Cranbourne Secondary College has a population of 1330 students. The college is well known for providing a dynamic learning environment that emphasises the importance of community and relationships. The college strongly believes in the provision of a positive environment with high expectations. Cranbourne Secondary College is a fine college, and it is ably led by principal Ken Robinson and his team of dedicated staff.

While in government, Labor funded over \$8 million for the completion of stages 1 and 2 of the college's modernisation, one after the other. That is right — \$8 million in funding. In 2005–06 we announced, funded and completed stage 1, which involved the modernisation of the college's administration building, information technology area, general purpose room and music room. In 2009–10 we announced, funded and completed stage 2, which involved the modernisation of the college's library, canteen, home economics facilities and arts facilities, the provision of additional staff administration facilities and the completion of the music room.

From late November 2010 until today the required funding for stage 3 of the much-needed works has remained missing in action from this government. Three budgets have been handed down, and none of these have included any funding for the much-needed stage 3 works for Cranbourne Secondary College. Time after time I get up in this place pleading for this government to take action and to do so in a serious manner. Stage 3 includes the update of college sites and technology wings. A stage 3 master plan has been duly prepared, ready for the government to fund it. That will complete the modernisation process. The funding should be based on need, not gaining political advantage in the lead-up to the state election in November. If funding decisions are determined by headlines, the government will have to look for a lifeline soon. I urge the minister to act and fund the final stages to complete the modernisation of Cranbourne Secondary College.

East Ringwood sporting facilities

Ms RYALL (Mitcham) — I wish to raise a matter for the Minister for Sport and Recreation. The action I seek is that the minister visit the East Ringwood football and cricket clubs and inspect their rooms. The cricket and football clubs have very long histories. The

cricket club was founded in 1926 and the football club in 1929. Indeed the football club will shortly celebrate its 1000th game. It plays in the Eastern Football League's division 1 competition. The clubs' facilities in terms of grounds and nets are very good, and the clubs have invested heavily in these. Although the clubs are adjacent to the Maroondah Sports Club, their facilities, including the players rooms, toilet and bathroom facilities, change rooms, social club rooms and the pavilion, are in a parlous state.

I know the clubs would be very appreciative if they received a visit from the minister and he could see for himself the condition of the facilities. I have made no secret in this house of my appreciation of the sports clubs in our communities and the great work they do for our youth in teaching them important life skills, lessons about fair play, hard work, team spirit, relationships and friendships, as well as providing encouragement. Clubs are very important. As a young person I belonged to about four different sporting clubs in my community. Clubs are very important, and I would appreciate the minister visiting this community.

Fitzroy Stars Football Club

Ms RICHARDSON (Northcote) — My matter is for the attention of the Minister for Sport and Recreation. It concerns the facilities at the oval adjacent to the Aborigines Advancement League in Thornbury where the Fitzroy Stars Football Club plays. The club call it its home ground. The action I seek is for the minister to upgrade and improve the facilities at the ground for the Fitzroy Stars. The surface has been improved thanks to Labor when it was in government. There are still some concerns about drainage at the site, which I understand the council is working on. However, the ground would be further enhanced if the works that need to be undertaken could be completed.

The fabulous Fitzroy Stars were excluded from the ground for about 19 years. When they moved back it was a very big local community event, as members can well imagine. The Fitzroy Stars have a solid fan base that enjoy attending games at the club every fortnight when it plays. We often hear it said, but when we speak of the Fitzroy Stars it is true to say that it is so much more than just a footy club. It takes its community role very seriously, and it delivers on all that it promises. What we are looking for with respect to the facilities is a new grandstand and an upgrade to the toilets and changing rooms. Importantly we need a private area dedicated to the elders who come to the games, for their enjoyment and participation in club events.

There is a home game every fortnight, and I would like to see the minister attend. Perhaps the minister could come along and enjoy a game with me and cheer the club on. We would love to see the minister, and I invite him to join me because it would be terrific to see him attend. Perhaps he could come with a cheque to deliver on the upgrade to the facilities. The club and its supporting programs, which have already had huge success, will no doubt do even better if the facilities at the ground in Thornbury are upgraded. It would be a win for the club and a win for the Indigenous community as well as the wider community, which is transfixed by the club's ongoing success and the work it does in the community.

City of Glen Eira Crown land

Mr SOUTHWICK (Caulfield) — I rise to raise a matter for the attention of the Minister for Environment and Climate Change regarding the Caulfield Park council depot and some Crown land located near the intersection of Glen Eira, Booran and Kambrook roads, Caulfield, known as the Booran Road reserve. The action I seek is for the minister to explore with Glen Eira City Council the opportunity to relocate the Caulfield depot to the currently unused Crown land site of Booran reserve adjacent to the racecourse to free up parkland in Caulfield Park. The Caulfield depot is a large allotment within Caulfield Park on Inkerman Road and is used to store heavy maintenance vehicles and other equipment. Glen Eira has the lowest amount of open space of any Victorian municipality, and therefore every opportunity to create more recreational space must be explored.

I have spoken with local ward councillor Michael Lipshutz, who regards this proposition very favourably. I am aware that council has in the past been agreeable to exploring options to move the depot on the premise it will not take away from recreational parkland at another site. I am also aware that Glen Eira City Council has rejected our offer for it to use the land for parkland. In addition, I have had discussions with Friends of Caulfield Park representatives who agree that shifting the Caulfield depot to the unused Booran reserve would free up further premium open space in Caulfield Park, which would be a big win for the Caulfield community. Glen Eira Debates, a community blog site, has had many locals voice their strong opinions on the matter. There has been overwhelming support from locals for the Caulfield Park depot to be relocated to free up additional open space. Caulfield Park is used and loved by all locals, and to open up additional recreational space in this suburban oasis would be fantastic.

I would greatly appreciate the minister exploring the opportunity with Glen Eira council to provide Caulfield residents with additional recreational open space by examining this opportunity, which would allow the Caulfield Park depot to be located at the unutilised Booran reserve Crown land and free up much-needed space in beautiful Caulfield Park, the jewel of open space in Caulfield.

Responses

Mr DIXON (Minister for Education) — I will respond to the members for Clayton and Cranbourne, although neither of those members is in the chamber. The member for Clayton raised a matter regarding Clayton South Primary School and sought funding. As members would be aware, we have announced record funding of \$500 million in this year's budget for capital works. The member mentioned that Clayton South had been planned under the previous government. Unfortunately it was one of about 200 schools that were planned for about four years. The previous government was tapped on the shoulder, it started the planning process, which took about four years, and when the coalition came into government there was no money set aside for any of these schools. That was a wasted exercise and showed a lack of respect for those school communities. However, there will be further budgets from this government and Clayton South will be considered as part of that.

The member for Cranbourne asked for funding for Cranbourne Secondary College. Once again, there will be further budgets from this government. I remind the member that Cranbourne and his electorate have been well looked after by this government in this budget, with funding announcements for Clayton West Primary School. In fact 3 of the proposed 11 public-private partnership projects are in his area. They are Casey central east primary school, Cranbourne South West primary school and Heather Grove primary school, which I think is in Clyde North. Three of those immediate communities will welcome the funding, even though the member for Cranbourne did not have the good grace to welcome the funding for those schools, but we are looking after the Cranbourne area very well. It is a growth area, and we are building for growth, as the budget states.

Mr RYAN (Minister for Regional and Rural Development) — The member for Shepparton raised with me a matter regarding Regional Growth Fund support for an energy study in the community of Tatura. As the member has outlined, the supply capacity for both electricity and gas in Tatura is currently fully committed, and obviously the

community is keen to investigate options that might be available to provide cost-effective electricity, which will in turn allow local industry to expand.

The project that the member referred to is a great example of a community taking action on its own behalf to search out local solutions which might aid economic growth and development in its town. Through the Putting Locals First component of the coalition government's \$1 billion Regional Growth Fund our organisations and communities are able to apply for grants which might assist them with this sort of strategic planning. By definition this requires a well-planned approach if you are to get the organisations doing this sort of important work, and in turn having that proper planning done is fundamental to enabling any project to succeed.

The project the member has outlined is precisely the type of community-led initiative the fund was designed to support. The project the member has referred to will of course be subject to all the appropriate departmental considerations and the rigour applied in assessing them. As a matter of general course these are initiatives that the government does support, but nevertheless the process is critically important and it will take its course. I anticipate being able to inform the member as to the outcome of this application in a very timely manner.

Ms ASHER (Minister for Innovation) — The member for Yan Yean raised a matter for the Minister for Roads requesting him to progress the declaration of a section of Yan Yean Road, and I will pass that matter on to the minister.

The member for Seymour raised an issue for the Minister for Roads asking him to make a decision on the final route for the Kilmore-Wallan bypass, and I will pass that matter on to the minister.

The member for Prahran raised a matter for the Minister for Planning requesting that he support amendment C153 to the Stonnington planning scheme, which has been lodged with the minister, to oppose development plans at 590 Orrong Road and to support the will of the Stonnington people, and I will pass that matter on to the minister.

The member for Lyndhurst raised a matter for the Minister for Planning regarding a potential rezoning of the Kingswood Golf Club site to a residential area and requested that the minister provide an indication of what matters he would consider in that potential rezoning, and I will pass that matter on to the minister.

The member for Mitcham raised a matter for the Minister for Sport and Recreation requesting that he

visit East Ringwood cricket and football clubs and inspect their facilities, and I will pass that matter on to the minister.

The member for Northcote raised a matter for the Minister for Sport and Recreation asking for an upgrade of facilities at an oval next to the Aborigines Advancement League in Thornbury, and I will pass that matter on to the minister.

The member for Caulfield raised a matter for the Minister for Environment and Climate Change regarding relocation of the Caulfield Park council depot in order that the Booran Road Reserve can have more park, and I will pass that matter on to the minister.

House adjourned 4.34 p.m. until Tuesday, 27 May.

