

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 23 June 2015

(Extract from book 9)

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, QC

The ministry

| | |
|--|------------------------------|
| Premier | The Hon. D. M. Andrews, MP |
| Deputy Premier and Minister for Education | The Hon. J. A. Merlino, MP |
| Treasurer | The Hon. T. H. Pallas, MP |
| Minister for Public Transport and Minister for Employment | The Hon. J. Allan, MP |
| Minister for Industry, and Minister for Energy and Resources | The Hon. L. D’Ambrosio, MP |
| Minister for Roads and Road Safety, and Minister for Ports | The Hon. L. A. Donnellan, MP |
| Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans | The Hon. J. H. Eren, MP |
| Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries | The Hon. M. P. Foley, MP |
| Minister for Emergency Services, and Minister for Consumer Affairs, Gaming and Liquor Regulation | The Hon. J. F. Garrett, MP |
| Minister for Health and Minister for Ambulance Services | The Hon. J. Hennessy, MP |
| Minister for Training and Skills | The Hon. S. R. Herbert, MLC |
| Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations | The Hon. N. M. Hutchins, MP |
| Special Minister of State | The Hon. G. Jennings, MLC |
| Minister for Families and Children, and Minister for Youth Affairs | The Hon. J. Mikakos, MLC |
| Minister for Environment, Climate Change and Water | The Hon. L. M. Neville, MP |
| Minister for Police and Minister for Corrections | The Hon. W. M. Noonan, MP |
| Attorney-General and Minister for Racing | The Hon. M. P. Pakula, MP |
| Minister for Agriculture and Minister for Regional Development | The Hon. J. L. Pulford, MLC |
| Minister for Women and Minister for the Prevention of Family Violence | The Hon. F. Richardson, MP |
| Minister for Finance and Minister for Multicultural Affairs | The Hon. R. D. Scott, MP |
| Minister for Small Business, Innovation and Trade | The Hon. A. Somyurek, MLC |
| Minister for Planning | The Hon. R. W. Wynne, MP |
| Cabinet Secretary | Ms M. Kairouz, MP |

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

Speaker:

The Hon. TELMO LANGUILLER

Deputy Speaker:

Mr D. A. NARDELLA

Acting Speakers:

Mr Angus, Mr Blackwood, Ms Blandthorn, Mr Carbines, Mr Crisp, Mr Dixon, Ms Edwards, Ms Halfpenny, Ms Kilkenny, Mr McCurdy, Mr McGuire, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas, Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

Leader of the Parliamentary Labor Party and Premier:

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. A. MERLINO

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals:

The Hon. P. L. WALSH

Deputy Leader of The Nationals:

Ms S. RYAN

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

| Member | District | Party | Member | District | Party |
|-----------------------------------|--------------------|--------------|---------------------------------------|------------------|--------------|
| Allan, Ms Jacinta Marie | Bendigo East | ALP | McLeish, Ms Lucinda Gaye | Eildon | LP |
| Andrews, Mr Daniel Michael | Mulgrave | ALP | Merlino, Mr James Anthony | Monbulk | ALP |
| Angus, Mr Neil Andrew Warwick | Forest Hill | LP | Morris, Mr David Charles | Mornington | LP |
| Asher, Ms Louise | Brighton | LP | Mulder, Mr Terence Wynn | Polwarth | LP |
| Batin, Mr Bradley William | Gembrook | LP | Naphthine, Dr Denis Vincent | South-West Coast | LP |
| Blackwood, Mr Gary John | Narracan | LP | Nardella, Mr Donato Antonio | Melton | ALP |
| Blandthorn, Ms Elizabeth Anne | Pascoe Vale | ALP | Neville, Ms Lisa Mary | Bellarine | ALP |
| Brooks, Mr Colin William | Bundoora | ALP | Noonan, Mr Wade Matthew | Williamstown | ALP |
| Bull, Mr Joshua Michael | Sunbury | ALP | Northe, Mr Russell John | Morwell | Nats |
| Bull, Mr Timothy Owen | Gippsland East | Nats | O'Brien, Mr Daniel David ² | Gippsland South | Nats |
| Burgess, Mr Neale Ronald | Hastings | LP | O'Brien, Mr Michael Anthony | Malvern | LP |
| Carbines, Mr Anthony Richard | Ivanhoe | ALP | Pakula, Mr Martin Philip | Keysborough | ALP |
| Carroll, Mr Benjamin Alan | Niddrie | ALP | Pallas, Mr Timothy Hugh | Werribee | ALP |
| Clark, Mr Robert William | Box Hill | LP | Paynter, Mr Brian Francis | Bass | LP |
| Couzens, Ms Christine Anne | Geelong | ALP | Pearson, Mr Daniel James | Essendon | ALP |
| Crisp, Mr Peter Laurence | Mildura | Nats | Perera, Mr Jude | Cranbourne | ALP |
| D'Ambrosio, Ms Liliana | Mill Park | ALP | Pesutto, Mr John | Hawthorn | LP |
| Dimopoulos, Mr Stephen | Oakleigh | ALP | Richardson, Mr Timothy Noel | Mordialloc | ALP |
| Dixon, Mr Martin Francis | Nepean | LP | Richardson, Ms Fiona Catherine Alison | Northcote | ALP |
| Donnellan, Mr Luke Anthony | Narre Warren North | ALP | Ryall, Ms Deanne Sharon | Ringwood | LP |
| Edbrooke, Mr Paul Andrew | Frankston | ALP | Ryan, Mr Peter Julian ¹ | Gippsland South | Nats |
| Edwards, Ms Janice Maree | Bendigo West | ALP | Ryan, Ms Stephanie Maureen | Euroa | Nats |
| Eren, Mr John Hamdi | Lara | ALP | Sandell, Ms Ellen | Melbourne | Greens |
| Foley, Mr Martin Peter | Albert Park | ALP | Scott, Mr Robin David | Preston | ALP |
| Fyffe, Mrs Christine Anne | Evelyn | LP | Sheed, Ms Suzanna | Shepparton | Ind |
| Garrett, Ms Jane Furneaux | Brunswick | ALP | Smith, Mr Ryan | Warrandyte | LP |
| Gidley, Mr Michael Xavier Charles | Mount Waverley | LP | Smith, Mr Timothy Colin | Kew | LP |
| Graley, Ms Judith Ann | Narre Warren South | ALP | Southwick, Mr David James | Caulfield | LP |
| Green, Ms Danielle Louise | Yan Yean | ALP | Spence, Ms Rosalind Louise | Yuroke | ALP |
| Guy, Mr Matthew Jason | Bulleen | LP | Staikos, Mr Nicholas | Bentleigh | ALP |
| Halfpenny, Ms Bronwyn | Thomastown | ALP | Staley, Ms Louise Eileen | Ripon | LP |
| Hennessy, Ms Jill | Altona | ALP | Suleyman, Ms Natalie | St Albans | ALP |
| Hibbins, Mr Samuel Peter | Prahran | Greens | Thomas, Ms Mary-Anne | Macedon | ALP |
| Hodgett, Mr David John | Croydon | LP | Thompson, Mr Murray Hamilton Ross | Sandringham | LP |
| Howard, Mr Geoffrey Kemp | Buninyong | ALP | Thomson, Ms Marsha Rose | Footscray | ALP |
| Hutchins, Ms Natalie Maree Sykes | Sydenham | ALP | Tilley, Mr William John | Benambra | LP |
| Kairouz, Ms Marlene | Kororoit | ALP | Victoria, Ms Heidi | Bayswater | LP |
| Katos, Mr Andrew | South Barwon | LP | Wakeling, Mr Nicholas | Ferntree Gully | LP |
| Kealy, Ms Emma Jayne | Lowan | Nats | Walsh, Mr Peter Lindsay | Murray Plains | Nats |
| Kilkenny, Ms Sonya | Carrum | ALP | Ward, Ms Vicki | Eltham | ALP |
| Knight, Ms Sharon Patricia | Wendouree | ALP | Watt, Mr Graham Travis | Burwood | LP |
| Languiller, Mr Telmo Ramon | Tarneit | ALP | Wells, Mr Kimberley Arthur | Rowville | LP |
| Lim, Mr Muy Hong | Clarinda | ALP | Williams, Ms Gabrielle | Dandenong | ALP |
| McCurdy, Mr Timothy Logan | Ovens Valley | Nats | Wynne, Mr Richard William | Richmond | ALP |
| McGuire, Mr Frank | Broadmeadows | ALP | | | |

¹ Resigned 2 February 2015

² Elected 14 March 2015

PARTY ABBREVIATIONS

ALP — Labor Party; Greens — The Greens;
Ind — Independent; LP — Liberal Party; Nats — The Nationals.

Legislative Assembly committees

Privileges Committee — Ms Allan, Ms D’Ambrosio, Mr Morris, Mr Mulder, Ms Neville, Ms Ryan, Ms Sandell, Mr Scott and Mr Wells.

Standing Orders Committee— The Speaker, Ms Allan, Ms Asher, Mr Brooks, Mr Clark, Mr Hibbins, Mr Hodgett, Ms Kairouz, Mr Nardella, Ms Ryan and Ms Sheed.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.
(*Council*): Ms Bath, Mr Purcell and Ms Symes.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O’Brien, Mr Pakula, Ms Richardson and Mr Walsh. (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge.

Economic, Education, Jobs and Skills Committee — (*Assembly*): Mr Crisp, Mrs Fyffe and Ms Ryall.
(*Council*): Mr Elasmr, Mr Melhem and Mr Purcell.

Electoral Matters Committee — (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.
(*Council*): Mr Dalidakis and Ms Patten.

Environment, Natural Resources and Regional Development Committee — (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward. (*Council*): Mr Ramsay and Mr Young.

Family and Community Development Committee — (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish and Ms Sheed. (*Council*): Mr Finn.

House Committee — (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson. (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Mr Hibbins, Mr D. O’Brien, Mr Richardson, Ms Thomson, and Mr Wells. (*Council*): Mr Ramsay and Ms Symes.

Law Reform, Road and Community Safety Committee — (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley. (*Council*): Mr Eideh and Ms Patten.

Public Accounts and Estimates Committee — (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O’Brien, Mr Pearson, Mr T. Smith and Ms Ward. (*Council*): Dr Carling-Jenkins, Ms Pennicuik and Ms Shing.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto. (*Council*): Mr Dalla-Riva.

CONTENTS

TUESDAY, 23 JUNE 2015

CONDOLENCES

George Seitz..... 2017

MAGNA CARTA ANNIVERSARY 2017

RULINGS BY THE CHAIR

Attendance for prayer..... 2017

ABSENCE OF MINISTER 2017

QUESTIONS WITHOUT NOTICE and MINISTERS

STATEMENTS

Port capacity.....2018, 2019, 2020, 2021, 2023, 2024

Ministers statements: level crossings ... 2019, 2020, 2021

Port charges..... 2022

Ministers statements: health funding 2022

Ministers statements: education funding 2024

DISTINGUISHED VISITORS 2019

SUSPENSION OF MEMBERS

Members for Essendon and Eildon 2024

CONSTITUENCY QUESTIONS

Gembrook electorate 2025

St Albans electorate 2025

Murray Plains electorate 2025

Dandenong electorate 2025

Rowville electorate 2026

Oakleigh electorate 2026

Narracan electorate 2026

Bendigo West electorate..... 2026

Nepean electorate 2027

Carrum electorate 2027

INFRASTRUCTURE VICTORIA BILL 2015

Introduction and first reading..... 2027

CLASSIFICATION (PUBLICATIONS, FILMS AND

COMPUTER GAMES) (ENFORCEMENT)

AMENDMENT BILL 2015

Introduction and first reading..... 2027

LOCAL GOVERNMENT LEGISLATION

AMENDMENT (ENVIRONMENTAL UPGRADE

AGREEMENTS) BILL 2015

Introduction and first reading..... 2027

ROAD SAFETY AMENDMENT BILL 2015

Introduction and first reading..... 2028

CORRECTIONS LEGISLATION AMENDMENT BILL

2015

Introduction and first reading..... 2028

PETITIONS

Sharkeys Road, Rosebrook 2028

SCRUTINY OF ACTS AND REGULATIONS

COMMITTEE

Alert Digest No. 7 2029

DOCUMENTS 2029

ROYAL ASSENT 2029

APPROPRIATION MESSAGES 2029

BUSINESS OF THE HOUSE

Program 2030

MEMBERS STATEMENTS

Greater Bendigo aquatic centre 2033

City of Maroondah planning application 2034

Marriage equality..... 2034

Country Fire Authority Morwell brigade 2034

Barrier Breakers..... 2034

Rotary Club of Morwell president..... 2035

Cassandra Godden..... 2035

Reclink Community Cup 2035

Vinnies CEO Sleepout..... 2035

PenBus service..... 2035

Edithvale Aspendale Sporting Club 2035

Carolyn Goodie 2036

Level crossings 2036

Adrian Stubbs 2036

Phoenix P-12 Community College 2037

Queen's Birthday honours 2037

Minister for Mental Health comments 2037

Macedon electorate scouts 2037

Parliament student placements 2038

Kokoda trek..... 2038

Kambrya College presentation ball 2038

Ringwood level crossing 2038

Superhoodz 2039

Tandana Place..... 2039

Odyssey House 2039

Euroa electorate emergency services awards 2039

Chilean human rights..... 2039

Wonthaggi Theatrical Group 2040

Education funding 2040

ENERGY LEGISLATION AMENDMENT

(PUBLICATION OF RETAIL OFFERS) BILL 2015

Second reading 2040

ROAD SAFETY AMENDMENT (PRIVATE CAR

PARKS) BILL 2015

Second reading 2055

PLANNING AND ENVIRONMENT AMENDMENT

(INFRASTRUCTURE CONTRIBUTIONS) BILL 2015

Second reading 2068

BUDGET PAPERS 2015-16

..... 2075

ADJOURNMENT

Taxi and hire car industry 2088

Croydon Primary School 2088

Loddon and Tarrengower prisons..... 2089

Yarrowonga-Mulwala bridge 2089

M80 ring-road upgrade 2090

Country Fire Authority station upgrades..... 2090

Cyclist safety 2091

Minor facilities grants program 2091

Invermay gas supply..... 2091

Bass Valley Children's Centre 2092

Responses..... 2092

Tuesday, 23 June 2015

The SPEAKER (Hon. Telmo Languiller) took the chair at 12.04 p.m. and read the prayer.

CONDOLENCES

George Seitz

The SPEAKER — Order! I advise the house of the death of George Seitz, member of the Legislative Assembly for the electoral district of Keilor from 1982 to 2010.

I ask members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

The SPEAKER — Order! I shall convey a message of sympathy from the house to the relatives of the late George Seitz.

MAGNA CARTA ANNIVERSARY

The SPEAKER — On 15 June people around the world celebrated a special moment in human history: the 800th anniversary of Magna Carta. Today I wish to recognise that anniversary and all that it represents here in our Parliament. Magna Carta was a document of its time that became a symbol for all time. When King John placed his seal on the Great Charter of his rebellious barons, he accepted that a ruler could no longer be beyond the law. Instead, the rule of law and the fundamental rights of human beings became principles that would over time become enshrined in the system of government we now enjoy and share with so many people around the world.

What makes this anniversary so special is the enduring legacy of Magna Carta. It is woven into the fabric of our parliamentary system. Our separation of powers can be traced back to the events of Runnymede in 1215, as can the legal framework under which we all live. While the words on the parchment of Magna Carta have aged, the principles are timeless. They are as relevant and real as they were 800 years ago. As a Parliament that can link its authority back to Magna Carta, let us celebrate the 800th anniversary of this great charter and the inspiration it continues to provide us.

RULINGS BY THE CHAIR

Attendance for prayer

The SPEAKER — Order! On 11 June 2015 the member for Kew raised a point of order regarding

members boycotting the prayer. For the information of members, our practice of commencing proceedings with the Lord's Prayer dates back to 9 October 1928, when the house adopted the following resolution:

That in the opinion of this house the Speaker on taking the chair each day should read the Lord's Prayer.

Since that time it has become the tradition and practice of this house to commence each sitting day with the chair reading the Lord's Prayer, and that will continue to be our practice until the house determines otherwise.

Let me now turn to the substance of the matter raised by the member for Kew. The member made reference to the practice in Westminster and claimed that as a backbencher in the House of Commons:

... if you do not take your seat during prayers, you do not get your seat for the rest of the day.

The context of Westminster practice as it relates to our house is as follows. There are 650 members of the House of Commons and only 427 seats in that chamber. Unlike in our house, members of the Commons do not have an allocated seat in the chamber. Backbench members may reserve a seat on a particular day by placing a prayer card on a seat before prayers. The member must attend prayers to reserve a seat. However, failure to attend prayers does not prevent the member from entering the house or participating in proceedings during that day.

In our house all members have allocated seats, and there is no need to reserve seats during prayers as is the case in the House of Commons. Traditionally members of our house make an effort to be present for the commencement of proceedings and the reading of the prayer. However, there are times when for various reasons some members are unable to attend the house for the prayer. As there is no requirement — I repeat: as there is no requirement — in the standing orders for members to be present for the prayer, they cannot be sanctioned for failing to do so.

While I would encourage all members to be present at the beginning of the day for the prayer, I do not believe that the actions of the members for Melbourne and Prahran are in any way a challenge to my authority as Speaker; therefore, there is no point of order.

ABSENCE OF MINISTER

Mr ANDREWS (Premier) — As a courtesy to the house I inform members that the Minister for Environment, Climate Change and Water is away today and the Minister for Local Government will answer in her place.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Port capacity

Mr GUY (Leader of the Opposition) — My question is to the Minister for Ports. Given Geelong has lost 6100 full-time jobs since December, I ask: why has Labor abandoned its pre-election promise to Geelong to build a Bay West port?

Ms Allan — On a point of order, Speaker, I would appreciate your guidance on this. I am sure the Minister for Ports would be very pleased to answer the question, the substance of which goes to a bill that is on —

Honourable members interjecting.

Ms Allan — There are so many experts opposite; they are so good at this! It goes to the substance of a bill that is on the notice paper for this week for debate tomorrow — the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015 — and I seek your guidance as to how the minister may need to consider the ruling of the house that questions should not anticipate debate on matters on the notice paper.

Mr Clark — On the point of order, Speaker, the Leader of the House's point of order is incorrect for two reasons. First of all, this question relates to the Bay West proposal of the then opposition and what the current government is doing about it. As far as I am aware, there is no particular nexus between that issue and any bill before the house. However, secondly, it is well established that even though there is a bill before the house, it is perfectly in order for questions to be asked relating to issues that may also be touched on by that bill. I am sure if you examine rulings of your predecessors. Speaker, you will find that confirmed. The issues relating to ports, for example, generally were canvassed by the government in the budget, and it is perfectly in order for the opposition to ask the government questions about matters that were announced in the government's budget.

The SPEAKER — Order! The minister will respond. There is no point of order.

Mr DONNELLAN (Minister for Ports) — I thank the Leader of the Opposition for his question. As the opposition leader would be well aware, later on today we will be introducing to the house legislation in relation to Infrastructure Victoria — the establishment of an independent body to make assessments on the most appropriate spot for the second port. At the end of

the day we are not going to make this about politics and a game, like the former ports minister —

Honourable members interjecting.

Mr R. Smith interjected.

The SPEAKER — Order! I again warn the member for Warrandyte that when the Chair is on his feet, the member will not interject. I do not require the advice of the member for Warrandyte, or, for that matter, that of any other member. The minister to continue and to be heard in silence.

Mr DONNELLAN — Thank you, Speaker, for your protection from that rabble. At the end of the day what we want to do is to put this to an independent body to make a proper assessment. We are not going to perpetrate fraud on those people of the south-east as did the former Minister for Ports, who suggested that he would be starting the port next year. The idea that somehow or other you would have two competing container ports is simply and utterly ridiculous. It is not a rational proposition that the former ports minister put into —

Honourable members interjecting.

Mr DONNELLAN — As I have said very clearly in public forums on numerous occasions, I am agnostic as to where the second port is established. That is why I think it is very important to have a proper and rational assessment of where the second port is going. I am not interested in the juvenile games played by the opposition in relation to the placement of the second port. It is totally inappropriate to put forward —

Honourable members interjecting.

The SPEAKER — Order! I remind the opposition that a question was put, and the minister should be heard. It is in the interests of this house and indeed of the public and the media for that to occur. I remind all members that the question and the answer should be heard in silence.

Mr DONNELLAN — We are very clear in our commitments that we made to the Victorian public, and we will meet those commitments.

Mr M. O'Brien interjected.

The SPEAKER — Order! I warn the member for Malvern.

Mr DONNELLAN — We indicated that this will go to Infrastructure Victoria for an assessment, and we have indicated that from the start to the finish. We went

with a program of selling the port. We went with the program for the removal of 50 level crossings, and these will be held up if we have the juvenile, rotten behaviour of the opposition.

Supplementary question

Mr GUY (Leader of the Opposition) — The minister just said to the house that two competing container ports is completely and utterly ridiculous, yet his leader said on 22 March 2014:

Geelong's a community that needs some significant support as we look to the future, and we think Bay West is the best option.

I ask: why did Labor lie to the people of Geelong and promise them that it would build a port at Bay West?

Honourable members interjecting.

The SPEAKER — Order! Again, I warn the member for Malvern. I will not warn him again. I also warn the member for South Barwon and the Deputy Premier.

Mr DONNELLAN (Minister for Ports) — I thank the Leader of the Opposition for his supplementary question. We made a simple commitment. We will stick to that simple commitment. We will make the assessment. We will get Infrastructure Victoria to make that assessment accordingly as we indicated all along, and we will stick to our commitments.

Ministers statements: level crossings

Mr ANDREWS (Premier) — I am delighted to be able to inform the house that this morning, joined by Mr Leane, a member for Eastern Metropolitan Region in the other place, and the Minister for Public Transport, I announced that we have finalised contractual arrangements for the removal of four more deadly, congested level crossings — death traps all of them; congestion, road choke points all of them. They have got to go, and they are being removed by a Labor government.

We are not talking about it but getting on and delivering it, true to our word and true to our commitment. We are creating jobs, removing these death traps, getting rid of the congestion on local roads and making sure that we can run more trains more often. They are at Heatherdale Road in Mitcham, Blackburn Road in Blackburn and both Main Road and Furlong Road in St Albans. If you think about them, why would anyone not support the removal of these level crossings? You would have to ask yourself that question. The boom gates on all these

level crossings are down for more than an hour during the 2-hour morning peak every single morning.

Sadly, tragically, people have died at these level crossings or there have been significant accidents and near misses. Think of the hours, the thousands of hours wasted for people stuck at these boom gates. Think of all the train services we cannot run because of these relics from another time. They have to go. We committed to remove them, and no amount of politicking and no amount of obstructionism from those opposite will deter us from honouring our commitment in full.

Questions and statements interrupted.

DISTINGUISHED VISITORS

The SPEAKER — Order! I welcome to our chamber a delegation from Jiangxi Province in China. This delegation is led by Mr Qiang Wei, party secretary of Jiangxi Province and chairman of the standing committee of Jiangxi Provincial People's Congress. Also in the gallery is our good friend Mr Song Yumin, the Consul General of China. They are in Melbourne to strengthen the relationship between Jiangxi Province and Victoria, especially in the tourism, agriculture and mining sectors.

Mr Qiang Wei, welcome to the Parliament of Victoria. I wish you all the best and a successful visit to Victoria. Huānyíng dǎjiā. Welcome.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Questions and statements resumed.

Port capacity

Mr HODGETT (Croydon) — My question is to the Minister for Ports. With the next generation of container ships coming to Australia unable to get into Port Phillip Bay and the government ruling out the port of Hastings, I ask: what is the government's plan in dealing with these vessels? Is it to blast the heads or turn back the boats?

Mr DONNELLAN (Minister for Ports) — I thank the Deputy Leader of the Opposition for his question. I would actually go so far as to suggest that he is a bit of a simpleton, because he obviously did not listen to the answer one second ago. The answer was very clear: we will put the assessment of the second container port into Infrastructure Victoria, like we said all along. It is important that we get this right. There is an extensive

period of time and capacity that the port of Melbourne can keep heading for, and at the end of the day —

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition is warned.

Mr DONNELLAN — Cheap, tacky slogans do not take the place of appropriately thought out and sensible policy. We are not into playing games with where we put the second container port. We will not behave like a pack of kids. We will put it into Infrastructure Victoria, and we will get a proper assessment done.

Supplementary question

Mr HODGETT (Croydon) — Given that previous coalition and Labor governments have invested to create more jobs by ensuring bigger ships can come to Victoria, I ask: why has this Labor government now abandoned the policy of enabling larger vessels to come to Victoria such as through a new container port at Hastings?

Mr DONNELLAN (Minister for Ports) — I thank the Deputy Leader of the Opposition for his supplementary question. We have got a very long history of strong commitment to driving the growth of our ports. I remember very clearly that a former Leader of the Opposition, then Premier, Mr Ted Baillieu, spent many months unable to make a decision on whether he supported dredging in Port Phillip Bay. I would call him part of the blue wedge coalition.

We are not ashamed of our commitments in ports. We want to see the port of Melbourne grow. We want to see ports across the whole state grow. We will not apologise, and we will not be playing like kids in a sandpit, treating the proposition of where we should put the second container port as a juvenile exercise.

Ministers statements: level crossings

Mr DONNELLAN (Minister for Roads and Road Safety) — Today I rise to support and further update the house by announcing that the Premier and the Minister for Public Transport are to remove a further four level crossings as part of the Andrews government's commitment to reducing traffic across metropolitan Melbourne. The removal of these four level crossings at Main and Furlong roads in St Albans, Blackburn Road in Blackburn and Heatherdale Road in Mitcham will reduce traffic —

Mr Watt — Speaker, my point of order relates to sessional order 7, specifically around new initiatives.

As the minister has just said, he is providing a further update; therefore it is not new. I ask you to rule his statement out of order considering he has admitted that it is a further update and not advice of a new initiative.

Ms Allan — On the point of order, Speaker, I ask that you rule the point of order out of order. I appreciate that today the opposition would like to gag debate on the government's level crossing removal program, but we are very proud to talk about it. In saying that he wants to provide a further update, the Minister for Roads and Road Safety does not mean that he is going to preclude himself from providing more information to the house, because there is plenty more to say about this fantastic program. I would encourage you to rule the point of order out of order.

Mr Clark — On the point of order, Speaker, a further aspect I would ask you to address in your ruling is that so far the minister's statement seems to be on the same subject as the Premier's previous statement. I believe you have previously ruled that there should not be repetition between statements. I ask you to take that into account and to caution the minister that he cannot simply go over the same ground as was addressed in the Premier's statement.

The SPEAKER — Order! I have heard sufficient. I do not uphold the point of order raised by the member for Burwood.

Mr DONNELLAN — The very important information that I was trying to get out to the house is that 60 000 cars per day pass over these crossings, and this is a substantial congestion-busting exercise. When we were in opposition, we made a commitment to the community that we would deal with congestion, and this is part of dealing with congestion. The 50 level crossings have well over 500 000 cars passing over them every day. If we want people to get home on time and get to work on time, we have to address that straight on. There are over 180 level crossings in Victoria, and we have made a commitment to get rid of 50 of them. We will continue to work on that.

We have also made further commitments to the West Gate distributor, \$1 billion on suburban roads and \$1 billion on rural and regional roads. We are looking at the CityLink-Tullamarine Freeway widening, which is starting very soon, and the upgrade of the M80 ring-road. We also welcome the commitment of the federal government to match our \$150 million, which is important in dealing with congestion across this state.

The next round of level crossing removals includes the very exciting proposition of the removal of nine level crossings on the Dandenong line between Dandenong and Caulfield, increasing the capacity of our rail system to get people to work on time and in and out of the city in a timely and reasonable manner.

Port capacity

Mr HODGETT (Croydon) — My question is to the Minister for Ports. Now that Labor has scrapped its Bay West port promise and halted the port of Hastings development, can the minister confirm that at current growth rates the port of Melbourne will be at capacity within 20 years?

Mr DONNELLAN (Minister for Ports) — I thank the Deputy Leader of the Opposition for his question. He is simply wrong. There has been no scrapping of any proposition in relation to the second port. We have indicated that we would put the proposition to Infrastructure Victoria, and we will proceed to go ahead with that. We will put the proposition of whether it is Hastings or Bay West, and Infrastructure Victoria will accordingly make an assessment in relation to when the port of Melbourne will reach capacity. That very much depends on the landside capacity to get containers in and out of the port of Melbourne. It also depends on mechanisation. It depends on many matters.

The former Minister for Ports is not treating this subject very seriously, and I am very happy to provide him with a briefing on the growth rate of the port of Melbourne.

Supplementary question

Mr HODGETT (Croydon) — If the minister is relying on Infrastructure Victoria, an authority not yet established, and a port capacity review, a review not yet completed, I ask: why has the government already ruled out the need for a second container port when it has no idea whether it is needed or not?

Mr DONNELLAN (Minister for Ports) — I remember various statements of the former Minister for Ports, and those statements I virtually consider to have been fraud — fraud on the community of the south-east. The idea that somehow or other next year the port of Hastings was going to be developed and there were going to be construction jobs was what came out of the mouth of the former Minister for Ports. At the end of the day we have not ruled in or ruled out anything. We will report the proposition of the second port to Infrastructure Victoria, and it will provide timely advice to the government.

One thing we will not be doing is playing politics, jumping into the sandpit and behaving like a pack of juveniles. As I have indicated very clearly and publicly I am very much agnostic as to where the second port goes. I am looking for Infrastructure Victoria to provide wise and timely advice.

Honourable members interjecting.

Ministers statements: level crossings

Ms ALLAN (Minister for Public Transport) — The Andrews Labor government was elected to remove the 50 most dangerous and congested level crossings, and that is exactly what we are doing — getting on with it. We told the community of Ringwood that we would get rid of the level crossing at Heatherdale Road, and today we announced that Leighton Contractors, Aurecon and Hyder Consulting have formed an alliance and are the preferred contractors for this and three others. There are three other level crossings, including Blackburn Road, Blackburn.

Honourable members interjecting.

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

Mr Pearson interjected.

The SPEAKER — Order! The member for Essendon is warned. I will not warn him again.

Mr Watt — My point of order, Speaker, relates to sessional order 7 on two grounds. Firstly, the matter is not a new government initiative. The previous two ministers statements have talked about the same thing, so it is not a new initiative. Secondly, I would argue very strongly that it is not a new initiative based on the fact that two of the level crossing removals the minister is talking about were funded by the previous government, and the current — —

The SPEAKER — Order! The member for Burwood will resume his seat. I remind members that sessional order 7 relates to advising the house of new government initiatives — which the member raised — projects and achievements. The minister is in order.

Ms ALLAN — I was about to mention the removal of the level crossing at Blackburn Road, Blackburn, in the Box Hill electorate, I believe, which was also announced today as part of the package of works, and of course Main Road and Furlong Road in St Albans — —

Mr Watt — On a further point of order, Speaker, the minister's statement that is currently being undertaken could not possibly be about a new government initiative, since it was an initiative of the former government.

The SPEAKER — Order! There is no point of order. I warn the member not to use a point of order to interrupt the minister and the flow of the proceedings of the house.

Ms ALLAN — We announced today that geotechnical drilling work is being done along the rail corridor where we are removing nine level crossings — every level crossing between Dandenong and the city.

This builds on the first package of four level crossing removals that have already been announced — three level crossing removals on the Frankston line, including at Centre Road and McKinnon Road, and one at Burke Road, Glen Iris, in the electorate of the member for Malvern. As part of that package there is also North Road, Ormond, which the member for Caulfield might also be very interested to know about. We are getting on with doing this — —

Honourable members interjecting.

Ms ALLAN — I have already mentioned St Albans, and I am happy to mention it again — at Main Road and Furlong Road, St Albans. We are getting on with delivering these 50 level crossing removals because that is exactly what we said to the community before last November's election. They expect that we will deliver on what we promised, and we absolutely intend to do this.

Port charges

Mr WALSH (Murray Plains) — My question is to the Minister for Ports. With the government planning port rent increases of up to 800 per cent, a rise that will directly increase dairy industry export costs by \$5 million a year, I ask: will the government offer compensation to these businesses or could Labor not care less about Victorian farmers?

Mr DONNELLAN (Minister for Ports) — I thank the Leader of The Nationals for his question. Let me make it very clear: there is no 800 per cent increase in rent down at the port of Melbourne — there is no 800 per cent increase. There is a current lease negotiation process going on between the Port of Melbourne Corporation and DP World. I would encourage the stevedore DP World to engage in proper negotiations with the port of Melbourne. I would certainly encourage DP World to stay away from

wrong and simply incorrect statements in the press about an 800 per cent increase.

There is an offer which the port of Melbourne has made to DP World. DP World has not gone back at this stage, from my understanding, to the port of Melbourne to say whether it supports that offer or does not support that offer. These are normal commercial negotiations. It is simply not appropriate for the minister to get involved directly, but I note that we will accommodate our exporters. There will be provision to assist our exporters through the port of Melbourne to ensure that they remain competitive with Port Botany, and also Brisbane and South Australia, and to ensure that we maintain our premier position as the biggest and most efficient port in the whole of the country.

For the Leader of The Nationals to go around purporting that there is an 800 per cent increase in rent is wrong literally and legally and is simply scaremongering. It is totally inappropriate to go around suggesting that.

Supplementary question

Mr WALSH (Murray Plains) — My supplementary question to the Minister for Ports is: with a third of all Australia's food exports going through the port of Melbourne, can the minister guarantee that the government's 800 per cent rent increase will not force up prices for exporters and undermine the competitiveness of Victoria's food industries?

Mr DONNELLAN (Minister for Ports) — I again thank the Leader of The Nationals for his supplementary question. I hope I do not have to repeat this 600 to 700 times in this house: there is no 800 per cent increase. It must be Rise of the Simpletons today, because they keep asking the same question, they keep getting the same answer and they keep asking it again. Obviously the message is not getting through: there is no 800 per cent increase. There never has been; there will not be.

I encourage those who are out there scaremongering to pull up stumps and get real. I further encourage them to go back to those at DP World and get them involved in proper negotiations of a commercial lease, because I am not going to behave like a communist and start setting market rent for the marketplace.

Ministers statements: health funding

Ms HENNESSY (Minister for Health) — I rise to advise the house of new data that has been released today by the Australian Institute of Health and Welfare. This data in effect reveals that the former Liberal

government broke its promise and failed to deliver 800 new beds in its term in government. Today's report on hospital resourcing reveals that in the first three years of its term in government, the former government delivered a measly 109 beds. It promised 800, and it delivered 109.

The number of beds matters because it reflects the capacity of a hospital and its ability to treat patients. Less beds means less patients that can be treated. Less beds means longer waits in emergency departments. Less beds means longer waits on the elective surgery waiting list. Here we have a denial whilst in government, but the Australian Institute of Health and Welfare bells the cat on the broken promise.

Mr Watt — On a point of order, Speaker, I refer to a ruling you made on 24 February, which said that any ministers statement should only in passing refer to previous governments or the opposition. I surmise that the minister has been speaking for a minute and say that she is quite clearly not making a passing reference to a previous government but that her statement is solely about the previous government. I ask you to rule her ministers statement out of order because it has no relevance to new government initiatives, programs or achievements, is solely about the previous government and is therefore not in line with your ruling of 24 February.

Ms HENNESSY — On the point of order, Speaker, the data released by the Australian Institute of Health and Welfare was released at 1.00 a.m. this morning. I trust that that is of sufficient proximity to the Captain and Tennille of the point of order backbench up there for it to be seen as being relevant to government — —

The SPEAKER — Order! I have heard sufficient from the minister on the point of order.

Mr Foley interjected.

The SPEAKER — Order! I warn the Minister for Housing, Disability and Ageing.

Ms HENNESSY — The truth is confronting for the opposition.

Mr Watt — On a point of order, Speaker, I seek clarification of whether or not you have actually ruled. You made a ruling on 24 February, I have referenced that ruling, and I did not hear whether you have actually ruled on my point of order. I am simply asking you to clarify your ruling, or say whether you have made a ruling, and say whether or not you agree with your ruling of 24 February.

The SPEAKER — Order! I have heard sufficient from the member. I do not uphold the point of order raised by the member.

Ms HENNESSY — Just to recap on what I was saying before we were so eloquently interrupted, the data demonstrates that there were 109 beds and the former government promised 800. So what happens here? We go to our commonwealth partners — and what do we get from the Liberals in Canberra? We have a forecast \$17.7 billion being cut out of the health system and absolute silence from those opposite despite the gesticulated liturgical dance of passion we see erupt there.

Mr Clark — On a point of order, Speaker, the minister is moving from informing the house about new government initiatives to engaging in debate. I ask you to bring her back to compliance with sessional order 7.

The SPEAKER — Order! I uphold the point of order. The minister has 12 seconds to respond and to make a ministers statement according to sessional orders. I am sure and confident that the minister will make her best endeavours to conform with the spirit of sessional orders.

Ms HENNESSY — In conclusion, what we find from this data is what we have always known: you can only trust Labor governments to invest in health, because you certainly cannot trust those opposite. Our budget demonstrates that.

The SPEAKER — Order! The minister will sit down.

Port capacity

Mr HODGETT (Croydon) — My question is to the Minister for Ports. With the minister telling the Public Accounts and Estimates Committee that 'Victoria would probably not need a second container port until 2045', and with the Treasurer saying that a second container port would not be required until the year 2085, who is right — the minister or the Treasurer?

Mr DONNELLAN (Minister for Ports) — I thank the Deputy Leader of the Opposition for his question. As the former minister would be aware, we went to the election with a commitment that we would put the assessment of the second container port to Infrastructure Victoria. We will also get Infrastructure Victoria to monitor those growth rates and to look at what can and cannot be done at the port of Melbourne in terms of its growth rates, and that would be taken into consideration.

It would be derelict of Infrastructure Victoria if it were not to look at the issue of how far the port of Melbourne will grow, when we need a second port and so forth. We do not want to play politics with this. We want to get it right for the community, we want to get it right for the business community, we want to get it right for our farmers and we want to get it right for the economy of Victoria, but we will certainly not be playing games. We will certainly not be telling people in the south-east that next year we will be starting to build a port when there is simply no intention of doing so.

Supplementary question

Mr HODGETT (Croydon) — Given that the government is currently preparing a strategy to ensure that Victoria has adequate port capacity, on what evidence has the Labor government now concluded, before any final recommendations, that a second container port is not needed for the next 50 to 70 years?

Mr DONNELLAN (Minister for Ports) — It is easy to ask the same question a dozen different ways, but I am going to have to give the same answer. As I have said, we will be putting this to Infrastructure Victoria. We will ask economists and others to make those assessments of the growth rate to make sure that we get it right. But we certainly will not be asking 10 stupid questions to get the one simple answer time and again.

Ministers statements: education funding

Mr MERLINO (Minister for Education) — I rise to inform the house of the disgraceful proposals coming out of the federal government and of new Labor initiative in complete contrast. Why do Liberals hate education? Why is it that when in government, in Victoria or in Canberra — —

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBERS

Members for Essendon and Eildon

The SPEAKER — Order! Under standing order 124, the member for Essendon will vacate the chamber for an hour. The Chair will not accept interjections while he is on his feet.

Ms McLeish interjected.

The SPEAKER — Order! The member for Eildon will also withdraw for a period of an hour under standing order 124.

Honourable members for Essendon and Eildon withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Ministers statements: education funding

Questions and statements resumed.

Mr MERLINO (Minister for Education) — They are walking out on education; that is what they are doing. Their first impulse is to cut and to attack our schools. I am referring to reports yesterday and today of plans by the Abbott government to cut funding and support to our schools and kinders. Yesterday we saw the farce of the Abbott government floating the proposal to charge parents to send their kids to government schools, then retreat at 100 miles an hour when the public reacted savagely. Those opposite hate public education, and they have form on this — —

Honourable members interjecting.

Mr Clark — On a point of order, Speaker, not only is the minister misinforming the house but he is debating the issue. I ask you to bring him back to complying with sessional order 7.

The SPEAKER — Order! I uphold the point of order made by the manager of opposition business. I ask the Deputy Premier to come back to the issue.

Mr MERLINO — Let me be very clear: the Andrews Labor government will participate in reforms of the federation, but universal free public education is non-negotiable. It is non-negotiable. You would have thought that the Abbott federal government would have learnt its lesson. However, incredibly, today it is proposing to cut funding to four-year-old kinder.

Mr Clark — On a point of order, Speaker, the minister is defying your order. It is in order for him to make passing reference to a context, but he needs to devote the majority of his statement to informing the house about new state government initiatives. He is failing to do so.

The SPEAKER — Order! I ask the Deputy Premier to come back to making a ministers statement according to sessional orders.

Mr MERLINO — Yesterday, in complete contrast to the Liberals, the Premier and the Minister for Families and Children announced that this Labor government would provide an additional \$84 million for improved staff-to-child ratios in kinders across

Victoria — the sector that those opposite and their colleagues in Canberra are trying to destroy. Cutting funding to four-year-old kinder would cost \$100 million of annual preschool funding to Victoria.

The SPEAKER — Order!

Mr MERLINO — It would see teachers sacked, kindergarten hours reduced and fees rise for families.

The SPEAKER — Order! The Deputy Premier!

Mr MERLINO — Only Labor will not do that.

The SPEAKER — Order! The Deputy Premier will resume his seat.

Mr Clark — On a point of order, Speaker, it is unfortunate that I need to raise the same point of order again, but the minister has been defying your ruling, and I ask you to bring him back to compliance.

The SPEAKER — Order! On this occasion I do not uphold the point of order. The Deputy Premier has 3 seconds to conclude.

Mr MERLINO — Only Labor governments invest in our children. Only Labor governments can be trusted with education.

CONSTITUENCY QUESTIONS

Gembrook electorate

Mr BATTIN (Gembrook) — (Question 322) My question is to the Minister for Emergency Services. In recent weeks I have had regular meetings with the Emerald State Emergency Service unit, a local unit that turns out to more than 1000 calls per year. The unit had a commitment of funding to rebuild its station on its current site to ensure that it has a safe workplace for volunteers. The current station has one toilet, limited meeting space, struggles to fit the unit's vehicles and provides little room to upgrade those vehicles. I describe the current situation so the minister is aware of what this unit is going through. This unit not only wants funding for the new station but also wants to protect its future, ensure a safe training area and provide the adequate facilities it needs for the future. I ask: why will the minister not even visit this brigade to discuss its current issues? I am confident that after a visit the minister will see this brigade needs funds to be made available now.

St Albans electorate

Ms SULEYMAN (St Albans) — (Question 323) My constituency question is to the Minister for Mental Health and relates to cohealth in St Albans. I understand the minister recently visited cohealth in the neighbouring electorate of Niddrie. I am sure that while he was there he saw firsthand the excellent health and human services it provides for some of the most disadvantaged people across the western suburbs. Cohealth provides residential and rehabilitation health services for young people. Could the minister provide advice as to whether there is funding available to help cohealth improve its facilities to make sure that family members and visitors can visit and support the people who are treated there with the provision of disability access for all?

Murray Plains electorate

Mr WALSH (Murray Plains) — (Question 324) My question is to the Minister for Mental Health. The Swan Hill Rural City Council and the Swan Hill community have been advised by the Department of Health and Human Services that the Swan Hill generalist youth health counsellor position will cease at 30 June 2015. Given that the *Youth Mental Health Swan Hill* report shows that 80 young people, some on multiple occasions, presented to the Swan Hill District Health emergency department in 2012 with issues such as depression, anxiety and self-harm, and given the significant increase in the use of the drug ice in rural communities, I ask: will the minister reconsider his government's decision to remove the generalist youth health counsellor position from Swan Hill as at 30 June 2015?

Dandenong electorate

Ms WILLIAMS (Dandenong) — (Question 325) My constituency question is for the Minister for Mental Health and relates to Ermha, a provider of community-based support to people experiencing the effects of mental illness and disability, along with their carers. Ermha is based in my electorate of Dandenong. I am sure the minister knows of the good work that Ermha does in my community, but I want to draw his attention to the state of the facilities that the workers, who do so much to help some of the most vulnerable people in our community, are made to work in.

Unfortunately under the previous government organisations such as Ermha were particularly disadvantaged. The last government neglected the people of Dandenong, and it neglected mental health. It is no surprise, therefore, that the buildings Ermha's

staff work from have not received the attention they deserve. I know this government has a different attitude and wants to help mental health services like Ermha, so I ask the minister to advise my community what steps are being taken to provide physical facilities that are of the same excellent quality as the staff who work there.

Rowville electorate

Mr WELLS (Rowville) — (Question 326) The constituency matter I wish to raise is for the attention of the Minister for Police and relates to police resources. I raise it on behalf of concerned residents of the city of Knox, particularly those of Rowville. Having regard: firstly, to the fact that the Andrews Labor government did not commit funding during the last state election or the recent state budget to a single net additional new police member; secondly, to increasing concerns regarding the twin scourges of the ice epidemic and the prevalence of family violence; and, thirdly, to Victoria Police guidelines discouraging single-person patrols in light of increased terrorist threat levels, I ask the minister: can he provide an assurance to my constituents that police resources in the city of Knox, and particularly in Rowville, will be maintained at existing levels over the term of the minister's government and that there will be no reduction or detriment to police patrol hours across Rowville and Knox?

Oakleigh electorate

Mr DIMOPOULOS (Oakleigh) — (Question 327) My constituency question is for the Minister for Families and Children, who is also the Minister for Youth Affairs, and it relates to funding for preschools and kindergartens. This week I was very pleased to hear the Andrews government announce that kindergartens in Victoria will receive a funding boost of up to \$83.7 million to improve staff-to-child ratios, reducing them from 15 children per educator to 11 children per educator. This funding commitment is on top of the \$50 million allocated in the most recent budget to build or upgrade kinders in Victoria. Early childhood learning is incredibly important for parents in my community, as I am sure it is across Victoria, so I was very surprised and disappointed to learn this week that the federal government is considering cutting the funding that ensures that four-year-olds get 15 hours of kinder a week. I ask the minister what impact such a cut to early learning will have on the electorate of Oakleigh and on kinders across Victoria.

Narracan electorate

Mr BLACKWOOD (Narracan) — (Question 328) The constituency question I raise is for the Minister for Police, and I raise it on behalf of the constituents of the Narracan electorate. I understand that in opposition Labor did not develop a plan for additional police and in the recent state budget has committed to only a small expansion of police numbers in the Geelong and Bellarine Peninsula region, with none for the remainder of Victoria. Narracan residents are rightly concerned that with no plan, population growth will quickly outpace recruiting and training of new officers by Victoria Police, leaving a shortage of frontline officers. Already frontline police are dealing with a difficult operating environment, including family violence and the scourge of ice.

The question I ask of the minister is: can he outline to the constituents of Narracan what plan exists under the Andrews Labor government to deliver more police to our electorate; when can communities expect details to be given to them, if a plan does exist; and what are the projected impacts on police patrols across the Narracan electorate as population growth outpaces staff recruitment?

The DEPUTY SPEAKER — Order! The house will pause for a moment. I thank the house for its indulgence. A constituency question is a constituency question — —

An honourable member interjected.

The DEPUTY SPEAKER — Order! Yes, that is right — the number 1. It is one question, not a multiple number of questions. I will allow the member's question at this stage, but I warn members that if they ask further questions, I will rule such questions out of order.

Bendigo West electorate

Ms EDWARDS (Bendigo West) — (Question 329) My constituency question, being just one question, is to the Minister for Education. Can the minister advise members of the Kalianna School community when he will be visiting to have a tour of the school, meet with parents, teachers and the school council and discuss the imminent planning for the new school following the Labor government's commitment of \$1 million to commence this important planning work, which the whole school community is extremely excited about?

Nepean electorate

Mr DIXON (Nepean) — (Question 330) My question is to the Minister for Education. Rosebud Secondary College is working with a range of local stakeholders to construct a wellbeing pavilion for school and community use. Following a number of student suicides and self-harm incidents, the school has embraced meditation, or mindfulness, as part of its culture, and the pavilion is part of that work. I ask the minister: to what funding sources within his department can I direct the school and the community?

Carrum electorate

Ms KILKENNY (Carrum) — (Question 331) My constituency question is to the Minister for Mental Health and relates to the Neami National mental health facility in Seaford. I note that in the recent budget there was a marked change of direction in funding for mental health services right across Victoria, and I am sure that this will extend to my constituents in Carrum.

Neami runs an excellent youth residential rehabilitation service in Seaford for young people aged 16 to 25. It is a therapeutic recovery program set within a residential setting where young people can live for up to 12 months while undertaking the program. But I know the property Neami operates from needs renovations. In particular there are a range of works — like installing skylights, new carpet and lights; soundproofing rooms; and painting — that would greatly improve the safety and amenity for staff, young people and their carers. Could the minister advise whether there is any funding available to help Neami improve its facilities to augment the terrific work it does to support young people in my electorate of Carrum?

INFRASTRUCTURE VICTORIA BILL 2015*Introduction and first reading*

Ms ALLAN (Minister for Public Transport) introduced a bill for an act to establish Infrastructure Victoria to provide independent and expert advice about Victoria's infrastructure needs and priorities, to establish a new strategic infrastructure planning process and to amend the Public Administration Act 2004 and for other purposes.

Read first time.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL 2015*Introduction and first reading*

Mr PAKULA (Attorney-General) — I move:

That I have leave to bring in a bill for an act to amend the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 consequential on certain amendments made to the Classification (Publications, Films and Computer Games) Act 1995 of the Commonwealth and for other purposes.

Mr PESUTTO (Hawthorn) — I seek a brief explanation of the bill.

Mr PAKULA (Attorney-General) — I can tell the member for Hawthorn that the bill makes a number of consequential amendments to the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995, consequential to the commonwealth act, to improve the operation of the national classification scheme.

Motion agreed to.

Read first time.

LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2015*Introduction and first reading*

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

That I have leave to bring in a bill for an act to amend the Local Government Act 1989 to enable councils, including the City of Melbourne, to enter into environmental upgrade agreements and to consequentially amend the City of Melbourne Act 2001 and for other purposes.

Mr SOUTHWICK (Caulfield) — I ask the minister for a brief explanation of the bill.

Ms D'AMBROSIO (Minister for Energy and Resources) — The objective of the bill is to amend the Local Government Act 1989 to enable all Victorian councils to enter into environmental upgrade agreements so that such agreements are not confined to the city of Melbourne. The bill also removes provisions in the City of Melbourne Act 2011, as the City of Melbourne will now be covered by the amendments contained in this bill and the amendments affecting the Local Government Act 1989.

Motion agreed to.

Read first time.

ROAD SAFETY AMENDMENT BILL 2015

Introduction and first reading

Mr NOONAN (Minister for Police) — I move:

That I have leave to bring in a bill for an act to amend the Road Safety Act 1986 to provide for the taking of a blood sample of a driver or the person in charge of a motor vehicle that is involved in an accident that has resulted in serious injury or death and to make other amendments to clarify the operation of that act and for other purposes.

Mr PESUTTO (Hawthorn) — I seek a brief explanation of the bill.

Mr NOONAN (Minister for Police) — The objective of this bill is in two parts: firstly, as I stated, to introduce provisions allowing Victoria Police to request a blood sample for analysis from persons in charge of a vehicle that has been involved in an accident where serious injury or a fatality has occurred and the person has not been admitted for medical treatment; and, secondly, to improve the effectiveness of the hoon driving regime by ensuring that all road safety camera offences of extreme speeding are captured, allowing Victoria Police to recoup costs for the impoundment and immobilisation scheme, and to clarify under what circumstances exceptional hardship can be considered by the court when hearing an impoundment, immobilisation or forfeiture order.

Motion agreed to.

Read first time.

CORRECTIONS LEGISLATION AMENDMENT BILL 2015

Introduction and first reading

Mr NOONAN (Minister for Corrections) — I move:

That I have leave to bring in a bill for an act to amend the Corrections Act 1986 and the Parole Orders (Transfer) Act 1983 and for other purposes.

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

Mr NOONAN (Minister for Corrections) — The amendments in the bill can generally be characterised as clarifying, minor or technical amendments to both acts. The objectives of the amendments are to facilitate

the smooth operation of our parole and corrections systems and processes, to provide improved clarity for Corrections Victoria staff and to avoid doubt about the validity of past parole order transfer decisions.

Motion agreed to.

Read first time.

PETITIONS

Following petition presented to house:

Sharkeys Road, Rosebrook

To the Legislative Assembly of Victoria:

We the undersigned petitioners, residents of Rosebrook, Victoria, 3285 (county street directory map 89, F7), draw to the attention of the house that the petitioners wish to diminish the risk of accidents to vehicles, drivers, passengers and pedestrians when entering and exiting their properties and when entering the highway via Sharkeys Road.

Therefore we request that VicRoads reduce the gazetted speed limit from the current 80 kilometres per hour to 60 kilometres per hour.

The issues residents have are:

the number of accidents and damage to property in the past;

residents being abused and dangerous situations occurring when entering their driveways;

drivers overtaking and crossing double lines rather than waiting for residents to enter their properties;

residents having to pick up mail from opposite side of road as it is deemed too dangerous for a postal drop on south side;

limited sight lines to the west when entering highway via Sharkeys Road;

limited sight lines when entering highway from private residences;

residents crossing the highway with horses daily have limited sight lines.

**By Dr NAPHTHINE (South-West Coast)
(28 signatures).**

Tabled.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 7

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 7 of 2015* on:

**Adoption Amendment Bill 2015
Associations Incorporation Reform Amendment
(Electronic Transactions) Bill 2015
Delivering Victorian Infrastructure (Port of
Melbourne Lease Transaction) Bill 2015
Energy Legislation Amendment (Publication of
Retail Offers) Bill 2015
Justice Legislation Amendment Bill 2015
Planning and Environment Amendment
(Infrastructure Contributions) Bill 2015
Road Safety Amendment (Private Car Parks) Bill
2015**

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

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

Melbourne City Link Act 1995:

City Link and Extension Projects Integration and Facilitation Agreement Twenty-third Amending Deed

Exhibition Street Extension Sixteenth Amending Deed

Melbourne City Link Thirty-fourth Amending Deed

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's Report on Victorian Oversight Agencies

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

Casey — C143, C148

Hobsons Bay — C105

Knox — C134

Victoria Planning Provisions — VC125

Warmambool — C98

Yarra Ranges — C131

Statutory Rules under the following Acts:

Associations Incorporation Reform Act 2012 — SR 46

Crime Statistics Act 2014 — SR 48

Local Government Act 1989 — SR 47

Subordinate Legislation Act 1994 — SR 50

Transport (Compliance and Miscellaneous) Act 1983 — SR 49

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 46, 48, 49, 50

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 843

Prevention of Cruelty to Animals Act 1986 — Order making declaration under s 12B

Road Safety Act 1986 — Declaration of Approved Seatbelts.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the house dated 24 February 2015:

Legal Profession Uniform Law Application Act 2014 — Remaining provisions — 1 July 2015 — (*Gazette S151, 16 June 2015*)

Veterans and Other Acts Amendment Act 2015 — Remaining provisions — 15 June 2015 (*Gazette S144, 9 June 2015*).

ROYAL ASSENT

Message read advising royal assent on 16 June to:

**Justice Legislation Amendment Bill 2015
Statute Law Revision Bill 2014
Wrongs Amendment (Prisoner Related
Compensation) Bill 2015.**

APPROPRIATION MESSAGES

**Message read recommending appropriation for
Planning and Environment Amendment
(Infrastructure Contributions) Bill 2015.**

BUSINESS OF THE HOUSE

Program

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 25 June 2015:

Adoption Amendment Bill 2015

Associations Incorporation Reform Amendment (Electronic Transactions) Bill 2015

Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015

Energy Legislation Amendment (Publication of Retail Offers) Bill 2015

Planning and Environment Amendment (Infrastructure Contributions) Bill 2015

Road Safety Amendment (Private Car Parks) Bill 2015.

In making a few brief comments on the government business program that is being proposed today, these six items of legislation will keep us very busy this week as I know members are interested in speaking on a number of these bills. I also make mention of the take-note motion on the budget papers, which it is the government's intention to debate. It has been communicated to the opposition that we will set aside time to consider that motion over the course of the week as well.

I understand that there is a strong desire by members on both sides to participate in the budget debate and to have their contributions put on the record. We will endeavour to get as many of those contributions done as possible over the course of this week. Some cooperation and collaboration across the chamber will potentially be required to enable that to happen and to also hear the contributions of people who wish to speak on these bills during the course of the week.

It is a busy week. There are significant bills of some substance on the program this week, and I hope that all members of this house cooperate and collaborate to maximise speaking opportunities on all of these matters, as well as to conclude our business by 5.00 p.m. on Thursday.

Mr CLARK (Box Hill) — The opposition opposes this business program. The government is making completely unreasonable expectations of the house, expecting debate to be curtailed to a completely unreasonable extent. The opposition has demonstrated

in the past that it is willing to make reasonable adjustments and accommodations for the government to facilitate legitimate objectives and urgent matters that arise unexpectedly, but, to use an old saying, the government is trying to fit a quart into a pint pot, and it simply will not fit.

To allow any decent debate on the budget would require a dramatic curtailment of members' opportunities to speak on other bills. There are a number of major bills before the house this week. All of these bills are matters deserving of appropriate consideration and debate, and what the government is proposing is completely unreasonable. We have been raising for some time, as the record will show, our concern that the government is running away from debate on the budget, and that seems to be continuing to be the case this week. The only way there could be reasonable opportunity for members to contribute to the budget debate would be, as I said previously, by dramatic curtailment of debate on other bills, and that is a completely unreasonable and unacceptable demand.

You would have thought that the government would be keen to debate its budget; most governments are. Whether it is or not, most governments have the decency to accept that both sides of the house should be able to adequately scrutinise the budget. That principle was certainly upheld year after year by the Liberal-Nationals government, as was made clear by the Leader of the House, the member for Brighton, at that time. It is very surprising that in its first budget the government wants to run away so quickly from that principle. It may well be that the more scrutiny the budget receives, the more it becomes clear that the numbers do not add up and the government has made a wide number of unfunded promises. We cannot get to debate that proposition if the government will not allow adequate time for the house to do so.

What the government is doing is in stark contrast to its pre-election commitments. A media release dated 27 November last year about Labor allegedly cleaning up the Parliament states:

Scrutiny will be enhanced with consideration in detail made a standard feature for bills in the Assembly and budget hearings made more rigorous.

Far from budget hearings being made more rigorous, many members will not have an opportunity at all to have a say on the budget, and we have seen, time and again, flagrant breaches of the commitment to make consideration in detail a standard feature for bills in the Assembly. This week in particular the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015 should be considered in detail,

but it will be very interesting to see whether that bill or any other is considered in detail.

Rather than trying to force these bills through the house and curtail budget debate, if it were fair dinkum about its commitments, the government would be coming to the opposition and discussing other options in which greater time could be allowed, whether that meant extended sittings this evening or tomorrow evening. The opposition has certainly shown to date that it is prepared to accommodate reasonable requests. However, instead of engaging with the opposition to come up with a reasonable way forward, the government is trying to force through a completely unreasonable business program and curtail debate on its own budget. For those reasons, the opposition will oppose the business program.

Mr CARROLL (Niddrie) — It is my pleasure to speak on the government business program. I reassure the member for Box Hill that we are very proud to be speaking on the budget, and today's opinion poll also shows that Victorians are very happy that we continue to speak on the biggest ever investment in education through this first budget of the current Labor government.

This week's government business program is about protecting Victorians. In the case of the Road Safety Amendment (Private Car Parks) Bill 2015, as someone who was once a community lawyer, I have people coming through my office all the time who have been inundated with letters of demand from private car park operators. These are very dodgy letters, and we will put a stop to that. That is what this government business program is about — making sure people are not unfairly targeted through letters of demand or through their addresses mysteriously ending up with a dodgy operator. It is very much focused on consumer affairs and the public interest.

We are very strong on ensuring that the six pieces of legislation on the government business program pass through the house, but we are also willing to keep talking on the budget. I mentioned the government business program and its protection of consumers. Even the former government, to its credit, was very keen for electricity and energy retailers to have price comparisons, and the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015 is also about ensuring that we have adequate price comparisons.

The former government set up the My Power Planner application. It was launched in 2013 and is about ensuring that consumers get a fair deal, whether it be with their electricity or with their other energy, so I

cannot see why the opposition wants to oppose the business program and not debate the energy legislation. We are more than happy to be speaking on the budget, but we also have a legislative agenda to get through. We are breaking for the winter recess, so why you would want to hold up the government business program and not let your own backbenchers talk about important legislation is beyond me. It is legislation that is focused on protecting consumers. It very much goes to the heart of what the Andrews Labor government is all about — protecting consumers but also building infrastructure for the future.

I support the motion of the Leader of the House because this business program is very important. We are here on the final week before the winter recess, and it is incredibly important that the business program proceed and that everyone have the opportunity to speak on the important legislation before us and make a contribution to the debate on the budget, which has been a resounding success.

I urge opposition members to also get up and talk about the budget, talk about the removal of level crossings that we are funding in their electorates, talk about the schools we are funding in their electorates and talk about the good things this budget does. They might want to talk about the opinion poll in today's paper as well because — —

Mr Pesutto interjected.

Mr CARROLL — The member for Hawthorn should keep going. He is doing well. I would love to know how the coffees are going with the Leader of the Opposition at the moment.

Members should get on, support this business program and support this important legislation, which deals with issues such as consumer rights and infrastructure. I commend the government business program to the house.

Mr KATOS (South Barwon) — I rise to join the manager of opposition business in opposing the government business program. For the benefit of the member for Niddrie, no grade separations or level crossings are being removed in my electorate. In fact not one is being done in the whole city of Geelong. There is a very simple answer — I am outside metropolitan Melbourne, so I am not getting anything at all as far as level crossing removals are concerned.

With regard to this week's government business program, there are six bills and the take-note motion on the budget. I note that last sitting week there was no debate whatsoever on the take-note motion.

Approximately 3 hours has been flagged for debate on the take-note motion this week, so that will allow six speakers. Sixteen members on this side of the house want to speak on the motion, so at least 10 will miss out — that is, if we get 3 hours, because there are no guarantees with regard to that.

Also, as the Leader of the Opposition mentioned, the government flagged that every week as a standard practice there would be a consideration-in-detail stage and scrutiny of bills. From memory, we have gone into a consideration-in-detail stage twice in this Parliament so far. There are six bills and the take-note motion on the budget to debate this week, and obviously there is great interest on this side of the house in the ports legislation. Many members on this side want to speak on that bill.

Mr Richardson interjected.

Mr KATOS — The member for Mordialloc talks about flip-flops. I think Bay West will get a very good mention in the debate on the ports legislation. I support the manager of the opposition business in his opposing of the government business program, which is trying to cram too much into a sitting week. Some of this legislation, particularly the ports legislation, needs extensive scrutiny.

Mr BROOKS (Bundoora) — I am very happy to rise in my place and support the government business program. It is a great business program. This is also a point at which we can reflect on the achievements of this government in passing legislation through this Parliament. In the first session of this new Parliament I understand the Andrews Labor government has already passed 22 acts involving the amendment or the repealing of 159 acts. There are also bills which have been introduced in and which are awaiting debate in the upper house. There is also the legislation that has been introduced today in this chamber, which will be debated when we resume in August.

Some of the notable pieces of legislation we have debated are the Back to Work Bill 2015, the National Parks Amendment (Prohibiting Cattle Grazing) Bill 2015 and the Limitation of Actions Amendment (Child Abuse) Bill 2015. These are important pieces of legislation. We have a very strong legislative agenda, and this business program continues that.

We remember very clearly the lazy, dysfunctional business program that we had from the opposition when it was last in government. We remember the chaos. We remember coming into the chamber at the start of a week not knowing whether there was going to

be a business program or whether Geoff Shaw, the former member for Frankston, was going to kill the business program. It was absolutely dysfunctional, and it was an embarrassment to the state of Victoria. In contrast, what we have now is a government that is in control, and that is getting on with the job, delivering legislation and a strong legislative agenda.

We know that the sloth-like opposition does not want to debate these pieces of legislation. It does not want to debate the bill dealing with the port of Melbourne lease. It is running away from the debate and running away from talking about the level crossing removals, which it knows will not be delivered if it does not support this important piece of legislation.

In contrast, the Andrews Labor government is getting on with the job. We want to get on with these pieces of legislation. We want to expose the hypocrisy of the opposition. Those opposite took a position on the lease of the port of Melbourne before the election, but they have now done a massive backflip and say, 'No, we oppose that now'. They seek to divide country Victorians from city Victorians and try to play one group of Victorians off against another.

The Andrews Labor government is keen to get on with the government business program debate these issues in this forum and expose the opposition for its lazy, incompetent, sloth-like approach in Parliament. If there was more transparency and interest taken in what happens in this place — this is an important point — Victorians would see the way the opposition behaves in question time, including when its members walk out of question time. What a rabble! During question time today we were talking about education and the horrible things the Abbott government wants to do to education in our state and to our schoolkids. There was appalling behaviour from members opposite, who raised ridiculous points of order. That side of the house is out of control.

When members opposite see a good, strong government business program, they do not want to participate. They want to block it because they do not want to do the work involved in getting these measures through the Parliament. As I said, the Andrews Labor government wants to get on with the job of delivering these pieces of legislation. We want to deliver the infrastructure and services that Victorians need, and this business program goes part of the way towards doing just that.

Mr HIBBINS (Pahran) — On behalf of the Greens I rise to oppose the government business program in this instance because legislation providing for the

privatisation of the port of Melbourne should not be rushed through before the winter break. Legislation on the port should not be subject to the guillotine. This is a bill that requires serious consideration, scrutiny and debate. It is a major decision that will have far-reaching effects on exporters, farmers and small business, and their voices have not been heard in this debate. We know previous privatisations have been absolute disasters, so why rush this legislation through without giving serious consideration to the effects on those in the community who rely on the port and serious consideration to the most cost-effective way of funding our transport infrastructure? The Greens have been leading the charge in opposing the sell-off of our port, and we welcome the coalition following our lead in opposing the sale of the port. If the government is determined to rush the bill through the Parliament, it should at least bring it to the consideration-in-detail stage so that it can be properly scrutinised.

The Greens welcome some of the other bills listed for debate as part of a business program but not the bill dealing with the sell-off of the port. We certainly welcome the Road Safety Amendment (Private Car Parks) Bill 2015, and in the previous Parliament the Greens again led the charge on a legislative amendment to ensure that consumers were protected. We welcome the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015 and the Adoption Amendment Bill 2015. The latter bill is another serious piece of legislation that again would be appropriate to go to the consideration-in-detail stage. As I said, the Greens oppose the government business program in this instance simply because we should not be rushing through the sale of the port.

House divided on motion:

Ayes, 42

| | |
|----------------|----------------|
| Allan, Ms | Kilkenny, Ms |
| Andrews, Mr | Knight, Ms |
| Blandthorn, Ms | Lim, Mr |
| Brooks, Mr | McGuire, Mr |
| Bull, Mr J. | Merlino, Mr |
| Carbines, Mr | Noonan, Mr |
| Carroll, Mr | Pakula, Mr |
| D'Ambrosio, Ms | Pallas, Mr |
| Dimopoulos, Mr | Pearson, Mr |
| Donnellan, Mr | Perera, Mr |
| Edbrooke, Mr | Richardson, Mr |
| Edwards, Ms | Richardson, Ms |
| Eren, Mr | Scott, Mr |
| Foley, Mr | Spence, Ms |
| Garrett, Ms | Staikos, Mr |
| Graley, Ms | Suleyman, Ms |
| Halfpenny, Ms | Thomas, Ms |
| Hennessey, Ms | Thomson, Ms |
| Howard, Mr | Ward, Ms |
| Hutchins, Ms | Williams, Ms |

Kairouz, Ms

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Bull, Mr T.
Clark, Mr
Crisp, Mr
Dixon, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hibbins, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McCurdy, Mr
McLeish, Ms
Morris, Mr
Mulder, Mr
Naphine, Dr

Wynne, Mr

Noes, 39

Northe, Mr
O'Brien, Mr D.
O'Brien, Mr M.
Paynter, Mr
Pesutto, Mr
Ryall, Ms
Ryan, Ms
Sandell, Ms
Sheed, Ms
Smith, Mr R.
Smith, Mr T.
Southwick, Mr
Staley, Ms
Thompson, Mr
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Motion agreed to.

MEMBERS STATEMENTS

Greater Bendigo aquatic centre

Ms EDWARDS (Bendigo West) — Tomorrow night the City of Greater Bendigo Council will vote on the council budget. There is an expectation in the Bendigo and Kangaroo Flat communities that included in that budget will be approval for the Greater Bendigo indoor aquatic leisure and wellbeing centre, otherwise known as the Kangaroo Flat aquatic centre. The greater expectation is that the new aquatic centre will include a 50-metre pool — not a 25-metre pool but a 50-metre pool.

In May 2014, when the state government gifted the City of Greater Bendigo \$15 million towards the aquatic centre, the community was shown plans. All over the pages of the *Bendigo Weekly* and the Bendigo *Advertiser* were photographs and pictures of an aquatic centre with a 50-metre pool. The then mayor, CEO and other senior executive staff of the council were all holding plans for the proposed aquatic centre, which included a proposal for a 50-metre pool. Recently the mayor stated that the issue around a 25-metre pool or a 50-metre pool was complicated. It was not complicated 12 months ago.

After the May 2014 announcement a member for Northern Victoria Region in the other place, Damian Drum, stated that the federal government — the Abbott coalition government — would be much more likely to provide funding for the centre. Unfortunately that was completely wrong. No funding has been forthcoming

from the Abbott Liberal government, revealing its lack of interest in Bendigo.

I strongly urge the City of Greater Bendigo to fund the 50-metre pool option — which we have been told over and over again is its no. 1 project — and to get on with doing what it said it would do 12 months ago when it locked in state funding for a 50-metre pool. This is a once-in-a-lifetime opportunity to build a facility for the future, one that the community has been promised.

City of Maroondah planning application

Mr HODGETT (Croydon) — I rise today to seek an urgent intervention from the Minister for Roads and Road Safety with regard to a proposed additional exit point onto Maroondah Highway as part of a planning application for the construction of a 24-hour United service station, planning application M/2014/859, located at 394–410 Maroondah Highway, Croydon.

Local residents in Croydon are not against, and in fact are rather supportive of, this application; however, the request is that they would like another exit point from the service lane at the front of the service station rather than having cars, utes and trucks streaming past their properties at all hours of the night to the existing single exit point along the service road.

Residents have contacted my office after receiving a less than satisfactory response from VicRoads, which advised residents that the creation of another exit point from the service lane is out of the question and that it would impact upon the flow of traffic onto Maroondah Highway.

I ask the minister to intervene in this matter to see that common sense prevails and that an additional, better placed exit point is created to enable motorists using the service station to exit the service road directly onto Maroondah Highway, without increasing traffic congestion.

The local council issued a notice of decision on 15 June. The 21-day appeal period has started. This is a common-sense request from the local residents, and I would ask the minister to at least have a look at it with a view to getting a better outcome and saving an appeal in this process.

Marriage equality

Ms ALLAN (Minister for Public Transport) — It is with pleasure that I rise to congratulate the 21 Bendigo small businesses that put together and contributed to an advertisement in the *Bendigo Advertiser* of 6 June under the banner ‘Join Bendigo’s growing list of

regional Victorian small businesses supporting marriage equality’.

This effort was organised by local business person Jayson Tayeh. He organised this advertisement, which is believed to be the first case in regional Australia of small businesses in a regional centre coming together in this way to strongly express their support for marriage equality.

They were joined by many more friends a couple of weeks later, when 83 businesses in total also came together in support of marriage equality and put together an advertisement in the 20 June edition of the *Bendigo Advertiser*. I will quickly read to the house a list of the 21 businesses: Renik Hair, The Schaller Studio, Libertine, Robe, The Boardwalk, Modart Design, The Dispensary, Favourite Flavours, Jools for Jim, Libris, The Good Loaf, Cortille, Old Green Bean, Royal Jims, Mr Beebe’s, Tough Cookie, Masons of Bendigo, Rocks on Rosalind, Bendigo Corner Store and The Woodhouse.

These businesses and their staff are to be highly congratulated. It is great to see a strong expression of equity and community support for this in Bendigo. I know those businesses operators — and I have spoken to many of them — know that they have a great many members of the community supporting them.

Country Fire Authority Morwell brigade

Mr NORTHE (Morwell) — On 13 June I had the pleasure of attending the Morwell fire brigade’s centenary dinner. Congratulations to all career and volunteer firefighters who have represented the Morwell fire brigade and have selflessly dedicated their time to protect our community.

These men and women cannot do their job without the support of family and friends and might I say the wonderful ladies auxiliary, so again congratulations to all of them on their wonderful service to our community.

Barrier Breakers

Mr NORTHE — I also wish to raise a concern with respect to local mental health advocacy group Barrier Breakers. The coalition previously provided \$100 000 in funding to support Barrier Breakers and pledged a further \$120 000 if re-elected in November 2014.

With current funding due to cease from 1 July 2015, I call upon the Labor government to urgently provide funding to Barrier Breakers to ensure that it can

continue its work in Gippsland on behalf of people with mental illness.

Rotary Club of Morwell president

Mr NORTHE — I would also like to acknowledge the outgoing president of the Morwell Rotary club, Tom Shanahan, for his sterling service over the past 12 months. Tom has provided wonderful leadership whilst in this role, and I am sure his successor, Jen Rowley, will likewise do an amazing job. Congratulations to both, and good luck with the changeover dinner this week.

Cassandra Godden

Mr NORTHE — On a more sombre note, I wish to pass on my condolences to the Godden family on the passing of their loving daughter and sister, Cassie. Sadly, 18-year-old Cassie lost her life recently to melanoma. Our condolences go to her loving parents, Brett and Dianne, and to Cassie's family and friends at this very difficult time.

Reclink Community Cup

Mr FOLEY (Minister for Housing, Disability and Ageing) — I rise to say well done to all those involved in last weekend's Reclink Community Cup, particularly the Reclink Australia organisation, the Espy Rockdogs, Megahertz and Jason Evans for yet another stellar performance and for raising much-needed funds, support and awareness for the work that Reclink does in the sport and cultural fields. This important annual event, now in its 21st year in Melbourne, was a roaring success. So I say well done to Reclink, Jason and the whole crew in highlighting the important work that Reclink does in engaging with youth, homelessness and mental health communities in our community. I particularly want to acknowledge the support from the federal member for Grayndler, the federal shadow Minister for Cities and shadow Minister for Infrastructure and Transport, who came down for the event and offered his insights from inner Sydney as to how to deal with producing sponsorship.

Vinnies CEO Sleepout

Mr FOLEY — I also wish to bring to the attention of the house the great work done by the Vinnies CEO Sleepout, which I had the 'pleasure' of participating in last week. I acknowledge the great work that Vinnies does in the homelessness field. I was pleased to reach my own fundraising target of \$5000 in support of that effort. I thank all those people in my own community

who helped me reach that target. This is a great effort. Well done to Vinnies for the important work it does.

PenBus service

Mr MORRIS (Mornington) — The Andrews government is ignoring the plight of students and potential students from Mornington Peninsula. Apparently it has not noticed that every student from the peninsula who attends university or other tertiary institutions has to travel. They have to travel at least as far as Frankston, often to Monash University's Clayton campus or even further afield. For many years Mornington Peninsula students have battled the public transport system, some spending 5 hours a day travelling to and from their studies. To many, spending that much time while trying to balance work and study commitments has proved an insurmountable barrier to continuing their learning.

That all changed when the PenBus service began operation in May 2013. From that point on every student on the Mornington Peninsula had access to an efficient transport service. PenBus runs a direct service to the Monash campuses at Frankston and Clayton, and to the Chisholm Institute of TAFE campus at Frankston. Students who attend other institutions also use the service to access the rail system. The initial service was funded by the commonwealth to test the concept, with agreement that the state would take over the running of the service if it proved effective. It was effective; it has worked incredibly well and on most days carries between 200 and 250 students. Yet when it came time to stump up the money, the government said, 'There is no agreement, and there are no funds'.

The Minister for Public Transport can do nothing but point her finger at the commonwealth. She is also the Minister for Employment, but apparently she does not understand the importance of access to tertiary education when it comes to getting a job. The commonwealth has kept its part of the bargain; now it is the turn of the Andrews government to do the same.

Edithvale Aspendale Sporting Club

Mr RICHARDSON (Mordialloc) — Over the weekend I had the opportunity to join the Edithvale Aspendale Sporting Club at an important fundraiser to support Yarrabah School, which is an exceptional example of a school catering to the needs of children with intellectual, physical and multiple disabilities from ages 2 through 18. Yarrabah School is an important part of our community. It was so great to hear from Andrew Jamieson, secretary of Edithvale Aspendale Sporting Club, about his personal experiences with his child,

who has gone through that experience. One phrase that stood out for me in his contribution on the day was that when learning about a child with special needs it was just about ‘different dreams and hopes’ in that journey. He had a wonderful example of a comparison: getting on a flight to Italy but the flight attendant saying, ‘We are destined for Norway’. You are probably going to a place with a different language, and you will have to learn different things, but you are still going down the pathway of achieving hopes and dreams.

Yarrabah School has wonderful support in our community. Just last year a gentleman in his nineties donated nearly \$40 000 to support the purchase of outdoor play equipment. This is a wonderful school and it shows Edithvale Aspendale Sporting Club’s care and consideration for the community. It could have put on a function for itself over the weekend, but it went far beyond. I also want to acknowledge the club’s president, Peter O’Connor, for all his work on the day.

Carolyn Goodie

Mr BATTIN (Gembrook) — The Gembrook community lost a community person if I have ever seen one on 16 June this year when Carolyn Goodie — a mother, sister, wife, daughter, friend and genuine community person — lost her battle with cancer, leaving a huge hole we cannot fill. I wish to pass on my thoughts and strength to Steve, who lost his life friend, and Carolyn’s daughters, Alex and Chloe, who spoke so well at the celebration of their mother’s life. Caz will be missed, remembered and thanked for eternity for the work she did for the Gembrook football and netball club.

For those who knew her you will understand, for those who didn’t you missed out.

Today a person I knew left this world on another journey.

I would not say I knew her well, but I saw what she did.

A mother, wife, daughter, sister, a friend and a community person.

A carer and a giver, a doer not a complainer.

Today God took one of our true community angels, she will be busy still watching over her girls.

As you move on, please know that the community you gave to appreciate your every effort, your every act of kindness changed someone or gave them an opportunity they may never have had.

To the family who shared your life, I send all my strength and love. They have an awesome group of friends that will all miss you, but will all be beside your girls forever.

Rest in peace, Carolyn.

Alex and Chloe should be very proud to have become the two very independent young women their mother raised them to be. I am sure they will continue the work

Caz did in the Gembrook community. We will miss her dearly.

Level crossings

Mr STAIKOS (Bentleigh) — The Bentleigh community is still celebrating the Andrews Labor government’s fully funded level crossing removals at Centre Road in Bentleigh, McKinnon Road in McKinnon and North Road in Ormond. Removing level crossings is a major priority of this government. We are removing 50 level crossings, with 20 to go in this term.

We know that drivers waste too much valuable time stuck at boom gates. For example, at McKinnon Road the boom gates are down 40 per cent of the time during peak hour. In our first budget we have funded the removals and we have signed the contracts. Construction will begin before the end of the year. We want the community to be consulted and kept informed as the planning and works progress. That is why we have formed a stakeholder consultation group with representatives from traders associations, the local council and local residents, and we will soon be holding information sessions.

Unfortunately the coalition has indicated that it does not support grade separation at Centre Road and McKinnon Road. This is the same coalition that when in government claimed it supported removing the level crossing at North Road but did not get around to signing any contracts for the project. There is not a moment to lose, and today we have the Liberal Party trying to stand in the way of something it supported before the election. Last year Bentleigh residents told me they want these level crossings removed. The crossings are dangerous, they cause congestion and they have to go. The Andrews Labor government is getting on with it.

Adrian Stubbs

Mr HIBBINS (Pahran) — I rise to pay tribute to Stonnington councillor Adrian Stubbs, who passed away on Sunday. Adrian, or Cr Stubbsy as he was affectionately known by some, was elected to east ward in Stonnington council in 2012 along with five other new councillors, including me. Adrian decided to run for council after attending what I can only imagine was a robust Stonnington council meeting and deciding that in the interests of our community things had to be done better. On being elected, Adrian won respect all round with his honesty, integrity and candour. He was elected mayor in 2013, and during his term he showed his

strength by standing up to the state government to defend our local planning laws.

With Adrian what you saw was what you got. He was respected in the council chamber, and he was a friend outside it. Adrian, along with his wife, Carol, loved France, a love that is shared by my wife and me. We enjoyed their company, and we are both grateful for the assistance they gave us as we planned our first trip to Paris.

Adrian's last act was the greatest gift of all; he has given life to others through the donation of his organs. He will be greatly missed, and he is a great loss to our community. Our thoughts are with Carol and their two sons.

Phoenix P-12 Community College

Ms KNIGHT (Wendouree) — Phoenix P-12 Community College is a terrific school. I love that each time I go there I get to see how the opportunities for students are growing. The thing that most excited me on my most recent visit was the BA@Phoenix. This amazing program creates opportunities for tertiary study for people who would not otherwise have had that chance.

I had the opportunity to experience this program firsthand, along with the member for Buninyong and the Minister for Education. We visited a classroom in which people were studying the BA@Phoenix, and it was exciting to see. There were people of all ages, including a young woman with her son, a child of two or three. It is so valuable and important that this young child see his mum receiving that education and studying while caring for him. That child is going to grow up with a story in his head different to the one he might have had if the BA@Phoenix was not available. This story emphasises the importance of education. The BA@Phoenix is not only creating opportunities for the students but it will change the life of that woman's son.

I do not want to simply congratulate Phoenix P-12 Community College and Federation University for developing this terrific program; I want to thank them for developing a program that creates opportunities and changes lives. I acknowledge the remarkable work of Scott Dellar and Tim Harrison and all those involved in the program, and in particular I acknowledge the students who have embraced this opportunity. I wish them all the best of luck.

Queen's Birthday honours

Mr T. BULL (Gippsland East) — I wish to pay tribute to some great Australians from my electorate of

Gippsland East who have recently been recognised with Queen's Birthday honours. Kevin and Christine Svenson of Paynesville were recognised for their significant contributions to the Paynesville community, including being key drivers of the Paynesville Men's Shed as well as many other local projects.

Dr David Hollands of Orbost was recognised for his significant contribution to medicine and ornithology. Dr Hollands has served the Orbost community with great distinction over an extended period of time, and I again state that he is a very worthy recipient.

Peter and Judith Robbins of Meerlieu — what amazing people they are — have been recognised for the great work with Annie's Cottage, a place of respite for families of children with cancer, often terminal. Annie's Cottage provides a wonderful place for families to take a break from treatment and spend some special time together.

These are all great East Gippslanders who have made, and continue to make, a significant contribution to our community.

Minister for Mental Health comments

Mr T. BULL — I would like to put on the public record a correction to comments made by the Minister for Mental Health, who on various occasions has referred to the 'years of savage cuts' by the previous state government. This is wrong. The minister would be well aware that the previous state government in fact significantly increased mental health funding. Last year the previous government invested \$1.26 billion in mental health services, which was an additional \$644 million that had been invested since that government came into government. That was not a cut; it was a massive increase. In addition the previous government, in last year's budget, committed an extra \$171 million over four years to build on that significantly increased investment. The minister should stop misleading the people of Victoria.

Macedon electorate scouts

Ms THOMAS (Macedon) — The 1st Gisborne Scout Group is a scouting success story that Baden-Powell would be proud of. It has more than 170 children and young people involved joeys, cubs, scouts, venturers and rovers, and 33 trained and dedicated adult volunteers who make this possible. It is the largest group in regional Victoria. It was my pleasure to attend the Gisborne scouts to see Alex Brown receive the Australian Scout Medallion and Green Cord, the highest achievement a scout can earn.

It recognises his hard work and community service and his commitment to scouting values to make the world a better place and have some fun along the way. Congratulations, Alex!

Parliament student placements

Ms THOMAS — Young people too often get bad press in our society and, to my mind, unfairly so. Every week I meet exceptional young people who are curious, engaged and thoughtful. I would like to acknowledge year 10 work experience students Emily Stevens, Cooper Carmichael and Sophie Westaway, who demonstrated these qualities and more in the time that they spent with me this year.

I also congratulate my parliamentary intern, Ellie Wyatt, who has produced an impressive report on the risks and challenges to the delivery of appropriate mental health services in my electorate. Hailing from Lancefield, and now at Monash University, Ellie used her local knowledge to win the confidence of young people and health and education professionals to develop her report. I wish Ellie all the best for her future, and I am sure she will continue to make a great contribution to public policy and the law in her professional life. I look forward to continuing to use my time in this house to champion young people and record their achievements.

Kokoda trek

Mr BLACKWOOD (Narracan) — I take this opportunity to acknowledge the 2015 Kokoda trek that will commence on 2 July. This year the members for Caulfield and Gippsland East will join me on the Kokoda Track to walk in the footsteps of the brave. The members for Caulfield and Gippsland East will become part of an elite group of parliamentarians who have conquered the track and, more importantly, have gained a deeper understanding and respect for the sacrifices made by our diggers in World War II. The members for Mornington, Polwarth, Ivanhoe, Narre Warren North and Rowville, and former members, Donna Bauer, Hugh Delahunty and Bill Sykes, have all walked the track and certainly done themselves and the Victorian Parliament proud in their efforts to honour the memory of our diggers and ensure the story of their bravery will be passed on to our children.

This year's trek will be my ninth. Some would say I am mad and others may simply ask: why? At the Shire of Baw Baw we have set up an award in honour of a still living veteran of Kokoda, George Collins. George was a member of the 2/14th Battalion and turned 21 on the Kokoda Track in 1942. The award we have instigated

in his name provides an opportunity for three year 11 students to experience the trek each year. This year Peter Mascadri, Sophie Smith and Lachlan Pyle will bring the number of students who have won the George Collins award to 24. I would like to thank the very generous sponsors of this award: Duncan McNeill, the George Collins family, Michael Blackwood, Bernie Rowell, Mary-Jo Cochrane, Vicky Pisciotta and Robin McKay.

Kambrya College presentation ball

Ms GRALEY (Narre Warren South) — I recently had the great honour of attending Kambrya College's 10th annual presentation ball at The Grand in Wantirna South. I must say I was extremely proud of each and every one of the 68 students who were presented to the principal and me: Emily Patterson, Stacy Wailer, Jasmine Reniers, Maddison Pierce, Keely Peeler, Moesha Attard, Felicity Lancashire, Larissa Brown, Kirstyn Rich, Brodie Kleesh, Madeline Soutter, Brooke Davis, Olivia Clark, Caitlin Toohey, Charlie Grosveld, Samantha Allen, Nathan Ryan, Sheridan Watt, Trent Sillekens, Jesse Mallia, Stephen Sharp, Kyle Ramsay, Luke Dingle, Joshua Lamb, Ryan Brindle, Brandon Hogan, Reid Jenkin, Joshua Johns, Sam Hermesdorf, Liam Martin, Nathan Johnston, Kodie Westwood, Harrison O'Brien Geaves, Caldon Lortan, Neil Pan, Kamik Chand, Trent Buxton, William Young, Connor Pemberton, Jack Clark, Jordan Vis, Luke Muller, Liam Bradshaw, Jordan Stewart, Nic McKinnon, Christopher Latter, Matthew Harper-Gomm, Kyle Graham, Tyson Graham, Steven Denny, Tahlia Johnstone, Holly Robertson, Rachel Gedye, Emma Devonshire, Alysha Alford, Nikita Hodge, Hayley Balnaves, Miquela Beattie-Galland, Taylah Caddy, Amanda Bremmer, Madeleine Freeman, Stephanie Nolan, Ebony Hunter, Emily Dickson, Belinda Hannan, Brittani Parker, Amanda Kelly and Megan Hedges.

I hope you all had a great time. You looked fabulous and sure could dance. It was a truly joyous occasion for not only the excited debutantes but also their families and friends and the entire school community. The ABC was even on hand to film every step and move of the night. Well done to the team at Kambrya College, under the wonderful leadership of the principal, Michael Muscat, for putting on such a memorable night for us all.

Ringwood level crossing

Ms RYALL (Ringwood) — It is alarming that when the Minister for Roads and Road Safety was asked in Parliament by me to provide the number of vehicles per day that drive over the level crossing at Bedford Road,

Ringwood, he responded that it is a local road that is managed by council and does not fall within his responsibilities, and said that I should refer the question to another minister. This level crossing is adjacent to Ringwood Secondary College, a school of 1500 students, which also provides trade training studies to an additional 300 students. It is a disgrace that the Minister for Roads and Road Safety not only did not provide the numbers but also did not care enough as road safety minister to even respond to the constituency question. This is an important road safety issue for my community, and it is further evidence of Labor failing to care and abandoning the eastern suburbs and the people of Ringwood.

Superhoodz

Ms RYALL — My congratulations to Kat Molnar of Mitcham-based Street Dance Studios and Superhoodz, the studio's professional hip hop dance crew. The crew was spotted on YouTube, resulting in a dance part in the Disney Bollywood film *ABCD2*, which stands for 'Anybody can dance 2'. Fifteen of the dancers performed dances choreographed by Kat over 11 days of performing in Mumbai. It is a fabulous effort to be very proud of.

Tandana Place

Mr DIMOPOULOS (Oakleigh) — I rise to speak about a visit I made with the Minister for Mental Health to Tandana Place in Mount Waverley, a youth rehabilitation centre specialising in drug and alcohol addiction. In April I spoke in an adjournment debate in this place about Waverley Emergency Adolescent Care (WEAC) and Tandana and requested that the Minister for Mental Health visit the facility. As I said then:

This ... very well regarded facility opened in 1998 and provides residential care in a 12 to 16-week program for young people between the ages of 12 and 20. This is the only facility in Victoria that provides a live-in rehabilitation service for young people under the age of 16 ...

Within two months of that adjournment debate request being made the minister took the time to make a significant visit to this establishment to see firsthand the good work it does. I thank the minister for his immediate, sympathetic and understanding reply to my adjournment request and for visiting Tandana. It is clear that the minister understands that rehabilitation for drug and alcohol issues is vitally important.

I also thank the program manager, Melanie Thomson; the CEO of WEAC, Maureen Buck; team leader Nick Collins; and the chairperson, Bill Chamberlin. Additionally, I thank the corporate sponsors: the CEO

of the Duet Group, David Bartholomew; the CEO of United Energy, Hugh Gleeson; and the president of the Lions Club of Waverley, John Coulson. There are a whole range of interested and supportive stakeholders for this wonderful organisation. A very special mention must go to the residents at Tandana, who generously welcomed a whole bunch of strangers into their temporary home. I know the minister was very impressed with the effectiveness of Tandana, and I am certainly encouraged that further assistance may be provided to Tandana in the future.

Odyssey House

Ms RYAN (Euroa) — Last week I visited Odyssey House's 15-bed residential rehabilitation facility at Molyullah. Three residents at various stages of the six-week Circuit Breaker program gave me a tour of the facility, and their personal stories and experiences demonstrated just how powerful Odyssey House's treatment programs are. I commend the CEO, Dr Stefan Gruenert; Odyssey House's Circuit Breaker program manager Andrew Hick; and the staff for the work they do and their dedication to seeing the program continue.

Euroa electorate emergency services awards

Ms RYAN — On Sunday a number of Country Fire Authority volunteers from the Euroa electorate were awarded the National Emergency Medal for their service and courage during the 2009 Victorian bushfires. I applaud Graeme Alexander, Peter Bailey, Tonique Bolt, Justin Evans, Robert Gartland, Roy Green, Darren Griffiths, Jack Jachowski, Jade Kirk, Peter Martin, Murray McKenzie, David Rush, David Tharratt, Loraine Trethowan, Steve Whipps and Brooke Twamley on their efforts preceding, on and in the weeks after Black Saturday. Without their efforts many more lives would have been lost, and I thank each of them for their ongoing service to our community.

Chilean human rights

Ms WILLIAMS (Dandenong) — I rise today to discuss a matter of justice. Last sitting week a delegation of Chilean human rights activists, led by Lorena Pizarro, toured Australian parliaments, including this one. Ms Pizarro is the president of the Association of Relatives of the Detained and Disappeared in Chile, and she is the daughter of Waldo Pizarro Molina, who has been missing since 15 December 1976. The Association of Relatives of the Detained and Disappeared in Chile has been working to find the whereabouts of loved ones who disappeared under the Pinochet military dictatorship that emerged after the overthrow of Salvador Allende in 1973. The

association is also pursuing justice for all human rights violations that took place during that time. It does this by fighting for the trial and imprisonment of those responsible for the atrocities committed in Chile. The dictatorship may have ended in 1990, but the association continues this important work and has become a valued voice for the families of those who were disappeared.

One of my constituents recently raised with me the case of Adriana Rivas, a Chilean national who has been living in Australia since 1978 and who was arrested on a visit to Chile in 2006 after being charged with torture-related offences. I believe Ms Pizarro and other association members have been raising this case on their recent tour. After being charged and whilst awaiting trial, Ms Rivas fled Chile and returned to Australia. It was revealed last year that she is currently living in Sydney and working as a nanny. The crimes for which Ms Rivas has been charged are nothing short of horrific. She is alleged to have been involved in the interrogation and cruel torture of at least 12 victims. As a matter of urgency the federal coalition government should act on this matter and see that justice is done by returning Rivas to Chile so she can face trial.

Wonthaggi Theatrical Group

Mr PAYNTER (Bass) — On 31 May I attended the Wonthaggi Theatrical Group's production of *Pippin*. The calibre of this musical well and truly exceeded my expectations. The choreography, music, set design and costumes were superb. I was also particularly impressed by the array of talents demonstrated by the many young people who participated in the show. Community theatre not only benefits the audience but strengthens the entire community in terms of nurturing new performers and involving people with a range of different skill sets. I look forward to attending next year's production. I congratulate the Wonthaggi Theatrical Group for such a fine performance, and in particular, its president, David Wall, and his committee; vice president, Wayne Moloney; and the director, Karen Milkins-Hendry.

Education funding

Mr BROOKS (Bundoora) — Thank you very much, Acting Speaker, and I commend you on the great job you do in the chair as Acting Speaker. I rise to raise serious concerns about the actions of the Abbott federal government in its attacks on education in Victoria and across the country, in particular concerns about the tax it wishes to impose on public education families. That is an outrageous attack on free secular public education in Victoria, and the Andrews Labor government will

fight it tooth and nail, right to the very end, because we on this side of the house understand and believe in free secular education. Education is the key to ensuring that every student, every child, has the opportunity to succeed in life.

We saw from members opposite when they were in government cuts to the education system in Victoria, cuts to TAFE and cuts to kindergarten services. The coalition does not believe in public education, and at every opportunity it gets it reverts to form and rips away vital funding and tries to destroy public education and public TAFE. On this side of the house members of the Andrews Labor government will fight for students in the public education system. We will fight for TAFE and we will fight for kindergarten because — would members believe it? — preschool is another area that the Abbott coalition government in Canberra is attacking. It is talking about cutting funding for four-year-old preschool programs — unbelievable! It is unbelievable that any government would attack kindergarten kids, but that is exactly what the Abbott government wants to do.

ENERGY LEGISLATION AMENDMENT (PUBLICATION OF RETAIL OFFERS) BILL 2015

Second reading

Debate resumed from 10 June; motion of Ms D'AMBROSIO (Minister for Energy and Resources).

Mr SOUTHWICK (Caulfield) — I rise today to speak on the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015. At the outset I indicate that the opposition will not be opposing this bill. Why would we, when essentially a lot of the heavy lifting and work was done under our government? We instigated a huge amount of reform in the energy area. When the coalition was elected to government in 2010, one of its main platforms in this portfolio was to ensure that customers got the best deal. My Power Planner on the Switch On website, which is part of the bill we are debating today, was a key component of the coalition's work. Initially we needed to ensure that there were flexible pricing options for consumers and an opportunity for consumers to shop around and get the best deal. Once that opportunity was there for customers, we then needed to make sure there was information available so that customers could assess what the best deal was.

One of the big bills consumers get is for energy. Energy is a huge cost for many consumers, but unfortunately

consumers do not have a lot of time to understand their energy bills, which are quite complex. The website that was launched by the previous government included My Power Planner. I note the comments made earlier by the member for Niddrie, who complimented the former government on the transparency that was provided by introducing My Power Planner. It allowed energy retailers to publish offers on the website and customers to assess those offers and get the best deal.

Taking this one step further, the coalition understood that it was important to extend My Power Planner beyond electricity and to look at gas and also, importantly, renewables. Renewables are a growing market, with more people taking up solar, including battery storage, and other opportunities going forward. It was important to extend the information offering. Therefore the 2014–15 coalition budget, presented by the former Treasurer, the member for Malvern, delivered \$4.7 million for the extension of My Power Planner on the website. This extension was specifically to look at taking into account gas, which is part of the legislation before us, and renewables, so that there was transparency in a broader energy offering to ensure that customers were able to shop around and get the best deal.

Budget paper 3 of the 2014–15 budget states on page 49 that the investment made by the coalition was:

... to maintain and improve the tool, including expanding the service to enable comparison of gas offers, support consumers with solar panels and assist those from culturally and linguistically diverse communities.

The legislation before the house is fundamentally the coalition government's legislation. The work had been done. There had been acknowledgement that this was an important area for consumers so that they had the information to be able to shop around and get the best deal possible. I had the opportunity to look through the minister's second-reading speech on this bill and noted that there was not even a thank you to the coalition for the work that had been done. We are accustomed to Labor claiming credit for coalition initiatives, but we will soldier on. Hopefully there will be plenty more of the sorts of policies that have been well thought out and worked through by the coalition when it was in government. I suggest that further ideas will come from our side of this house on how we can ensure that customers get the best deal and that ultimately we keep prices down.

The only new initiative of the government in this area has been to initiate a number of inquiries. I will talk about a number of those a little bit later. The previous Victorian coalition government delivered on reducing

cost of living pressures and provided Victorians with greater information and tools to help reduce power bills. I think all members would acknowledge the importance of ensuring that consumers get the best deal. We are already hearing a lot of contradictory statements on that from those on the other side of the house, but certainly we on this side want to make sure that consumers continue to get the best deal possible.

On coming to government, the coalition did a number of things, and I want to take this opportunity to provide information on that work to the house. One of the first things the coalition did was extend electricity concessions to all year round. We care about people who are facing hardship, particularly those who are eligible for concessions. We realised that these are the sorts of things that should be provided all year round. That was one of our key initiatives.

We set about reforming Labor's botched smart meter rollout, with a focus on benefits to consumers. That was a very important thing for us to do. I note that that particular smart meter policy came in under the former Brumby government. It was quite ironic that consumers would be paying for something that was going to make it easier for businesses to get information. So at the end point consumers were to pay for the information, but we are yet to see smart meters being able to provide the necessary information to consumers. The coalition government put in place a lot of reforms to that system, and I am looking forward to eventually taking shape. I note that shortly the Auditor-General will be handing down a report on smart meters. It will be interesting to see what is said about them.

There is no doubt that we need to be utilising the technology we have available to make sure that we are able to understand and take advantage of the off-peak supply, particularly as the energy market has continued pressure on it. With more people taking advantage of solar and other renewables, there is more pressure on peak supply. I note that in the coming months that will be reviewed. A number of the energy companies will be looking at some of the peak rate charges. This will create a whole lot of interesting scenarios for those who are on solar and are looking at ultimately achieving a cheaper rate. There are some challenges ahead in this particular market. Nonetheless we need to ensure that smart meters work and ultimately provide the best deal.

In 2014 flexible pricing options were introduced to help save Victorian households as much as \$160 a year. This was an important reform. Flexible energy pricing options now give Victorian consumers more choice and the ability to save more on their power bills. I note that some 75 per cent of energy customers have chosen a

market offer rather than the initial standing offer they were on. This means that consumers are getting a better deal, rather than just taking the offer that their energy retailer had put in place to start with. Unfortunately that means that 25 per cent of the market is still on the original standing offer and many of those people are paying a premium for their energy.

There is great opportunity to save for those who take up a market offer. Conservative estimates show that consumers could have saved at least \$240 a year if they changed their electricity plan in 2012–13. That does not include additional savings if a customer switched to the best advertised offer or negotiated a lower price than that advertised. There is a real monetary saving to be made by changing to the best possible offer. Also, with the range of energy plans available it can pay to shop around. Last year 28 per cent of electricity customers and 27 per cent of gas customers changed their retailer in search of a better deal.

There is no doubt that the understanding of market forces by consumers really needs to kick in here. The government needs to be promoting competition, making it easier for consumers and ultimately making it easier for them to change to different retailers, and many have taken up that challenge. As I said, I am glad that 75 per cent of consumers have taken the opportunity to take up a market offer, but I am unhappy that 25 per cent are still on original deals. That means they are paying a premium when they should not be. I suggest that the 25 per cent who are still on the original offer from their retailer are on that offer because they do not have the necessary information or they do not understand it. That is why website tools like My Power Planner are really important in providing independent advice which makes it easier for consumers to understand the energy market and hopefully encourages them to change.

I will be really interested to see what work the government does in the coming months on the strategies and plans it has in place to encourage more consumers to understand the energy market and how they can shop around and get a better deal. That will be really important in the months ahead.

The Victorian coalition's My Power Planner online tool allows customers to compare retail offers and learn more about whether flexible pricing would suit them. The reform was aided by implementing strong consumer protections relating to flexible pricing and by a public information campaign to ensure that Victorians had the facts they needed to make informed decisions about new pricing plans.

I had the opportunity of launching the My Power Planner website with the former Treasurer, the member for Malvern, and with the Swiatlo family, a traditional family dealing with the normal bills that every family has. We went through the My Power Planner online tool with them as part of that launch one Sunday afternoon and showed them what they could be saving by plugging in some numbers on the website. It was interesting to see how the website worked. It certainly prompted me to do the same and I have spoken to a number of other people who have taken up the opportunity as well. In fact My Power Planner in its first year helped more than 100 000 Victorians to find better power deals. Of those 100 000 Victorians, 95 per cent of people who used My Power Planner found deals that could save them money, with more than half of them finding deals that could save them more than \$340 a year. This is really important when it comes to the cost of living; it is a real saving.

Again, I point out that these websites are really important in providing independent advice. As I said, the energy market is a confused and competitive market and there are a whole lot of people out there providing websites that appear to be independent but are not. Having a website that is independent and having legislation such as that before the house today to ensure that retailers have to publish relevant information, making it available and independent, allows us to ensure that consumers get the best deal.

My Power Planner is the only independent price comparator on the market that has every available electricity tariff and uses your own power usage profile to find the deal that can save you the most on your bill. That is why the coalition invested an extra \$4.7 million to include gas offers and feed-in tariffs, in addition to making it more accessible for culturally and linguistically diverse communities. I am pleased that the current government has taken up the initial concept introduced by the former government with that extra funding and is going to extend it further. I will be very interested to see its implementation, and I hope it will be done properly. I note what has happened with smart meters and some of the unfortunate ways in which the Labor government has mismanaged the rollouts of programs, but this is a good program. There is no question about that. We support this program because it was ours, but, as I said, we will be watching to see how its rollout is handled. Hopefully it will be managed properly.

I also want to touch on a number of other issues. A lot of reforms are being discussed. One is that the coalition committed to amending the retail code to ensure that energy contracts can no longer use the term 'fixed'. I

note that the government has come out with some work around fixed-term contracts, but again this is a watered down change whereby consumers can still be whacked with price increases over a fixed-term contract because it does not preclude a retailer from increasing the price. A consumer can certainly get out of the contract, but that is not what they signed up to. We believe 'fixed term' should mean fixed, and that is something Labor might perhaps wish to review.

As I said earlier, this government is currently undertaking a number of reviews. You have to give the government six points for reviewing things; it is very good at that. Four reviews are underway. We have a review of the Victorian energy efficiency target; a review of coal seam gas; another review of Hazelwood, into which there was an initial inquiry done by the previous government; and we are having a review into financial hardship, which the previous government also looked into. There are four reviews under the energy portfolio. This is the first piece of legislation of this type we have seen before the house in six months, and it is the work of our previous government. If you compare the government's legislative output to the huge lot of reform our government made, this government is not getting in there with a broom and moving in a robust fashion when it comes to rolling out energy policy.

Nonetheless, I want to look at some of the reviews being undertaken. One review is looking at the Victorian energy efficiency target (VEET). This scheme was developed by the coalition government and is very good legislation to encourage people to become more energy efficient and to reduce their emissions. The former coalition government established a review in February 2014 in the form of an independent business impact assessment (BIA) commissioned by the then Department of State Development and Business Innovation. The BIA found continuation of the VEET would cost the Victorian economy \$700 million and non-participants \$50 per annum and would impact on low-income households the most, as future initiatives under the scheme would require up-front co-contributions, reducing low-income household participation while exposing them to scheme costs.

One of the difficulties of this is that a lot of low-income households that are often huge energy users cannot afford the sorts of co-contributions that we are talking about with these schemes. Now the available rebates are being stepped up, which means a bigger co-contribution and greater cost. I will be interested in where the government goes with this review, but I note that recently at the Public Accounts and Estimates

Committee hearing the Minister for Energy and Resources confirmed that the Labor government will spend \$1.17 million of taxpayer money on a second review. We have already had a review on VEET which told us that all the low-hanging fruit had pretty much been taken up by this scheme. Labor has now come in and said, 'We're going to have another review and spend \$1.17 million of the budgeted \$1.9 million'. That does not leave a lot of fat in terms of implementing change after the review. I think the taxpayer would probably be more hopeful if, rather than more talkfests, we had some action and their money was spent on things that are going to make a difference.

The Victorian government has been making a lot of noise around a Victorian renewable energy target (VRET). There has been uncertainty for a long time around a national renewable energy target. On the coalition side we were happy when there was final consensus from the federal Liberal government and Labor opposition in agreeing on a national renewable energy target. The main element of this is to provide certainty and to encourage people to invest in renewables, which we think is very important. However, we find it quite ironic that the current Premier is jumping up and down and saying, 'Give us the opportunity of creating a Victorian renewable energy scheme. Let's again duplicate another lot of bureaucracy and have our own scheme'. A number of other states have started doing things in this area, and if the Premier would like to do that, I suggest that he go right ahead and do something rather than trying to politically grandstand in this area.

What I find rather bizarre and absolute hypocrisy is that we have the Premier suggesting we are not doing enough when it comes to renewables — and I am sure the Greens would be interested in this — and that Labor is the saviour when it comes to renewables. I note that the small amount of money that the government is suggesting be put into renewables is insignificant compared to what the previous government funded when it came to some of the sustainability projects. We have a Labor government committing \$20 million over four years to a program compared to the \$42 million that the coalition government spent on sustainability and energy initiatives in one term, including a whole range of different programs in solar. There is \$20 million over four years, and we had \$42 million, so I am not so sure whether the Labor Party can claim itself as the new saviour when it comes to renewables.

What makes it really bizarre is that the Labor Party, the Premier and the government claim that they want their own Victorian renewable energy target. As I said, that is fine: if that is what they want. They can go ahead and

create more programs and schemes. What is bizarre is that only last week they announced four new licences to explore for coal in Victoria, and the government has also granted a separate coal retention licence. I am sure that the Greens would have plenty to say about this. I had figured the play Labor was making on renewables was trying to take a bit of market share from the Greens. I am not so sure about that now when Labor is announcing that it is going to invest in these new coal licences.

An article in the *Age* of 17 June says:

The new coal licences come as the state government has heavily promoted its climate change credentials since winning the 2014 election, launching a wholesale review of climate change laws and programs and saying it wants to re-establish a state renewable energy target.

This is absolute hypocrisy. I am not sure how the government can proclaim Victoria to be the green state — the greenest state going — and be competing with some of the other states when it is also playing this card. The government has to work out where it wants to be in the energy sector.

I want to make mention now of some of the work that was done in solar energy by former governments. In 2009 the Brumby Labor government was quick to introduce a premium feed-in tariff for solar of 60 cents per kilowatt hour for 15 years. That was great work if you could get it. If you were one of those early adopters who put up your hand for that, you would be absolutely laughing right now because you would be paying nothing. Instead you would be collecting a cheque each month. Because of the way this was rolled out, people who are receiving the 60 cents per kilowatt hour are benefiting at the expense of others, who will be subsidising them over the coming years.

You do not have to take my word for it. A report by the Grattan Institute released in May highlighted yet another example of Labor's lack of foresight when it comes to costly policy, in this instance subsidising solar photovoltaic (PV) panels. Solar PV is a great idea, but the implementation of this policy was poor. We see time and again Labor's struggle with implementing commercial ideas. It can claim everything it likes about it being the party for renewables, but when it comes to implementation of economic policies it does it poorly. Labor is very much a second or third cousin when it comes to this sort of stuff. The tariff was corrected by the Victorian coalition government in 2011 to a transitional feed-in tariff of 25 cents per kilowatt hour lasting until the end of 2016. The coalition then brought in a standard feed-in tariff from 2013 for systems of up

to 100 kilowatts, compared to the previous restriction of 5 kilowatts, at a level of 6 to 8 cents per kilowatt hour.

The premium feed-in tariffs scheme established by the former Labor government is collectively costing Victorians an extra \$41 million on their electricity bills every year through to 2024. In addition, this poor decision-making by Labor, as identified by the Grattan Institute — not the Institute of Public Affairs; the Grattan Institute — has contributed to the cost of solar PV take-up outweighing the benefits by \$10 billion. By the time the subsidies finally run out, households and businesses that have not installed solar PV will have spent more than \$14 billion subsidising households that have. In its report the Grattan Institute says that governments, such as Labor in 2009, 'have created a policy mess that should never be repeated'. It is bizarre. I am seeing it now, and I am sure many of my colleagues are getting emails from constituents who signed up to something but are now suffering because what they are getting now is not what they originally signed up for. It has been an absolute policy mess.

I look forward to seeing how the government is going to handle this one, because there are a lot of unhappy customers out there. I flag the fact that when the energy companies look at bringing in a charge on peak supply, the first people who will suffer will be those who have installed solar power. Those who installed solar power are the ones who are benefiting from the off-peak rates currently, but when it comes to peak rates in the evenings, when the solar power is not kicking in, that is when they will be charged and that is when they will see the increase in their bills. I will be very interested to see how Labor handles the huge number of emails I am sure it will receive. No doubt the Minister for Energy and Resources is recruiting staff right now to address those letters from the many constituents out there who signed up in good faith thinking they were going to get a deal on solar but who were sold a lemon under the former Labor government.

Just to give members more context around this and solar, Victoria saw a 33 per cent increase in solar connections for the first six months of 2012 compared to the same period in 2011 despite the feed-in tariff stepping down from 60 cents per kilowatt hour to 25 cents per kilowatt hour. This demonstrates that when you combine the falling cost of solar with the rising price of electricity, the latter drives the uptake rather than the feed-in tariffs. Again it is down to market forces. And it should be market forces doing this, not a huge subsidy that you are kicking in and which people sign up for under false pretences, thinking that they are going to be in this for life. Ultimately, when the subsidy goes away, the consumer is left with nothing, and that is

what we have seen here thanks to the previous Labor government.

I will conclude by saying that energy is a really exciting area. I know a lot of people do not get excited by it. I do, because I think it is the epitome of where market forces should be operating. There should be competition. We should be promoting competition, and I am a firm believer that the renewables conversation we are now hearing in the marketplace will further embrace that and give customers an opportunity to make that choice. Ultimately, giving customers that choice and providing more competition will drive down prices and deliver efficiency. It is up to us as policymakers in this place to ensure that we provide that competition, ensure that consumers are not being ripped off by dodgy deals and ultimately ensure that we have all sorts of information available for them.

There is no question that energy is a quite confusing space for consumers. It is an area that needs to be simplified. The My Power Planner website was designed to make it simpler for consumers, and it was a very important initiative of our government. Extending the My Power Planner website to include gas and renewables gave more information, more transparency and more choice to consumers. However, I caution against the implementation of this current initiative. I hope the government gets it right. I hope the government ensures that consumers ultimately get the best deal on energy. I will be watching to see what happens in the coming months.

Mr McGuire (Broadmeadows) — This bill is important, because it allows families to cut their cost of living. It is also important for businesses, because they can cut a better deal. The key is that they can make more informed decisions. I am therefore delighted to rise to speak in favour of this bill, which comes at a time when issues of equity are in play more than they have been for a long time. Specifically in my electorate of Broadmeadows, which is the poorest electorate in the state based on average weekly earnings, and which was the hardest hit by the Abbott coalition government's first budget. Let us not forget that unfairness was at the heart of the Prime Minister's so-called near death experience, which is the way he described it himself.

I am delighted the Minister for Energy and Resources has brought the bill to the house, particularly as she knows very well the issues concerning areas and postcodes of disadvantage, having a very close connection to Melbourne's north. The bill is an important evolution in how we are able to get a better deal and a fairer go for families and for businesses. I am glad to hear that the opposition will not be opposing the

bill, which supports the expansion of the government's price comparator website tool, My Power Planner, by requiring gas retailers to provide details of their gas retail offers and electricity retailers to provide details of their feed-in tariff offers to the price comparator website. Through the expansion of the price comparator tool, this will help Victorian energy consumers find the best energy offers available to them, as the tool will provide access to information on gas, electricity and solar feed-in tariff offers all in the one place. This is important for people to be able to know and understand. It is a reliable and credible source for people to go to, and it is a one-stop proposition.

Why would we do this? We want people to shop around to save money. The analysis shows that 93 per cent of customers who visit the government's price comparator website can save money by switching plans. That is an incredible figure to take into account. Under the previous government the Victorian energy retail market was in decline. Between 2011–12 and 2013–14 disconnection rates increased by 42 per cent among gas customers, and there was a 36 per cent increase in electricity customers being disconnected as well. Wrongful disconnection rates more than doubled, increasing from 442 to 1022. Average debt upon entry into hardship programs surged from \$742 to \$1034. Affordability cases considered by the Victorian energy and water ombudsman increased significantly as well, with these cases — relating to disconnections, collection of debt and payment difficulties — rising by 48 per cent.

The Andrews government is now acting to improve the results for consumers in the Victorian energy market. That is at the heart of this bill. It includes promoting competition — and I am surprised that the lead speaker from the opposition did not give greater emphasis to the use of competition as a tool in this mechanism — by ensuring Victorians will have access to a dynamic and comprehensive price comparison website. By way of other initiatives to enhance the consumer protection framework, the Andrews government is also giving the Essential Services Commission the power to fine energy companies for breaches of the energy laws. It is also banning early termination fees for contracts with price variations, prohibiting higher supply charges for solar customers and doubling the wrongful disconnection payment to customers from \$250 to \$500. This is an essential service. Particularly when we are feeling the cold and the bite of winter, people need to be able to have the security of not having their energy disconnected wrongfully. There will also be a requirement for the Essential Services Commission to provide annual and quarterly reports on its compliance and enforcement activities.

A suite of measures is being brought together in this bill to get a better deal for consumers. The government's price comparator website will be expanded to allow customers to compare gas retail and feed-in tariff offers in addition to electricity offers from September. Also, the overall usability and accessibility of the tool will be improved, with a strong focus on creating a more user-friendly connection. This will include access to an interpreting service to help facilitate use by people from culturally and linguistically diverse backgrounds. That is another critical issue for the people of the community I represent, Broadmeadows, where we have people from more than 160 nationalities now calling Australia home — it is a virtual United Nations in one neighbourhood. We can never overestimate the importance of people being able to know and understand that there is a better deal available, and this is particularly important when you are in the poorest community.

I really wanted to speak about that aspect, because the need for this reform is highlighted by a recent report of the Australian Council of Social Service, the peak body of the community services and welfare sector and the national voice for the needs of people affected by poverty and inequality. The council's report states:

People on low incomes are more likely to own old and inefficient refrigerators ... use cheap and inefficient heaters ... and are more likely to use electric hot water heaters which are more expensive to run than gas or solar systems ... Aggregate data provided by the NSW home power savings program showed that 77 per cent of low-income homes visited by the program had gaps in doors and windows ... Low-income tenants are twice as likely to be living in an uninsulated home, when compared to owner-occupied homes ...

The council notes many people living on low incomes are also rationing their energy consumption; this is the reality that underscores the need for this legislation. The council of social service report says:

There is a minimum level of energy needed to maintain health and wellbeing for all people, yet there is evidence of disadvantaged households demonstrating an 'energy conservation' response to higher prices (such as avoiding heating and cooling) rather than an energy-efficient response ...

These are critical issues at the heart of this bill. If you think back, you may remember that William Butler Yeats was able to lyrically describe throwing turf on a fire in Ireland, given his ability with words. He won the Nobel Prize in Literature. But there is nothing noble about poverty and disadvantage. This is a critical proposition that the minister has brought to the house. It is an essential piece of legislation.

I also note that the Essential Services Commission report entitled *Energy Retailers Comparative Performance Report — Customer Service* notes:

The commission is concerned at the increase in the number of disconnections in 2013–14, and will investigate the issues surrounding disconnection and hardship in the Victorian energy industry.

I want to again recognise the minister for the work she has done on this bill. This is an advance on what we have had in the past. It will be particularly beneficial to low-income families. While it will also benefit businesses and the general community, it is particularly focused on those in hardship. This is of great moment and timeliness for all communities in Victoria, and none more than the community of Broadmeadows. With that, I commend this bill to the house.

Mr McCURDY (Ovens Valley) — I am delighted to rise to make a contribution to the debate on the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015. As the member for Caulfield highlighted, we are not opposing this bill. The main objectives around it are to amend the Electricity Industry Act 2000 to require retailers who are licensees to put general renewable energy feed-in terms and conditions on an internet site and to amend the Gas Industry Act 2001 to change publication requirements in respect of gas retailer licensee offers.

The previous government delivered on reducing the cost of living and the pressures on Victorians. We introduced greater information tools to help reduce power bills. On coming to government one of the first things we did was extend the electricity concessions to apply all year round, and that has been a significant improvement. I have certainly had people throughout the Ovens Valley commend that action and tell me what an improvement it has been for them.

The next task was to reform the smart meter rollout, which we all know was a bit of a disaster at first, and to focus on how it could be beneficial to consumers. In 2013 flexible pricing options were introduced to help save Victorian households as much as \$160 per year. That may not sound like a lot of money to some people, but it is quite significant to concession card holders, to the elderly in my community and to many others as well. Heating costs, particularly at this time of year, are quite a significant drain on the family budget.

Flexible electricity pricing options now give Victorian consumers more choice and the ability to save more on their power bills. The people in the Ovens Valley were demanding cheaper electricity. If you live in Bright or Harrierville at this time of year, I can assure you that

you need all the support you can get to keep your power bills down. The coalition's online tool, My Power Planner, allows customers to learn more about whether flexible pricing will suit them and compare retailers' offers. It is really important to have the opportunity to compare those offers.

I want to talk briefly about the Victorian energy efficiency target (VEET). The legislation developed by the former government looked to expand the My Power Planner tool to help energy consumers. The Andrews government has committed to expanding the VEET, which is a good thing. Recently at the Public Accounts and Estimates Committee hearings the Minister for Energy and Resources confirmed that the government will spend \$1.17 million of taxpayers money on a second review of the VEET scheme as part of the 2015–16 state budget allocation of \$1.9 million for the energy efficiency and productivity measures. To those of us on this side of the house, it comes as no surprise that we have another review. As the member for Caulfield mentioned, four reviews are currently underway in this sector alone.

The former government looked at VEET in February 2014 in the form of an independent business impact assessment commissioned by the then Department of State Development, Business and Innovation. It found that the continuation of VEET would cost the Victorian economy \$700 million. That is quite a significant amount. The minister also confirmed when asked that neither she nor her department were exploring whether businesses were engaging in deceptive practices or high-pressure sales tactics through the VEET scheme. Following the 2014 review that found the continuation of VEET would hurt Victoria, the coalition chose to close down the VEET scheme at the end of 2015. The VEET scheme worked well in its early stages, but an independent review made it clear that the scheme could no longer deliver benefits to the Victorian community and would in fact drive up electricity prices for most households.

I will briefly touch on the New Energy Jobs Fund. I am concerned that Labor's answer to supporting renewables in Australia is just more political spin — that it is ripping funds out of initiatives like the energy technology innovation strategy, slapping a name like New Energy Jobs Fund on it and spending its time in government gloating on the outcomes, or the perceived outcomes. The former government spent over \$42 million on sustainable energy initiatives in one term, including investment in the RayGen solar power plant in Mildura. Renewable energy now makes up 12 per cent of Victoria's energy generation, which is

5 per cent more than four years ago, and that is quite significant.

I remind the house of the Victorian Economic Development Corporation (VEDC), which the Victorian Auditor-General stated had a severe lack of adequate performance indicators and seldom adopted indicators relating to quality of performance — for example, the extent to which financial assistance increased employment and created additional export markets.

Therefore despite setting aside funds for the program, we have heard nothing as to the criteria for grants under the scheme and how Labor will prevent it from being just another fund that fails like the VEDC, which tried to pick winners but ended up with losses in excess of \$100 million.

The member for Caulfield referred to a report by the Grattan Institute released in May this year. It highlights Labor's lack of foresight when it comes to costly policy — in this instance, subsidising solar photovoltaic (PV) panels. In 2009 the then Labor government introduced a premium feed-in tariff of 60 cents per kilowatt hour for 15 years. In 2011 this was corrected by the Victorian coalition to a transitional feed-in tariff of 25 cents per kilowatt hour, lasting until the end of 2016. That is a more sustainable commitment to the community as opposed to the commitments that were delivered earlier on.

The coalition then introduced a standard feed-in tariff from 2013 for systems of up to 100 kilowatts, compared to the previous restrictions of 5 kilowatts, at a level of 6 to 8 cents per kilowatt hour. Once again we believe that was a very responsible proposal. The premium feed-in tariff scheme established by the former Labor government is costing Victorians an extra \$41 million on their electricity bills every year through to 2024, which is a significant number. For an individual customer it is not a lot of money, but everything counts. In today's world it is very difficult to make the dollars add up in the family budget, and energy costs are a significant part of the family budget, after supermarket costs. You can try to reduce them as much as you can, but ultimately there is a base below which you really cannot go. It is a bill that you will be stuck with, and you can only hope that the government of the day will support you and see that your bills are minimised.

By the time the subsidies have finally run out, households and businesses that have not installed solar PV will have spent more than \$14 billion subsidising households that have already installed solar PV. That is

an incredible subsidy — \$14 billion — and probably for those who can least afford those energy bills. Victoria saw a 33 per cent increase in solar connections for the first six months of 2012 compared to the same period in 2011, despite the feed-in tariff stepping down from that 60 cents per kilowatt hour to 25 cents per kilowatt hour. That certainly demonstrates the falling cost of solar energy and the rising price of electricity that is driving uptake, rather than the feed-in tariffs.

I hope to see the Labor government continue to copy the coalition's strategy of reforming Victoria's energy market through transparency and competition. The coalition took significant steps in reforming the energy market in its last term in government, and we hope that continues with the Andrews government. The coalition understands that there is still a great deal of reform that needs to be done in the energy market to ensure that consumers receive the best deal that is available. Sometimes the deals are out there but the public are just not aware of them, and this legislation will make significant changes so that individuals can source the best deals that are available. Additionally, the coalition committed to amending the retail code to ensure that energy contracts are no longer using the misleading title of 'fixed term' unless it includes a fixed price over the full term of the contract. Again, it is a significant change, and will benefit people in all parts of our community.

People in the Ovens Valley continue to talk to me about many issues — trains being the main one — but they also talk about energy bills, particularly at this time of the year, and I commend the bill to the house.

Ms THOMAS (Macedon) — It is my pleasure to speak today on the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015. This is a really important bill for constituents in the electorate of Macedon. Energy policy is felt acutely by my constituents. It is a piece of public policy in which my community is actively engaged. My electorate contains the Hepburn community wind farm, which is a fantastic example of what communities can achieve when they decide to take control of their own energy futures. The Hepburn community wind farm provides power equivalent to that used by 2300 homes and has enormous community support, despite the very many obstacles that Liberal governments at both state and federal levels have put in its way.

Similarly, around the Woodend area and in the Shire of Macedon Ranges, the Macedon Ranges Sustainability Group managed to keep the faith over the four dark years of the Liberal-Nationals government in its project to build a community wind farm based on the

successful model of the Hepburn community wind farm. When in opposition Labor had made a commitment that, if elected, it would repeal the Draconian anti-wind laws that had seen the Macedon Ranges Sustainability Group's plan for a community wind farm put on ice, so I congratulate the community for continuing their work and campaigning effectively in the local community for this initiative. It was with great excitement that the Andrews Labor government was elected and the community group is now working towards the realisation of its community wind farm in Woodend, modelled on the very successful Hepburn community wind farm.

In the lead-up to the last election it was very pleasing to have the member for Mill Park — now the Minister for Energy and Resources — visit Woodend and announce a grant of \$100 000 to build a community solar farm. This is a fantastic initiative and one that has been well received across the electorate.

As I said, I am delighted to see communities in my electorate taking charge of their energy futures. They are seizing the opportunities presented by new technology to take control of the production of renewable energy. Clearly any moves to expand the information that will be collected and made available on the price comparator website, as proposed in the bill, will be welcomed in my electorate. I have very energy savvy constituents, and they will be pleased to know about the bill and delighted when it eventually passes this house.

It is important that the bill is passed because the Victorian energy retail market was in a state of decline under the previous government. Between 2012 and 2013–14 we saw some alarming statistics. It was clear the government was not taking any interest in what was going on in its energy portfolio. Disconnection rates increased at an alarming rate, with a 42 per cent increase in gas customers disconnected and a 36 per cent increase in electricity customers disconnected. We saw wrongful disconnection rates double, increasing from 442 to 1022. Average debt upon entry into hardship programs surged, growing from \$742 to \$1034, and affordability cases considered by the Energy and Water Ombudsman Victoria rocketed, with cases relating to disconnection, collection of debts and payment difficulties rising by 48 per cent.

It is important to note that the previous government not only had no interest or regard for growing our renewable energy sector and enabling local communities to take charge of their energy needs but it had no regard for the cost and impact of utilities on some of Victoria's most disadvantaged people, those

who were unable to access energy at an affordable price and who did not always have the means to get the information they needed to do that. The bill is important because it expands the type of information that will be available on the price comparator website. I am pleased that gas retailers will need to provide details of their retail offers and that electricity retailers will need to provide details of their feed-in tariff offers. It is an important innovation.

The bill also sends a clear message that this is a government that is actively involved in energy policy in this state. We have a vision for energy policy, and, unlike those on the other side of the house, we have a commitment to boosting renewable energy. I despair when I think of the situation we found ourselves in. It has been extremely difficult for both the Hepburn community wind farm and the Macedon Ranges Sustainability Group to realise what they wanted to achieve in an environment so opposed at every step of the way to renewable energy, be that under the previous Liberal government in Victoria or indeed under the current Liberal government in Canberra. As we know, when it comes to wind energy we have ill-informed, ill-advised, ignorant policy positions coming from the Prime Minister, Tony Abbott. The policy settings coming out of the commonwealth are absolutely opposed to renewable energy.

This is not good enough, and it is something my community will not stand for. My community will stand with the Andrews Labor government to ensure that we reform our energy markets and that we support renewable energy now and into the future. On that note, I commend the bill to the house.

Ms SANDELL (Melbourne) — I rise to say that the Greens will support the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015. It increases the accessibility and transparency of information to energy consumers about feed-in tariff terms and conditions, and gas tariffs, which of course is welcome; the Greens always support greater transparency. Energy companies are already required to publish their terms and conditions, but the bill streamlines the way that information is made available to the public on the internet.

We have heard in this debate contributions from members on both sides of the house about renewable energy and the cost of energy, but we need to acknowledge that the amendments in the bill are quite small changes. To be honest, they do not even scratch the surface of what needs to happen to fix the regulations in our energy market, support renewable energy and deal with energy pricing. I want to touch on

some of those issues today. Currently we have a system that penalises solar power owners when they should be rewarded and incentivised. The core issue is that we need a fair price for solar power that people feed into the grid. At the moment Victorians pay between 15 cents and 30 cents per kilowatt hour for energy they buy from the grid, but they only get 6.2 cents per kilowatt hour for solar energy that they feed into the grid.

People with solar panels do a great service to the state. They reduce our state's greenhouse gas emissions, help meet Victoria's energy needs and bring down the peak price of energy for everybody by reducing peak demand from coal and gas-fired power plants. They do not push up power prices, as some may suggest. Many studies have shown that they actually bring down wholesale energy prices due to the fact that solar panels are at their greatest capacity during peak periods. People with solar panels should be fairly rewarded for this by earning a guaranteed minimum price equivalent to the price they pay for energy.

This type of policy is how Germany became a renewable energy leader: even cloudy Germany is doing better than Australia on renewable energy. Germany's renewable energy policies have meant great things for its energy system and for addressing climate change, and we should be following the lead of a country like Germany when it comes to renewable energy policies.

Also the bill does not address regulatory barriers which hold back communities that want to build renewables projects. I love the Hepburn Wind project. It is a wonderful initiative, and I have met with those involved numerous times. I commend the government for its support of the Newstead project as well; it is a great start, but overall we need to fix the system. Currently we have a system that allows solar owners to be penalised by power companies which are desperate to maintain the fossil fuel status quo. If the government is serious about supporting renewable energy in Victoria, it really needs to address this head on, instead of just tinkering around the edges with bills like this — even though this is a necessary bill.

The Greens believe the right to go solar and connect to renewable energy should be enshrined in law. No energy company should be able to prevent Victorians from switching to renewable energy just to protect its fossil fuel profits. We also need to overhaul regulations for grid connection, because they are often complex and they discourage many solar projects, particularly community-owned solar and renewables projects. These projects currently face overwhelming and

extreme regulations, which treat these enterprises essentially the same as large coal-fired generators. Exempting community-owned solar and renewables projects from these excessive regulations would be a fairly easy change that the government could make right here and now, and I will be urging it to do so.

I have met with many community-owned solar organisations in my electorate and throughout Victoria which really want this change to happen as quickly as possible so they can start getting solar panels on roofs that are collectively owned by the community. They then sell that energy to local, willing businesses. This is a great model and something that should be very much supported.

Latest surveys show that four in five Victorians support renewable energy, which is more than support any one political party, so support for renewable energy is something that really should be occurring across the whole spectrum of political ideologies. With gas prices set to rise dramatically, it is all well and good that on a website you can now look up your gas tariff, but if it is rising all the time we need to do something about that. That is where investment in renewable energy comes in.

We saw the member for Caulfield get up and say he is pleased that Labor and the Liberals have reached an agreement on the renewable energy target, but in fact that is a cut to the renewable energy target from 41 000 gigawatt hours to 33 000 gigawatt hours. I am struggling to see why the Liberals would get up and support cutting investment and jobs here in Victoria. It is a disgrace.

On the other side of the coin, we have the Liberal government saying it supports a Victorian renewable energy target, which is wonderful. It is a policy that the Greens took to the election; ours was the only party to take that policy to the election. However, we are going to see a vote in the federal Senate tonight on the federal renewable energy target, including on a Greens amendment which seeks to remove section 7C. If we remove section 7C, it would let states set their own renewable energy target. It is looking as if not only Tony Abbott and his Liberal mates but also the Labor Party at a federal level will vote against removing section 7C. So even the Victorian Labor Party's colleagues in the federal Labor Party do not want Victoria to be able to set its own renewable energy target. That really beggars belief. I cannot understand why the Labor Party would try to block states setting their own renewable energy targets.

However, if that outcome does eventuate, I am hoping the Victorian Labor government will set its own renewable energy target through another mechanism, such as the way the ACT has done it. It is very possible, and that is what the Greens have been calling for all along. I actually think it is a more efficient and better policy, because contracts for different state policy are less able to be repealed by future governments. They can be of equal or lower cost to governments, and this model creates more certainty for the industry. I have spoken to many people in the industry about this, and I urge the Andrews government to set a Victorian renewable energy target through a mechanism that does not rely on federal Labor and federal Liberals removing section 7C, because it does not look like they will do so.

I also need to touch on the issue of coal licences. If we are talking about transforming our energy system, the recent decision by the Labor government to approve four new coal exploration licences and one coal retention licence is completely at odds with decarbonising our energy system and moving to renewable energy. If we want to protect ourselves from climate change, the clock is ticking; time is absolutely running out. If we want to protect our way of life, our industries, our environment, our water supplies and our agriculture from climate change, we cannot have more coal expiration licences. I know there are voices across Victoria, particularly in regional areas where those coal expiration licences have been issued, that are crying out and saying, 'This is absolutely the wrong way to go'. I hope the Labor Party heeds those calls.

Lastly, I wish to touch on the issue of the cost of living. Many members in this house have talked about how important the cost of living is, so we need to look at the cost of energy, which is increasing all the time and has a huge impact on residents of low socio-economic status, including many people in my electorate, some of whom are of the lowest socio-economic status in Victoria. If we want to get serious about the cost of living, we need to get serious about the real cause of the rise in energy prices.

Many reports, including a recent one by the Australia Institute, have said that the real reason that energy prices have been increasing is bad planning of the system, marketing efficiency and in particular overinvestment in poles and wires by network companies. These companies have overestimated energy demand. They have not done this just because they have made a mistake. In some cases maybe they have, but in many cases they were incentivised to overestimate demand, because for every dollar they spent on poles and wires or new energy infrastructure

they received a guaranteed 10 per cent return. In many cases, 50 per cent of the new infrastructure that was built in the energy system was unnecessary. We have unused substations and the situation is particularly bad in New South Wales. There are substations in places like Newcastle that are not even connected to the grid, because they were not needed. Demand has been overestimated, which has meant that all the cost of infrastructure has come onto our energy bills, and the network companies have made windfall profits because of that.

We have seen these incredible rorts and market inefficiencies in the system because of the privatisation of the energy system. Privatisation of the system has made it a lot more difficult for governments to intervene to move towards renewable energy. At the moment we are seeing the consequences of some very poor energy market decisions that were made in the last few decades. If we are really serious about addressing the cost of living, that is great: let us put our energy tariffs on a website so those costs are more transparent — I absolutely support that — but let us also address the fundamental issues as to why our energy prices are rising and how we can increase renewable energy in this state.

I look forward to working with the government to make both of these goals a reality, and I reaffirm that the Greens support this bill.

Mr PEARSON (Essendon) — I am delighted to join this debate on the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015. As has been mentioned previously, we have a diverse range of energy suppliers in Victoria. That is a good thing because that diversity helps us to better tackle climate change. This bill is important because it helps people to make better and more informed choices and decisions about energy products. Providing citizens with the information to make better choices is the most effective public policy tool ever. Whether it is information relating to this particular issue or whether it is the Transport Accident Commission campaigns going back to the late 1980s, if government is better able to inform the public, it can ensure that people can make informed choices and decisions, and generally that leads to better outcomes.

The member for Melbourne talked about the evils of privatisation.

Ms Sandell interjected.

Mr PEARSON — The reality is that privatisation in Victoria has brought great benefits. Privatisation creates

a contestable market, and Victoria has one of the most contestable markets in the world. Having a degree of contestability in the market means that businesses have to try to create new markets for themselves, and that encourages them to create new products and new product offerings. Back in the days of the State Electricity Commission of Victoria you did not have that level of innovation. This big, slow, lumbering statutory corporation had been around since the 1920s, and it was a force unto itself. It was not an early adopter of technology or innovation. It would be an absolute nonsense to think that if we had this slow, lumbering giant still on our balance sheet today, we would see the sort of innovation we are currently seeing in Victoria. Compare the situation in Victoria to that of New South Wales or Queensland. We are far better off having a more nimble and flexible approach with that level of diversity.

Another reason this bill is important is that it helps to start the process of preventing issues around bill shock. I have two very large public housing estates in my electorate, and I can say that bill shock is a real issue for people. It is an issue in terms of people having to find the money to pay energy bills every quarter. It is also an issue for people suffering from mortgage stress or people simply trying to deal with those lumpy costs that come in on a regular but sporadic basis, such as local government rates or energy bills.

Recently I met with Dave McNamara, the CEO of Foodbank Victoria at Yarraville. Foodbank now services approximately 750 000 Victorians who cannot feed themselves, and energy bills are one of the key drivers of that. Mr McNamara advised me that previously Foodbank's main clientele were single parents, the unemployed and the homeless, but in the last 18 months it has seen more working families needing help and assistance. Foodbank is now providing about 14 million meals a year. We are regularly seeing that more than 10 per cent of the people in this state are unable to feed themselves. A piece of legislation like this is important, because at the very least it will start helping to mitigate and reduce those risks.

In preparing for this debate I was interested in looking at the way energy usage in Victoria has changed over time. For the best part of 10 years Melbourne has been growing at a rate of between 1000 and 1500 people per week. I am totally and utterly in favour of that, because we need to grow our taxation base and we need a stronger and larger Victoria to cater for the growing demands and pressures we place upon our society and our community.

If we look at the Australian Energy Market Operator's *National Electricity Forecasting Report* of 2013, chapter 6, page 1, shows that from 2008–09 to 2012–13 annual energy use declined by 855 gigawatt hours, which was an annual average decrease of 0.4 per cent. What does that tell us? It tells us that despite the fact that the population of Victoria has been increasing week in and week out for the best part of a decade, we are now using less power than we were five years ago.

Despite what the member for Melbourne said earlier by interjection, clearly we are more efficient now, and clearly we are using energy more efficiently and effectively than was previously the case. Moreover, we are now transitioning to a future where we will look at having battery packs and solar energy. That is a good thing. That will reduce the requirements and the pressure on the transmission businesses and will ensure that we reduce the level of coal we are using.

We also need to think about and talk about not leaving behind the people in the Latrobe Valley. The International Monetary Fund recently produced a paper entitled *Causes and Consequences of Income Inequality*, which states:

... technological changes can disproportionately raise the demand for capital and skilled labour over low-skilled and unskilled labour by eliminating many jobs through automation or upgrading the skill level required to attain or keep those jobs ... Indeed, technological advances have been found to have contributed the most to rising income inequality in OECD countries, accounting for nearly a third of the widening gap between the 90th and the 10th percentile earners over the last 25 years ...

When you look at transitioning away from coal and talk about closing down power stations like Hazelwood, you are going to be talking about reducing the overall number of jobs in the Latrobe Valley. That is why we need to have a clear-minded and sensible approach to the transition. The Prime Minister, Tony Abbott, has campaigned for years on three-word slogans like 'Axe the tax' and 'Stop the boats'. The Greens are more efficient than the Liberal Party — I will give them that — because they have two-word slogans. They just say, 'Close Hazelwood'. Close Hazelwood and everything will be fine.

I have not heard these people talk in here for one moment about putting in place appropriate structures to carry these people through a difficult transition. They do not care. They say, 'We don't care about the workers. We don't care about the jobs. Just close Hazelwood and all will be fine'. They are an absolute disgrace. I commend the bill to the house.

Ms EDWARDS (Bendigo West) — I am very pleased to make a contribution to the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015. The bill requires retailers who are relevant licensees to input general renewable energy feed-in terms and conditions on an internet site nominated by the Minister for Energy and Resources and also to amend the Gas Industry Act 2001 to change the publication requirements in respect of gas retailer licensee standing offers and relevant published offers so that requirements are aligned with the requirements for electricity retailer licensee standing offers and relevant published offers under the Electricity Industry Act 2000.

I remember during the election campaign in 2010 that the now opposition went to that election with a slogan about reducing the cost of living for people across Victoria. Sadly, that did not eventuate. Instead we saw people struggling more and more with the cost of living. The fact that there are only two opposition members in the house to listen to the debate on this bill indicates that their interest in protecting their constituents or assisting them with the cost of living pressures they face is minimal.

We know that Labor governments in Victoria have always led the way in providing information to consumers about the energy market. It was a Labor government that initiated the YourChoice website, which was Victoria's first government-driven energy comparator and information website, and it was through this website that Victorians were given access to a range of information regarding the energy retail market, including pricing offers and the names and contact details of participating retailers. Through this bill the Labor government will once again improve the information available to Victorians regarding the energy retail market. We will expand the current government energy price comparison website to include gas retail pricing and feed-in tariff offers. At present the website only allows consumers to compare retail electricity offers that are available to them.

I also recall the very difficult time that many of my constituents went through when the feed-in tariff was reduced by the previous government. Many people in my electorate were caught in a bureaucratic nightmare. The tariff dropped from 66 cents in 2010 and is down to just 6 cents now. At that time many people contacted my office. They were in great distress when they found out that their investment in solar panels, which in many cases they had scrimped and saved to install, was not going to bring them the tariff return they had anticipated. At that time there was a lack of detail and

information about the tariff reductions, and this led to much confusion and distress among many people.

Without knowledge people cannot make informed decisions, and they can be caught out with additional costs they had not been aware of. This bill is so important because it provides knowledge to consumers so that they can make the best choice available to them. We want to see people being able to shop around and save money. Current analysis shows that 93 per cent of customers who visit the government's price comparator website can save money by switching plans.

Under the previous government the Victorian energy retail market was definitely in decline. Between 2011–12 and 2013–14 disconnection rates increased. There was a 42 per cent increase in gas customers being disconnected and a 36 per cent increase in electricity customers being disconnected. Wrongful disconnection rates doubled, increasing from 442 to 1022. The average debt upon entry into hardship programs surged, whereby average debt grew from \$742 to \$1034. Affordability cases being considered by the energy and water ombudsman of Victoria rocketed, and cases relating to disconnection, collection of debt and payment difficulties rose by 48 per cent. There was certainly no reduction in the cost of living.

As we approach the middle of winter we find many people struggling to meet their household energy bills. Certainly the move away from wood fires to gas-powered and electric heating within the public housing sector has made a difference to a lot of people's lives, but it has also meant that during times like now, where heaters are being blasted for almost 24 hours a day, the cost to the average consumer is becoming very difficult to meet. When you have people who are struggling to make ends meet on a day-to-day basis, to put food on the table every day and to pay the cost of petrol in order to send their children to school, the additional cost of heating their homes to provide some comfort can be a large burden on many families.

The Andrews Labor government is now acting to improve outcomes for consumers in the Victorian energy market. This includes promoting competition by ensuring that people have access to a dynamic and comprehensive price comparison website. In other areas we are doing more to enhance the consumer protection framework. We have given the Essential Services Commission the power to fine energy companies for breaches of energy laws, we have brought in a ban on early termination fees for contracts with price variations and we have prohibited high supply charges for solar customers. We have doubled the wrongful disconnection payment to customers from

\$250 to \$500 per day, and we have required the Essential Services Commission to provide annual and quarterly reports on its compliance and enforcement activities.

This change does not materially impact gas retailers. Instead of providing information to the Essential Services Commission for publication on the YourChoice website, retailers will now provide information to the website nominated by the minister, including gas retail offers, which will improve transparency in the gas retail market and help encourage competition between gas retailers. Electricity retailers are now not required to provide information on feed-in tariff offers to any independent website. However, many retailers are already voluntarily providing that information, and meeting their obligation to publish feed-in tariff offers on their own website and in the *Government Gazette* will continue. The new obligation to provide information on feed-in tariff offers to a website nominated by the minister is not expected to impose any significant additional burden.

Before I conclude, I add that I have just had an intern do a very significant study on renewable energy and the interest in renewable energy in my electorate of Bendigo West. The response to a survey sent out by the intern who has been working in my office was quite extraordinary. There is a huge demand in my electorate for renewable energy and the introduction of greater solar energy and wind farm energy.

I have just received the report from my intern. I have not had a chance to read it yet, but I am looking forward to that because I think what it indicates is that my electorate in particular is very well suited to ensuring that renewable energy is something this government will look forward to in the future, that it will invest in in the future. This will bring jobs to my electorate, and it will benefit the whole of Victoria ultimately. I commend the bill to the house.

Ms HALFPENNY (Thomastown) — I also rise to support the Labor government's Energy Legislation Amendment (Publication of Retail Offers) Bill 2015, which will amend the Electricity Act 2000 and the Gas Industry Act 2001. In essence, as other speakers have said, the bill is about requiring energy retailers, not only electricity retailers but also gas retailers, to provide details of retail programs and offers for consumers online and also to include solar feed-in tariff offers on a website so consumers can make a more informed decision about what companies they will choose and what programs would best suit them, in order to hopefully reduce their gas or electricity bills as much as possible.

As the Minister for Energy and Resources said in the second-reading speech for this bill, Labor governments in Victoria have a long and proud history of leading the way in providing information to consumers about the energy market. I add that Labor governments, both past and present, have done a lot of work in the energy market not just in the space of consumer rights and consumer choices by providing information to make informed decisions but also around providing incentives and encouragement to allow the establishment and flourishing of an alternative energy industry. That was almost dismantled by the coalition government.

We have to look at the program for online transparency on prices, which is what this bill examines. It is a really good initiative, originally required for the YourChoice website under the Bracks and Brumby Labor governments, to provide consumers with choice and information. The only alternative energy initiative the coalition government attempted was to revamp the website and call it My Power Planner, with some tinkering around the edges.

In addition to that, the coalition government never really looked at things like how people could move across to alternative energy systems to reduce costs in a much broader way. For example, we all know about the policies and legislation aimed at crippling the wind energy generation industry in Victoria. Companies such as Keppel Prince Engineering in Portland had massive problems in places like Warrnambool in western Victoria. That sort of legislation can really destroy industries. Similarly, the former government also reduced the feed-in tariffs, thereby resulting in less encouragement for people to switch from coal-generated electricity to solar energy. Again, that caused all sorts of problems within the alternative energy industry.

Another example is saving water, as well as energy. There were lots of programs from the previous Labor government to provide incentives to encourage, for example, big food companies to reduce their water usage and waste, and to reduce energy consumption through other means, whether through using alternative energy or implementing programs that would reduce the amount of energy they used in terms of coal-fired energy.

This legislation is a really good step in putting foresight and planning into what we know is coming in relation to the increases in gas prices because of federal legislation and where that is going. It is also good that the bill recognises in a more thorough way the feed-in tariff system whereby people can have solar panels and

any extra energy generated through those solar panels can be fed into the grid and they can get some sort of compensation or offset for the electricity they have generated and supplied to the grid for power companies to then onsell to other people.

Everywhere you go in the electorate of Thomastown people talk about energy initiatives, and their no. 1 concern is about the fast rising and skyrocketing prices in the electricity sector and now the gas sector. While this bill enables people to hunt around for the best possible price, it does not necessarily change the issue of having to look for alternative energy sources. I have great confidence, and I believe a lot of work is being done by the current energy minister and the Labor government in looking at ways people can reduce the cost of electricity and gas through having real programs that look at the alternatives.

There are some really good initiatives by councils in this area; for example, at Darebin City Council, where part of the municipality of Darebin includes Thomastown, and also at Moreland City Council, where the councils have some great initiatives around providing residents, particularly those on fixed incomes and low incomes, with the opportunity to install solar panels and pay for them over a 10-year period, having the payments incorporated with the rates for their houses.

A lot of people who cannot afford a large, one-off payment to convert to perhaps lower cost energy solutions such as by installing solar panels are able to do that through the encouragement and support of, say, the Darebin council. Over 10 years they can pay for the cost of those solar panels through their rate payments, so they pay only a small amount each year. If they move, the payment is attached to the house. Therefore if they leave within the 10 years the individual who installed the solar panels does not have the burden of having to continue to pay for them. That is a really good initiative and, together with a government that has the will to develop and an interest in developing good industries and jobs around the alternative energy sector as well as a real concern about the cost of power, particularly for those on low and fixed incomes, it will mean that we will see a lot of good things in this space.

The main municipality in the electorate of Thomastown is the City of Whittlesea. I have to say that on this matter the council is a little disappointing. It does not have anything like the sorts of programs or systems that have been introduced in Darebin. I encourage the Whittlesea City Council to start looking seriously at introducing in partnership with the state government programs by which we can really tackle the problem

that we all know is there and that will only get worse, not better. In many cases in Thomastown households of older people who are retired and often are on fixed incomes such as pensions have a much smaller number of people in the household but they still need to heat a full house. We also have a lot of young families moving into the new suburbs. These people are first home buyers who have very high mortgages and young families and all the costs that go with that. Programs that allow for the reduction of energy costs through the support of council and the state government will go a long way to supporting and helping those families in a very real sense.

Again, programs such as the one I have talked about, by which the installation of solar panels can be paid through rate payments as part of a council program, are what the Whittlesea council needs to initiate. I hope that in the very near future the Whittlesea council takes a serious look at this issue and does something that will be of great benefit and support for the community by helping people to reduce the cost of their electricity and also of course support industry and jobs into the future.

Debate adjourned on motion of Mr FOLEY (Minister for Housing, Disability and Ageing).

Debate adjourned until later this day.

ROAD SAFETY AMENDMENT (PRIVATE CAR PARKS) BILL 2015

Second reading

Debate resumed from 10 June; motion of Ms GARRETT (Minister for Consumer Affairs, Gaming and Liquor Regulation).

Mr NORTHE (Morwell) — I am pleased to rise this afternoon to speak on the Road Safety Amendment (Private Car Parks) Bill 2015. From the outset, I indicate that whilst the coalition understands the intent of the bill, it has some concerns about particular aspects of the bill. I will raise those concerns in the course of my contribution to the debate.

The bill amends the Road Safety Act 1986 to abrogate any entitlement to a preliminary discovery order against a corporation for the purpose of recovering private car park fees. I guess the rationale of the bill is a response to suggestions and many media articles that propose that quite a few private car park operators have been ripping off motorists over a period of time. In the current situation where you have a pay-and-display car park scenario, if the operator believes that a motorist has breached the terms and conditions of that private

car park the operator would apply to the Magistrates Court to obtain owner details of a car through VicRoads so that they can pursue the motorist for payment or further payment. The bill effectively removes the ability of private car park owners to obtain the details of car owners in their endeavours to recover private car park fees. It must be said that in many circumstances private car park owners and managers are going on to hire debt collectors who, it is said, are pressuring many motorists in making sure that the payment is made.

Clause 3 of the bill inserts new section 90R, headed 'Discovery for purpose of recovery of private car park fees'. It provides:

- (1) Any entitlement to a preliminary discovery order against the Corporation for the purpose of the recovery of private car park fees is abrogated by this section.
- (2) A preliminary discovery order is considered to be for the purpose of the recovery of private car park fees if the order is sought to assist the applicant to ascertain the identity or whereabouts of a person sufficiently for the purpose of commencing a proceeding against the person for the recovery of private car park fees.

It is important to understand what the term 'private car park fee' means. That is outlined in new subsection (3), which provides that:

In this section —

private car park fee means any amount alleged to be payable under the terms and conditions of a contract, arrangement or understanding in relation to the use of a car park (such as an amount payable for the use of the car park and including an amount payable for breaching those terms and conditions), but does not include an amount alleged to be payable under the terms and conditions of a contract that is in writing and signed by the relevant parties.

In some circumstances there is a written agreement between entities or parties and that is exempt from the legislation.

Of course the coalition absolutely supports the introduction of any measures that ensure that consumers are protected in cases of their being ripped off. There is no doubt that all members of this chamber support that. However, there are varying views and opinions on the proposed legislation. As I said, the coalition has some concerns about it and I want to outline those in my contribution.

As you, Acting Speaker, would know, whether you be in a city area or in regional Victoria, there is always a pressing argument about car parking. Many cases of grievances about the cost and capacity of car parking have been highlighted in the media. Whether a person has received a council fine, been subject to the costs of

airport parking or otherwise, car parking has certainly been a contentious subject over time. Governments of all persuasions, along with local government, must ensure that there is enough car parking capacity in our CBDs and other places so that people can get from point A to point B. I know that my friend the member for Mornington will raise this matter in his contribution, but it arises also for people in business.

In shopping strips where limited car parking is available, the rotation of cars to ensure that there is a continual flow of shoppers is vitally important, particularly in our regional communities. Many car parks in Victoria are managed or owned by councils, but there is also a significant range of private car parks in addition to those.

There has been a quite a bit of publicity in recent times with regard to the legislation we are debating today. An article in the *Herald Sun* of 10 June under the heading 'Move to curb fake fines' says:

Private car park operators could soon be banned from demanding private details of drivers in order to hound them over fines, under draft new laws.

The proposed law change comes after some operators were accused of slapping drivers with unfair penalties for overstaying, and later mining motorists' names and addresses from VicRoads through 'preliminary discovery' court orders.

An article in the *Age* of the same day under the headline 'Road block for private parking companies' says:

The government will on Wednesday introduce new legislation banning private car park operators from petitioning a court to get access to a motorist's registration details and issue them with fines. These are often legally unenforceable.

Digressing slightly, it is important to understand that there have been decisions in the past by the Victorian Civil and Administrative Tribunal and the Supreme Court which have deemed some of these claims as unenforceable. That is really on the basis of suggesting that, for example, if the member for Mornington overstays his \$5 per hour parking permit by an hour, some of these private car park companies are making claims in the order of hundreds of dollars rather than the \$5 that would be owing in that particular case. The courts have deemed in some cases that these fines are unenforceable.

An article in the *Geelong Advertiser* of 12 June under the subheadline, 'Owner's vow in fines row'. The article says, referring to one of the private car park operators:

Care Park will continue to operate private car parks in central Geelong despite a government crackdown making it harder for private operators to enforce parking fines.

...

Care Park spokeswoman Yolanda Torrissi said the company would continue to operate private car parks at Cunningham Pier and Geelong Private Hospital.

I want to come back soon to some scenarios. It is not just private businesses that manage these private car parks; it can be hospitals and councils in some scenarios. In the article Ms Torrissi is reported as saying:

... payment notices were issued to a small number of customers and was not a major part of the business.

She said payment notices covered financial losses when a customer failed to buy and display a ticket.

The same article also reports comments from Parking Australia:

Parking Australia chief executive Lorraine Duffy said the industry body was concerned about the lack of consultation.

She said the changes meant there was no deterrent for motorists blocking emergency exits, parking in disabled bays or in parents and prams bays.

The last article I will refer to — and I am not sure whether the member for Frankston is in the chamber — was published in the *Frankston Times* of 15 June under the headline 'Fight against "fake fines"'. It says:

Consumer Affairs Minister Jane Garrett said some operators in pay-and-display car parks were issuing unenforceable payment notices which were 'dressed up' to look like fines.

These fines can be between \$80 to \$100 per ticket and, if people don't pay the fines, debt collectors are sent after them.

That is just a snapshot of a range of media. It is what stakeholders had to say, and again there are varying views on that subject.

I thank the Consumer Action Law Centre very much for its response to this legislation. It has been very supportive of the legislation the government has brought to the house for debate today. I thank Gerard Brody and Denise Boyd, who, when they see an issue, always come up with what they believe is a solution. Their perspective is to welcome this legislation. The centre's media release of 10 June 2015 says:

Consumer Action CEO Gerard Brody said it was inappropriate for information held by a statutory body such as VicRoads to be disclosed to private car park operators.

The media release reported Mr Brody as saying:

Most Victorians would be shocked that VicRoads has been made to disclose drivers' personal information to private car park companies which then use that information to chase consumers for alleged debts.

The release went on to say the Consumer Action Law Centre had been contacted or its website had been accessed for this particular information and the fact sheet, and that the website had received around 22 000 hits in the last 12 months alone. That is significant by anybody's reasoning; there is no doubt about that. If I can again digress, with the will of the house and without being chastised, applications by private car parking companies to the Magistrates Court are of the order of 50 000 per year. That is also significant.

From the perspective of the Consumer Action Law Centre, it supports the legislation as proposed. However, there are contrary views, and a media release by Parking Australia of 10 June under the headline 'Parking industry seeks consultation on legislation impacting retailers' says:

Parking Australia — the association for the parking industry, has today expressed its concern around the lack of consultation regarding the policy and introduction of legislation by the Andrews government, which removes the ability of a private property owner and manager to reasonably identify and seek to recover a fee from motorists who may have breached their terms and conditions at the parking facility.

There we have it again — a broad range of views and opinions on this legislation and what should or should not be done.

As a coalition we have approached a number of different groups and received feedback, and I must say there has been consistency in some of the opposition to this bill by industry and business groups. Whether it is Parking Australia, Care Park, Ace Parking or the Shopping Centre Council of Australia, they have been quite consistent in some of their concerns about the proposed legislation. However, I repeat that from a coalition point of view we want to ensure that all consumers get a fair hearing and are not being ripped off by anybody, whether it be parking operators or others.

Interestingly, some concerns have been raised in regard to the bill's statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006. Under the heading 'Human rights issues' and the subheading 'Restricting discovery of documents for purpose of recovery of private car park fees' on page 1 of the statement the very last sentence says:

While the majority of private car park operators are incorporated and cannot claim protections under the charter act, there is potential that this amendment may affect the fair hearing rights of natural persons wishing to commence proceedings for recovery of car park fees.

I concede that is probably the case with private car park operators. They are not natural persons; they are incorporated companies. I understand that, but the point is that the statement of compatibility under the Charter of Human Rights and Responsibilities Act 2006 says that bringing this legislation to the Parliament 'may affect the fair hearing rights of natural persons'.

At this time I thank the minister's office and department for their briefing and for providing some information and answers to some of the questions that we asked, because under some of the scenarios the picture being painted is that we have these rogue business operators out there who in many cases are ripping off motorists and doing the wrong thing. No doubt there is an issue there, but where do councils fit in? Where do hospitals fit into this scenario under the legislation we are proposing? I thank the minister's office and department for providing some answers.

One of the questions we asked at the briefing and subsequently concerned the situation where there is a hospital that manages a car park, whether the hospital is privately or publicly owned. The question was: would the hospital be included within or excluded from this legislation? The answer we have received is that the hospital would effectively be a private operator, if you like, so it would be unable to use the preliminary discovery process for the purpose of recovering its car park fees. I need to repeat this on a couple of occasions, and it is outlined in the minister's response: if the claim relates to other matters, such as loss caused by damage to property, the hospital could use the preliminary discovery process. There are two distinct things here: if it were for damages to property, an entity would be able to use the preliminary discovery process, but if it is for the purpose of recovery of car park fees, then that is not the case.

Another question we raised is: if a privately owned car park requests that a council manage its operations, do councils as statutory authorities then have the ability to issue fines, and how would that affect the legislation? The answer that came back is that section 90D of the Road Safety Act 1986 authorises the owner or occupier of the land to enter into an agreement with a municipal council for the provision of car parking services. Where such an agreement is in place the council can issue infringement notices. This would not be a claim for private car park fees and would not be impacted by the proposed amendment. I hope that clarifies the situation not just for members of the coalition but also for government members. Again, I thank the minister's office and department for that response.

As I said, industry and businesses have raised a number of concerns with me. First and foremost, Parking Australia has said it is quite concerned that this legislation has been brought to this house without any industry consultation or discussion with the industry. Whilst I will talk about this in more detail shortly, it believes that the industry needs to improve the way it does things, and it has suggested some initiatives that maybe the government could contemplate. Very strong in Parking Australia's response to me was that it wants to have some dialogue with the government over a period of time. I hope that before this legislation hits the Legislative Council the government will take up this opportunity and make the time and effort to meet with industry groups, and private car park owner-operators and managers to discuss the legislation. I hope government members or the minister might be able to respond at an appropriate time to give a commitment that that will occur.

The industry has suggested that one of the initiatives or opportunities that could be explored further is to initiate an accredited operator scheme that would be supported by a code of practice. My understanding is that feedback from the industry suggests the industry is keen to roll this out and is not far away from ensuring that such a scheme could be implemented across Victoria in particular in the second half of this year. The scheme could consist of different opportunities and initiatives, but according to industry having an accredited operator scheme would enable better oversight and better regulation of operators. The suggestion is that if you went through a thorough accreditation process, then only those who are accredited under that scheme would be able to apply for details of those car owners who have transgressed the terms and conditions of private car parks.

That is one scheme that has been proposed and would be supported by a code of practice. I will not go into all the detail, as time will probably preclude me from doing so. But that is one issue we hope the government will take the time and opportunity to have a chat with industry about. As I understand it, various elements of this operate in Britain. Could it be successful here? Maybe. Maybe that is something that could be considered as an alternative. But the question that has been put very strongly on this point is: why has the government not consulted with industry on this legislation? It should take the opportunity to do that.

Other matters have been raised. The second-reading speech refers to the fact that similar legislation was introduced in New South Wales in 2012. It is probably quite difficult to understand the ramifications, if any — that is, how positively or negatively that legislation has

worked in New South Wales. Nobody would question the intent; you want to ensure that consumers are well protected. Interestingly, a report was undertaken subsequent to that legislation, in 2013 by the University of Technology, Sydney. It produced quite a comprehensive report that made a number of interesting observations. If you have a look at the executive summary on page 2 of this report, it provides an overview of the legislation and how effectively it worked in New South Wales. I will read it in part:

However, paid parking cannot work if parking operators are not able to regulate and enforce compliance with the payment system. The NSW Road Transport (General) Amendment (Private Car Parks) Bill 2012 restricted the ability of 'pay and display' car parks to access the details of the owners of illegally parked vehicles. In doing so it provided those drivers who chose to ignore the rules of the car park with what is effectively free parking. This has several unintended consequences including:

undermining state and local planning policies that promote sustainable transport;

damaging local retail business who require parking spaces to be continually turning over with new customers;

encouraging unlawful behaviour;

causing financial losses for parking operators;

inefficiently using valuable urban land.

I will continue to read from the report because it is interesting in what it says of consumers who repeatedly do the wrong thing. But might I say that 99 per cent of people do the right thing; it is only 1 per cent who do the wrong thing. The report says:

There is a perception that most people who have received a parking ticket are honest people who have accidentally stayed slightly beyond their allocated time. However, this is not necessarily the truth as a large proportion of tickets are issued to repeat offenders, vehicles who have illegally parked on multiple occasions. Fifty-eight per cent of tickets issued (in the most recent month for which there is data) by one parking operator were issued to repeat offenders and this number has been growing gradually since the introduction of the NSW amendment. Many of these tickets were issued to serial offenders; one of the parking operators recorded 123 vehicles that had been issued more than 10 tickets.

The issue of recidivism in this respect is critically important. The analysis is interesting, but there are varying views, some of which may be contrary to those of the University of Technology, Sydney, in its report on the impacts of the New South Wales legislation. Nonetheless it is important that we raise some of the concerns that the industry has in the house.

I was curious to see whether there had been an economic impact on those businesses post the 2012

New South Wales election. The authors of the report did an analysis of three companies and on page 13 said:

... Company 3 was able to provide details about the financial effects unpaid payment notices had on their company, but the loss for this company was considerable as of June 2013 they had \$314 000 outstanding in unpaid payment notices. The company had no way of enforcing payment of these notices and their representative stated that the majority of the notices issued in 2013 would need to be written off as a loss.

That is disturbing to hear. Again, we caution the government with respect to this legislation, which comes without a regulatory impact statement, about the potential impacts it may have on private car park operators. As I am sure the member for Mornington will say in his contribution to the debate, there may be flow-on effects to local businesses who rely on the churn of private car parks within CBDs, shopping centres and the like.

On multiple occasions private car park operators raised with me their lack of any recourse in situations where there is a breach of the terms and conditions for car park fees. I will give members an example. The member for Frankston is the owner of a private car park, and he charges \$20 a day for car parking. The member for Mordialloc decides to go into that car park and park his vehicle for a day. However, he subsequently decides to stay for five days instead of one. He has paid \$20 to the member for Frankston for one day's parking but he overstays by four days. His bill should be \$100 but he does not want to pay that. There is no recourse for the member for Frankston to recoup the further \$80. The member for Mordialloc might be a good fellow and come back and pay it, but the point is that a small minority of motorists and consumers will continually do the wrong thing at the expense of not only private car park operators but also local businesses who want to see the right thing done. That is of concern to us.

We understand that of the 50 000 applications that go to the Magistrates Court each year only a small percentage — around 1 per cent — breach those terms and conditions. We are concerned that if consumers have a choice between a council car park and a private car park, and they understand they are not going to be held to account in a private car park, will they walk away from council car parks and head to private car parking? We do not know. One answer is to simply install boom gates. That may be possible in some circumstances, but I am sure it is not possible in all circumstances. What comes with that? Additional costs and additional maintenance, which will drive up car parking fees as a consequence. Some car park operators have told me that it is simply not practical to do that in

many circumstances, so it is not a silver bullet for the issue I have raised.

The industry has also told me that this is the only industry where you charge a fee for a service but you have no recourse to recoup those fees — in this case car parking fees — when the terms and conditions are breached. What recourse do private car park operators have? Again, using my scenario, if the member for Mordialloc overstays his time in a car park by four or five days, does the member for Frankston then have to call the police? Can he have the car towed away? They are the questions that need to be answered in terms of this debate, and they are important ones from an industry and business viewpoint.

Fuel drive-offs could be seen to be analogous to the plight of the private car park operators we are debating today. An article in the *Herald Sun* of 19 June headed 'Cranbourne Victoria's fuel drive-off hot spot averaging 10 a month' states:

A parliamentary committee to investigate petrol theft was set up in May by police minister Wade Noonan.

Mr Noonan said:

Drivers who fill up then flee are potentially breaking the law and hurting small businesses ...

We want to know the best ways to reduce petrol drive-offs, and this inquiry will help us do that.

With fuel drive-offs the government could be seen to be siding with the people who own petrol stations and petrol companies in terms of making sure that they are not being ripped off, but I am not sure the same could be said for private car park operators who simply have no recourse or appeal mechanism to enable them to recoup unpaid fees when terms and conditions are breached. It has been said to me that the government is doing it for petrol drive-offs but is dismissive of the plight of private car park operators when consumers do the wrong thing in private car parks.

On the whole the coalition is not opposing the legislation in the Assembly. We will reserve that right when the debate comes up in the Legislative Council. But we implore the government, at the very least, to have some discussions with the industry and the business community to ensure that their voices are heard in this debate. They have proposed some ideas that may have merit, and we ask the government to seriously consider the options and alternatives that the industry and business community have put forward to us at this time.

Ms RICHARDSON (Minister for Women) — I am very pleased to rise and speak in support of the Road Safety Amendment (Private Car Parks) Bill 2015. This bill will protect Victorians from the unfair and misleading practices of some private car park operators. I want to take this opportunity to congratulate the Minister for Consumer Affairs, Gaming and Liquor Regulation, who has acted very swiftly to deal with these concerns and who wasted no time in bringing this bill before the house. Consumer Affairs Victoria receives a significant number of complaints about this issue, and this bill clearly acts to put this right and to address those people's concerns.

What is going on is that a number of these private car park operators have put in place a business model where they seek to fine vehicle owners for breaching their terms and conditions when parking in their private car parks. They do this by putting fine notices that look like official documents on vehicles' windscreens. I have paid these fines in the past, I must confess — I have been pinged for overstaying my welcome at a private car park — and the notices do look very much like the sorts of fines you would get from a local council if you overstayed your welcome at a site policed by local council officers. The notices are quite misleading with respect to the information they contain. They also ask for significant amounts of money — usually about \$80 but up to \$150 — for overstaying at the private car parking site.

If you fail to pay — this has not happened to me as yet — the private car parking operator writes to VicRoads to get your personal information and then issues a series of letters of demand, all for a bill that has been found by the Victorian Civil and Administrative Tribunal (VCAT) to be unenforceable. To top it all off, the private operator can then sell that debt to debt collectors, and we all know they can be very intimidating organisations indeed.

These private car park operators are lodging requests relating to up to 1000 vehicles at one time with VicRoads, attempting to get access to the respective names and addresses from the VicRoads database, yet all the while VCAT has determined that these kinds of fines or the damages that are being sought by the private car park operators are unenforceable because what they are claiming is far in excess of any actual loss they have suffered as a consequence of vehicles overstaying their welcome on the operators' private property. Unfortunately this decision by VCAT has not put a brake on this practice. It continues, and, as I say, it has led to a great many complaints to Consumer Affairs Victoria.

This bill will restrict access to vehicle owners information held by VicRoads. By doing so it will interrupt the business model that has been put in place. It will stop the wasting of VicRoads's time and the wasting of court time, and most importantly it will help victims who are being pinged by private car park operators. It will do this by amending the Road Safety Act 1986 to put this restriction in place with respect to access to VicRoads information.

The amendment is similar to what was introduced in New South Wales. My understanding is that the introduction of those changes in New South Wales in practical terms led to the introduction of boom gates at a variety of private car parks. In our view this is a far fairer and far more reasonable way of managing a private car parking space — with boom gates. I therefore commend the bill to the house and wish it a speedy passage.

Mr MORRIS (Mornington) — I am pleased to rise and make some comments on the Road Safety Amendment (Private Car Parks) Bill 2015. It is a relatively straightforward bill which simply adds a straightforward section to the Road Safety Act 1986, new section 90R 'Discovery for purpose of recovery of private car park fees'. The bill will remove the capacity to apply for a discovery order against VicRoads to recover private car park fees. It is an exceptionally straightforward bill, and in general terms the member for Morwell has outlined the view of the opposition on this matter.

I would say, Acting Speaker, that it is not unusual to see legislation of this nature brought in by Labor. Yes, Labor is dealing with a problem, and yes, this is probably a reasonable solution, although it is one that appears to be using a sledgehammer to crack a perhaps very small nut. I am sure, however, that if you are, as the Minister for Women who has just spoken indicated, on the receiving end of the attentions of these companies, it is a very unpleasant thing, and certainly there has been plenty of coverage of those incidents. They are, however, a minority. There are no doubt a few cowboys in the industry, but there are many other operators who are operating legitimate businesses in an entirely appropriate manner, so I am not sure that what we have before the house is the best possible solution. Yes, it deals with one part of the problem, but it does not provide a solution for those people who have been running legitimate operations.

The member for Morwell referred to a number of newspaper clippings, and there have been relevant instances close to home. There have been some issues at the Peninsula Aquatic Recreation Centre, which I am

sure the member for Frankston is very familiar with. I understand they are now largely resolved. There have been some issues on the other side of the bay in Geelong, with letters of demand being sent there.

We have had the minister weighing in and talking about people being intimidated into paying fake fines. I think that probably has been the case, but it is perhaps not as widespread as some may claim. We have even had a couple of councillors getting in on the act, one on each side of the argument — one seeking to recover costs and the other arguing that the obligations should not be met. That is, if the obligations were indeed legitimate; that councillor was arguing that they were not.

There are certainly many sides to the argument and many stories, as there always are. I am sure that all members are aware of the problems we see around primary schools at drop-off and pick-up times. Generally the easiest way to solve the problem is to get the local law officers or local police around there to enforce the law. Of course you then get a deluge of complaints in the office saying, ‘Well, I wasn’t doing anything wrong. I was simply picking up my kid’, when observing the road rules in the first place would have been helpful.

This kind of behaviour is unfortunate, to put it in the kindest terms. It is unpleasant. It sometimes appears to be intimidatory. Making applications for the details of 1000 or more vehicles at a time is clearly an abuse of the processes of the court, and if the information is not to be used legitimately — for the purpose for which it is being discovered — then that is an abuse of the processes of the court. If this is occurring, it should not be, and the legislation before the house will help to resolve that matter. But unfortunately it only goes part of the way. My concern with this bill is that many legitimate businesses will be affected as well.

I will personalise this by bringing it back to my electorate. The village of Mount Eliza is a reasonably active shopping centre. It is between Mornington and Frankston, so it is an area that tends to be more about coffee shops, restaurants, hairdressers and those sorts of services, but those businesses very much depend on having viable supermarkets to attract customers in the first place. If you lose those viable supermarkets, then ultimately the local shopping centre will atrophy and die.

I will give an example of the local Ritchies store. For quite some time it had been in a shopping centre that was not as successful as it could have been, shall we say. That was in part because of the retail mix, which has now been addressed, but it was also because of the

attached parking, which was part of the shopping centre development, where time limits were not able to be enforced. If you went into the undercroft of the car parking area at half past seven in the morning, you would find the place packed. If you went up to the shopping centre, you could shoot a cannon down the aisle and not risk hitting anyone, because everyone who had parked their car there had then dispersed and gone off to their place of employment for the day. They came back at half past five and got their car, which had been protected from the elements, and went home. Twelve months or so ago, with Ritchies redeveloped and the shopping centre starting to refresh its tenants, steps were taken to enforce those time limits through a private contractor. Very quickly the turnover in the car park improved dramatically. Very quickly the businesses became a lot more viable.

The bottom line is that this is not just about costs being added; that would not be acceptable in any case. The impact of this bill will be that ultimately the turnover of cars in the car parks will be driven down. That translates into turnover in the till being down. Turnover in the till being down means you do not need as many people to operate your business, and that means a cost to employment. I was assured during the bill briefing that this situation would not occur. Without wishing to dispute that, I am not sure that there are any other practical remedies. As the member for Morwell indicated, there are challenges around other measures. Whether you try to use local laws officers, at a fee, or police, my understanding is that neither of those alternatives is practical or capable of being utilised under the existing statutes.

I simply register my concern that very little consultation has taken place. If consultation had occurred with the operators and, more importantly, with their clients — the people for whose car parks they are charged with ensuring a reasonable turnover — then this could have been a better piece of legislation. But I recognise that it is a real issue and that this is a solution to that real issue, and I am happy to go along with it on that basis.

Ms WILLIAMS (Dandenong) — It is a pleasure to rise in support of the Road Safety Amendment (Private Car Parks) Bill 2015, which deals with the very important consumer protection issue relating to industry practices of recovering car parking fees. In a general sense, car parking fines have frustrated many of us in this chamber, but the bill addresses some specific issues relating to the sharing of private information.

Victorians have a right to expect that their privacy is protected, particularly where a breach of that privacy may lead to harassment. Of equal importance is the

right of the consumer to be protected against questionable practices by private businesses, and the government takes its responsibility in this area very seriously. While most business owners operate fairly, ethically and within the law, as we have heard, some operators seek to exploit consumers and make a quick buck from practices designed to mislead and deceive. The bill will affect the current operations of some private car park businesses and thereby make it more difficult for some of those questionable practices to continue.

The success of the business model used by some of these private car park owners is dependent on their ability to access the personal details of their customers. This bill amends the Road Safety Act 1986 in order to place restrictions on private car park operators in their endeavours to access certain information through VicRoads — specifically the names and addresses of vehicle owners. The operation of some of these car parks is often one where the customer is required to ‘pay and display’, and many of us will be familiar with this procedure. It means purchasing a ticket from a ticket machine, authorising a specified time period in which to park, and then displaying that ticket on the dashboard of your vehicle. An employee of the car park usually monitors these tickets, and in the event of a perceived breach will issue a notice, usually placed under the windscreen wiper, and this notice typically demands payment for liquidated damages.

These tickets are deliberately designed to closely resemble a legal infringement notice. Examples of the alleged breaches may include things like overstaying the designated time period specified on the purchased a ticket, or sometimes more trivial things like parking on the lines or outside of the lines in the parking bay or placing the purchased ticket on the wrong side of the dashboard, and I must admit I was not aware that there was a right side of the dashboard. These notices are claims for liquidated damages and are not legal infringement notices. Consumers are led to believe that they have a legal obligation to pay these claims. The infringement notices look like the usual legal infringement notice, and these operators rely on consumers believing that they are just that — legal infringement notices — and therefore consumers will feel compelled to pay the fine. A large number of consumers do not question the validity of these claims and these dodgy operators rely on that fact.

Further misleading practices occur if the claims are not paid. Demand escalates, and the car park operator will apply to VicRoads to access the personal details of the vehicle owner. Application for this information is done by obtaining a preliminary discovery order in the

Magistrates Court — that is, a court order requiring VicRoads to release the names and addresses of the vehicle owner. Discovery orders are usually made prior to potential court proceedings. However, very few of these demands in relation to private car parks end up being pursued through the courts. Despite this fact, it is estimated that annually some 50 000 Victorians, by virtue of the discovery orders, have their private information accessed by private car park owners. The supply of this information enables car park owners to escalate their demands, usually applying further excessive costs that do not reflect actual losses suffered by the car park operator.

Sometimes a letter of demand is the first the customer has heard of the alleged breach, with some consumers raising concerns as to whether the initial notice was ever placed on the vehicle concerned. I know this was the experience of a family member of mine, who never received the initial notice and was perplexed to later receive letters of demand for an alleged breach she had no knowledge of committing, in addition to claims for extra costs. Also concerning is that we know there have been cases where the incorrect vehicle registration has been provided to VicRoads, and, as a result of this, letters of demand have been sent to the owners of vehicles not involved in the alleged breach. Further concerns relate to the situation where these claims for liquidated damages are on-sold to debt collectors, who continue the harassment of consumers who are allegedly in breach.

Recently decisions by the Supreme Court and the Victorian Civil and Administrative Tribunal have determined that these claims are not enforceable because the amount claimed is not a true reflection of the loss incurred. There are certain exemptions to this amendment — for example, private car park owners will not be restricted from pursuing legal avenues to recover debts arising from written contracts involving long-term commercial parking arrangements. In 2012 the New South Wales government enacted similar legislation to this, and as a result complaints to New South Wales Fair Trading regarding private car parks have fallen by around 75 per cent. Hopefully, as a result of this bill, certain practices in some private car parks will change and alternative operations may be adopted, shifting from the ‘play and display’ business model to one requiring payment on departure, for example.

It cannot be stressed enough that consumers should be able to feel confident that their personal information will not be revealed to other parties who are, in effect, using the court system and taxpayers money for the purpose of facilitating practices which are not in the best interests of all Victorians. This is a sensible reform

that will result in a much fairer outcome for consumers. I commend the bill to the house.

Mr HIBBINS (Pahran) — I rise to speak on the Road Safety Amendment (Private Car Parks) Bill 2015, and what a good, common-sense reform it is. You know that something is a good, common-sense reform in this house when the Greens were the first to champion it. It was the Leader of the Greens, a member for Northern Metropolitan Region in the other place, Greg Barber, who raised this issue in September 2013. He held a press conference in Brunswick's Barclay Street car park, with Gerard Brody, CEO of the Consumer Action Law Centre, and spoke about private car park operators who are basically scamming people by issuing fake parking ticket notices that look like real parking tickets, and then using the courts to track down people by accessing the VicRoads' car registration database if they do not pay. They then start harassing people directly for exorbitant sums of money.

The Consumer Action Law Centre brought this situation to the attention of the then government even earlier. In April 2012 the Supreme Court of Victoria found that one car park operator had engaged in misleading and deceptive conduct after that person had issued a payment notice that was designed to deliberately mislead consumers into thinking that the car park operator had a connection to official authorities. Members of the Greens announced that they were going to act in Parliament in late 2013 to amend the Road Legislation Amendment (Use and Disclosure of Information and Other Matters) Bill 2013, and of course, not ones to pass up adopting a good Greens policy, the Labor Party circulated an identical amendment. Unfortunately it was to no avail because the then Liberal-Nationals government voted down that amendment, against the interests of consumers.

Some of these car parks have very enticing 'first hour free' or 'first 3 hours free' signs displayed, and then if you overstay in one of these car parks, or even appear to overstay — —

An honourable member — Do you own a car?

Mr HIBBINS — I do. I have a trustworthy blue Holden Vectra. I am committed to that car because when it was not working I put a thousand dollars into it. It broke down again and I put another thousand dollars into it. It broke down again and I put another thousand dollars into it. I am very committed to that car. Hopefully the third time is a charm.

These car parks have special cars with cameras on them, and if you overstay in one of these car parks it

will take your numberplate and you then get that official-looking piece of paper on the windscreen or in the mail. It looks like an official fine, but actually it is not. It is a claim for liquidated damages from a private car park operator that is claiming you have overstayed by a few minutes and therefore caused them financial damages, and if you do not pay the damages the car park operator will apply to the Magistrates Court for an order that requires VicRoads to give up your contact details.

This is generally the first step in a recovery of damages process through the courts, but in most cases the car park operator will not actually take you to court. They will pull out of the court action and then with your personal information they will simply harass you as the vehicle owner with letters demanding damages. They add on a late payment fee and then they will get the debt collectors involved. These car park operators have a business model that essentially relies on people overstaying and they then threaten people into paying by calling in a fine that they have no power to impose.

This matter came before the Victorian Civil and Administrative Tribunal in May 2014, and it found that a private car park's claim of \$88 was a penalty and therefore unenforceable. It held that the car park operator could not justify the \$88 amount. The car park's loss was 'overstated'; the \$88 amount was 'wholly unexplained'; and there was 'no forensic veracity' and 'no legal or factual providence'. As has been mentioned in previous contributions, the Consumer Action Law Centre has a private car parking fines fact sheet, which is its most downloaded fact sheet, and it is no wonder because there are thousands of victims of this dodgy practice.

In September 2013 the *Herald Sun* reported that VicRoads had handed over 165 793 records containing the names and addresses of registered vehicle owners to private car park operators during the previous three years alone. Currently VicRoads has to hand over that information every time it is ordered to do so by a magistrate. These car park operators have no intention of pursuing these claims through the courts. Instead they simply onsell the so-called damages to debt collectors.

Some private interests are opposed to the changes in the bill. The Shopping Centre Council of Australia claims that somehow the sky is going to fall in if these reforms go through, but these reforms went through the New South Wales Parliament three years ago, and there are still private car parks in New South Wales. Car park operators simply had to adapt. It is not a great stretch to put up a boom gate or something similar in a car park. I

am sure that car park operators will be able to find a business model that does not depend on the misuse and abuse of court procedures, does not depend on misleading consumers and is capable of being upheld when challenged in a court.

To conclude, this amendment will protect the privacy of vehicle owners and protect consumers. It will stop the misuse and abuse of court procedures, and it will stop a practice found by the Victorian Supreme Court to be misleading and deceptive and found by the Victorian Civil and Administrative Tribunal to be unenforceable. It is why the Greens championed this law in 2013, and it is why we are supporting the bill this time around.

Mr PEARSON (Essendon) — I am delighted to join the debate on the Road Safety Amendment (Private Car Parks) Bill 2015. As was so eloquently expressed earlier by the member for Dandenong and the Minister for Women, the bill talks about restricting the ability of private car park operators to obtain the names and addresses of vehicle owners from VicRoads in order to recover private car park fees. In preparing for the debate I thought it would be interesting to look up the correct definition of the term ‘rent-seeking’. Rent-seeking is:

the act or process of using one’s assets and resources to increase one’s share of existing wealth without creating new wealth.

I thought, ‘Hello, that sounds like these people we are talking about’. The second part of the definition states:

(specifically) the act or process of exploiting the political process or manipulating the economic environment to increase one’s revenue or profits ...

That is exactly what car park operators are doing. They are not creating any new wealth. What they are doing is seeking to abuse a government process to further the profitability of their existing business. They would argue that they are suffering from pain and distress as a consequence of people overstaying their time in a car park and that therefore they are entitled to liquidated damages.

I consulted the trustworthy *Wikipedia* to look at definitions of ‘liquidated damages’. It reliably informs me that:

In order for a liquidated damages clause to be upheld, two conditions must be met.

First, the amount of the damages identified must roughly approximate the damages likely to fall upon the party seeking the benefit of the term.

Second, the damages must be sufficiently uncertain at the time the contract is made that such a clause will likely save both parties the future difficulty of estimating damages.

If you overstay your time in a car park by 5 minutes, what material damages are the operators actually likely to experience as a result of that? It is negligible; it is nil. It is a complete nonsense and a fraud. That is why the government is taking these actions to try to prevent it from happening. As an aside, when I was reviewing the definition of liquidated damages I read that:

Islamic law prohibits *gharar* —

which is Arabic for uncertainty —

in contracts, and liquidated damages provisions are a favoured mechanism to overcome uncertainty regarding contractual damages.

I did not know that before researching this bill, but I learnt that as a consequence, for which I am grateful.

The bill before us is important. It is a fraud to have a situation where a company builds its entire business model upon using the resources of the state for private gain — where there is no broader community benefit. Moreover, what disadvantage have these operators been suffering from people overstaying their time in a car park? It is a laughable proposition. I am pleased the bill is before the house, particularly when you can have a situation where through a single application an operator can request the details of over a thousand vehicles. How can the Victorian Civil and Administrative Tribunal (VCAT) honestly expect to go through those details and be able to ascertain what is a fair and reasonable ask and what is not? It does not make sense.

As was outlined earlier, the bill partly came about through recent decisions of the Supreme Court and VCAT which found that liquidated damages were unenforceable in relation to these issues. The reality is that the damages being sought do not reflect the actual losses. We are looking at operators, or rent-seekers — because that is what they are — abusing a process for private gain. They have been caught out. The courts have determined accordingly that that is not the way forward, and that is why this government has chosen to respond. That is why the bill is before the house. We are looking to find ways in which we can address the issue and try to make sure that car park operators do not have the ability to use that preliminary discovery process to extract those sorts of gains. For those reasons I commend the bill to the house.

Ms VICTORIA (Bayswater) — I, too, rise to speak about the Road Safety Amendment (Private Car Parks) Bill 2015. The purpose of the bill is to amend the Road

Safety Act 1986 in order to restrict the ability of private car park operators to access the names and addresses of vehicle owners. They generally do that through VicRoads, as many speakers before me have said.

What has been quite astounding for me is just how emotive the words used in this debate have been. We often have heated debates in here. This has not been a heated debate, but there have been a lot of words like 'dodgy' and 'unscrupulous' used to describe all car park operators in the same sort of way. From my knowledge, and certainly from speaking to the shadow minister for consumer affairs, the member for Morwell, there has not been proper consultation with the industry on this. I think you will find that people quite often say, 'All politicians are dodgy'. I would beg to differ.

Mr Richardson — Not me!

Ms VICTORIA — Absolutely! There are members calling out, saying 'Not me!', and I would suggest that in fact most members of this house are not dodgy. Why are we saying that all car park operators are dodgy? Some of them are there to make a profit, to have a profitable business — they buy a piece of land, or they lease a piece of land, and they legitimately go out and rent out those spaces at a fee. As you drive into the car park, it is clearly displayed that you are entering into a contract with that car park operator. If you overstay your welcome, if you breach the terms of the contract, one would say that you should actually cop it.

I was talking to a friend recently who was parked on Russell Street and had not read the sign properly. He came back to find a fine on his car. He said, 'I parked correctly', then of course looked up and saw that the sign said that he was not parked correctly at all. He had another incident where he popped into a fast food store in an inner city suburb. He said, 'I copped a fine, and it was from people in Queensland'. I said that it was not really a fine because it was in a pay-and-display car park. He said that he had just gone in to use the loo, and I said, 'But as you enter it actually has a sign that says you have to pay and display'.

Whether you are going in to buy a hamburger or whether you are going in to use the loo, by entering their property you are agreeing to their terms and conditions. We need to take the emotion out of this and say that there should have been a solution sought that allows legitimate businesses — there are a lot of them out there — to operate their businesses but also say that perhaps in the past consumers have not always been dealt with on the fairest level. Certainly this has been tested in the courts.

Let us now go through a little bit of what happens here. In the case of a pay-and-display situation, whether that be a fast food outlet, a supermarket car park or a shopping centre car park, that sort of thing, the signage alerts the vehicle owner to the fact that there are specific rules around their parking in that particular area and that the owner of the vehicle, by entering the car park, accepts and agrees to the offer of the contractual arrangement. You do not think of that when you go in, but what you do want is a very reasonably priced car park where you want it when you want it. They have said that this is the best way. Customers buy a ticket, put it up on the dashboard, and of course if they overstay their welcome or fail to buy a ticket, then it is up to ticket inspectors to go along and issue them with notices. This notice is similar to an infringement notice, but it cannot be an infringement notice — they are not allowed to issue fines per se. It is actually a notice for a claim for liquidated damages. Liquidated damage is only applicable to a breach of contract, so that is why I said that when you go into the car park you agree to the terms of their agreement.

The purpose of this form of damages is to outline a predetermined sum that has to be paid if the person breaches that contract. The sum does not represent a penalty, but it allows for a claim to be made by the non-breaching party, the car park operator in this case, to sue for this liquidated sum. I know that people have talked about fines — I say 'fines' in inverted commas here — being \$80 to \$100, and certainly the Minister for Consumer Affairs, Gaming and Liquor Regulation has been on radio talking about this. If you look at Secure Parking, which is one of the bigger operators around in our state, the fee is \$66. I heard one of the other speakers before saying this does not reflect the loss and asking what damage or disadvantage has actually occurred to the car park operator. It may not be \$66 worth, but then is it \$66 worth if you overstay your time in Russell Street by 2 minutes or 3 minutes? Regardless of whether it is 2 minutes, 3 minutes or 2 hours or 5 hours, it is still a loss of revenue, whether that is occurring to the City of Melbourne or the car park operator. Obviously it is a loss of revenue because that car space cannot then be turned over and another car come in and take its place.

What has been happening is that the car park operators, in order to recoup costs, have generally gone to the court to request preliminary discovery orders. As I say, that generally comes from VicRoads. They want to find out who the vehicle owners who have not paid their notices are, and then they are issued with further notices and generally additional fees or the outstanding sum plus some sort of extra fee on top. It is a procedural step taken in a contractual dispute before the issuing of

litigation. There is a very clear step-by-step method of going through this process.

New section 90R, which this bill seeks to introduce, is going to remove the right for a car park operator to seek preliminary discovery from VicRoads. The minister has said that this is going to help stop car park operators sending consumers abusive and threatening letters of demand. Again, I think that is very misleading and emotive, because not every letter is a threatening one or a letter of demand. If you have been issued with a fine — let us call it a ‘fine’ for the sake of the debate — then the car park operators have every right to try to ask you to pay for that breach of contract.

I think we have to have some sort of balance here: people who have broken the law should expect that there is going to be some sort of ramification for that breaking of the law. If not, we have anarchy. I have heard others speak about local shopping centres having problems, where obviously if you want to duck in for a loaf of bread or a litre of milk on your way home that is one thing, but people have stayed there because they know that they do not have to pay their fines because they are non-enforceable. What is to stop somebody going and parking in the local shopping centre and then catching the bus to the train station to travel into town, because the car parks at our train stations nearby in Bayswater are too full? If I wanted to pop into Maria’s, the local cafe, and grab a quick cuppa on the way home or something like that, what is to say I am going to be able to get a parking spot and that it is not being filled by somebody who has really overstayed their welcome? My local store storeowners are actually quite concerned about this, and I think legitimately.

The CEO of Parking Australia has said that the blanket bans on parking facility operators to recover fees from motorists will mean that there is no deterrent to stop motorists, for example, blocking emergency exits. It will basically mean that property owners with their own spaces will not have a recourse against drivers who repeatedly park on their space or land.

We have to understand that there are different circumstances and that this is actually a blanket ban. There are real problems with the bill, and again these problems come down to the fact that the industry was not consulted. The industry has said it is going to bring in a code of conduct and rules of practice, and that was going to happen later this year. The bill jumps the gun a little, and it is clear that the government has not consulted with the industry.

Obviously some consumers have been in unfortunate circumstances where there has been bullying by a

dodgy operator or whatever, but that is not the norm. We have gone from upholding the rights of the business owner to now totally focusing on the rights of consumers, who are going to park in those spots and potentially overstay their welcome. What has not been achieved in all of this is a balance.

I am not sure how this is going to play out in the future. The opposition is not opposing the bill, but it is going to be very interesting to see what happens. However, I do fear for those who want to catch public transport and will not be able to do so because they want to park at a train station and the parking spots will have all been taken. I also fear for those who just want to pop down to the local shops. As somebody said, this is not a Henny Penny moment, where we are saying the sky is going to fall in. We are talking about the practicalities of modern life. People want to be where they want to be at a particular time, and if there is no sense of recourse, how will business operators be able to operate their businesses?

Mr DIMOPOULOS (Oakleigh) — It gives me great pleasure to speak on the Road Safety Amendment (Private Car Parks) Bill 2015. It was cheeky and mischievous of the member for Bayswater to say that the opposition is supporting this bill because it will be interesting to watch the results after it is enacted. It will be interesting to watch because those opposite know it is the right thing to do. It is further mischievous of the member to claim that she supports this bill, because when she was the Minister for Consumer Affairs she did nothing in relation to addressing this issue —

Ms Victoria — I said we would not oppose the bill. There’s a difference.

Mr DIMOPOULOS — Right. The coalition does not oppose the bill, but Consumer Affairs Victoria, within the now Department of Justice and Regulation, has known about this issue for a long time, so I am sure the member for Bayswater, as the former minister, has also known about it for a long time. Again, it has taken a Labor government to do the right thing by people who do not have the power themselves to ensure the right thing is done for because of what appears to be collusion between the state and private car park operators.

I am proud to speak on this bill and I am proud that this is an election commitment we are fulfilling. The bill has broader community support. As others have said, the Consumer Action Law Centre has been campaigning for this reform for years. In fact, some years back, I went to the website of the Consumer Action Law

Centre to look for a pro forma letter to defend myself against one of these unscrupulous providers.

As far as I am concerned, there are two main issues in relation to this bill. There is the fact that, as the member for Dandenong and others have said, people's private data should be protected. The integrity of data provided to the state should be protected, and it should only be released when it is appropriate to do so and only to an appropriate person or authority. Under this legislation the threshold in relation to when data should be released will be high. No-one on this side of the house thinks that threshold is met by private car park providers. As the member for Dandenong and others have said, the issue is about the integrity of the data.

The second issue is that I do not think the state or these private companies should collude for this purpose. While it has not been an active interest of the state to collude on this matter, because of the loophole that has been left open, from a distance it looks like the state and these private companies are colluding to defraud people of their money on a wishy-washy basis. It is about time this was addressed. I am very pleased we are addressing it today in this chamber.

We have heard a lot of discussion about the rights of normal car park operators. The bill will not impact on them in the least. Even those operators who are the subject of this bill can make amends; they can change their business practices to continue to operate as private car park operators of repute rather than being dodgy operators.

Proposed section 90R of the act will not prohibit private car park operators from including liquidated damages clauses in private car parking contracts nor will it prohibit private car park operators from issuing payment notices that seek liquidated damages from car park customers who are alleged to be in breach of the car park's terms and conditions. That protects the rights of private car park operators. The bill prevents operators from using a process of discovery that is available, a normal legal mechanism available for the justice system to work appropriately, to circumvent justice and extract extra profit from unsuspecting victims. That is what this bill tries to stop, and I think that is a good thing.

My friend Geoff Lake, a councillor at the City of Monash, just last week provided Clay Lucas with an article for the *Age* that reminds us of the kind of shady dealings we are seeing in this industry. The story referred to an operator who not only provided a legal service to one of these dodgy private car parks — and I stress that the majority of them are reputable — but also

ran a debt collection agency. You would almost question why, as a lawyer, he would have any incentive to make the person who allegedly owes money conform, when he wants to receive some profit through the debt collection arm of his business downstream. The article states:

A Boroondara councillor has emerged as the owner of both a debt collection agency and a law firm issuing controversial legal claims against motorists who overstay in private car parks.

...

The role of Cr Jim Parke, as sole owner of Crown Collections and Parke Lawyers, who act for Care Park, was revealed after proceedings were issued for overstaying against Monash councillor Geoff Lake.

Cr Lake was quoted as saying:

It's pleasing the state government is now legislating to stop people like Jim Parke from ripping off unsuspecting people and amassing a personal fortune out of it.

I could not have said it better myself.

I commend the Minister for Consumer Affairs, Gaming and Liquor Regulation, who is in the chamber, on this bill. It is an excellent bill, and it is the right thing to do for the right people under the right government. I commend the bill to the house.

Mr RICHARDSON (Mordialloc) — It gives me great pleasure to rise to speak on the Road Safety Amendment (Private Car Parks) Bill 2015. Before getting into some of the substantive elements of the bill, I want to reflect on contributions from two members opposite. One was from the member for Prahran. I want to touch on a couple of his comments. I am reliably informed that it was a former member in the other place, Mr Tee, who moved a similar amendment during the committee stage in the Council in relation to this bill. I will not go into the details, but this would not be the first time the Greens political party has thrown a few claims around. The Greens quite vigorously claimed the east–west link policy as its own victory. But we did it; we saved the community.

In relation to the pension reforms of the federal government, the Greens entered into an agreement with Scott Morrison, the Minister for Freedom and Compassion! That arrangement was handsomely entered into. The Greens should claim credit for that pension reform. One of the most despicable actions of the Greens occurred in October 2014, when it put its logo on our hero, Gough Whitlam. It tried to claim credit for the reform agenda of the Whitlam government. The Greens have a history of trying to

claim everything, left, right and centre. They say that imitation is the greatest form of flattery, so I thank the member for Prahran very much for all his imitation of us, but his party will never be as good as the Australian Labor Party.

I turn to the contribution of the member for Bayswater, who seemed to suggest that predatory-type pricing and the harassment of citizens was okay. According to the member that is fine — \$60 here and \$80 there. That is an absolutely outrageous claim. Clearly the member has not read the elements of this bill and does not understand its intentions. The bill is quite specific in its application. It looks to erode the ability of private car park organisations to obtain people's personal details from VicRoads. It is as clear and as simple as that. The bill removes the ability of someone to access that information, and it does that in a way that strengthens their ability to try to make a court action. It is important to go through the elements of how these actions arise.

They arise through a fine being putting on someone's private vehicle that gives the impression of being a legitimate infringement notice when it is in fact not. The Victorian Civil and Administrative Tribunal (VCAT) found these fines to be unenforceable in certain cases because the damage alleged is far greater, sometimes more than tenfold greater, than it would be if you had had an extra hour of parking. The fine is issued, and then there is an absolute flurry of forthcoming letters. Sometimes a private operator will engage the services of a debt collector to try to take it further.

If a resident, who might not have had an infringement for some time, gets a letter from a debt collector that alleges that a matter will be brought before the Magistrates Court, chances are that resident will be intimidated into paying the fine. They will not want to continue that action. Sometimes the fine is up to \$80 or \$100. This kind of predatory behaviour should be taken apart, and that is what this bill tries to do. The member for Bayswater suggested that this predatory behaviour is some kind of legitimate exercise, but I think she has to go back to the bill's brief and look at the specifics a bit further. There has been a request for over 150 000 records to be accessed to VicRoads, and that is quite astonishing.

It gives me pleasure to support this bill. I want to touch on a key element, and that is liquidated damages. The proposition that has been put forward in that regard is an absolute furphy. VCAT and actions brought by the director of consumer affairs have shown that it is clearly unenforceable. I went through some of the media articles on predatory-type pricing and car

parking arrangements going back to 2006. This practice has been ebbing and flowing, but the Andrews government is giving it legislative effect. Legitimate car park operators will not be effected. All the bill does is add an extra layer of checks and balances and prevent people from being able to access thousands of people's records through VicRoads.

People can still bring an effective action in the Magistrates Court and find that detail by approaching the individual. I commend the bill to the house. I would like to give the member for Prahran a clip for trying to claim another Labor reform, but imitation is the greatest form of flattery.

Mr EDBROOKE (Frankston) — The Road Safety Amendment (Private Car Parks) Bill 2015 is a very important bill for my community. The bill aims to abolish the rights of car park operators to apply to the courts for access to people's details through VicRoads. For too long people have been intimidated by the practice, and in the Frankston electorate we have had it harder than anywhere else. We have already heard about the Peninsula Aquatic and Recreation Centre. The Consumer Action Law Centre has said that CarePark, as a private company contracted by Peninsula Aquatic and Recreation Centre to run the pool's car park, had no authority to issue fines because it was not a statutory authority. Patrons have been urged to seek legal advice instead of paying these fines. It is absolutely untrue that CarePark can fine people at will.

If I walk into a video store, hire a video and take it back late, the store does not charge me \$80; it will charge me \$6 for an extra night. For a car park provider to say, 'It's \$6 an hour, but we will charge you \$80' is not acceptable. The Frankston community is being hoodwinked. This is a very good bill, and I commend it to the house.

Debate adjourned on motion of Ms GARRETT (Minister for Consumer Affairs, Gaming and Liquor Regulation).

Debate adjourned until later this day.

PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL 2015

Second reading

Debate resumed from 10 June; motion of Mr WYNNE (Minister for Planning).

Mr CLARK (Box Hill) — The opposition does not have concerns with what the Planning and Environment

Amendment (Infrastructure Contributions) Bill 2015 sets out to do, but we do have some concerns about how it may be applied by the current government. The bill is in very similar terms to a bill that was introduced by the previous government. It is a tribute to the then Minister for Planning, the now Leader of the Opposition, that the merits of these reforms have been recognised and adopted by the current government, including the reforms that the then Minister for Planning introduced for works in-kind, which themselves are recognised in this bill.

As was indicated in the second-reading speech that I had incorporated into *Hansard* when this bill was introduced under the previous government last year, the bill makes reforms to a system for development contributions that has become well in need of reform. It sets out to ensure that the system is clear, straightforward and fair to all involved. The cost of the system it replaces has escalated. The system has become onerous, it has become resource intensive, both to local government and to the development sector, and it is difficult to administer. The previous government established the Standard Development Contributions Advisory Committee to review the current system and provide advice on a new reform system, and the model in the bill introduced by the previous government and the one brought forward by this government has very close regard to the recommendations of that advisory committee.

The reforms set out to introduce a new scheme that will be fair and transparent. It will substantially reduce the time and cost involved in preparing and implementing a contributions plan. It aims to cut red tape, reduce escalating costs to homebuyers and assist in maintaining an affordable land supply. In particular it should reduce the time and cost necessary to prepare and implement an infrastructure contributions plan and be much simpler to use. Key to the reforms are the establishment of a regime for new standard levies to be available for priority growth areas, levies that are standard in respect of the type of matter and the type of development involved across growth areas rather than being developed on a case-by-case basis. There is capacity for them to be tailored to different types of development, and it is also required that planning authorities will need to work within a budget established by the scheme for the imposition of these levies and to prioritise what will be most necessary for their communities within that budget.

The new regime will also be available to regional councils, which often do not have the strategic planning capabilities or the budgets to prepare lengthy development contributions plans under the current

system. The regime aims to put the focus back on what are basic and essential infrastructure items and set clear rules around the kinds of infrastructure that can be levied. In addition to the provision for standard levies, the legislation that was introduced by the previous government and which is being carried forward in this bill makes provision for the use of supplementary levies for items and areas that are unique to a particular community and may sit outside the scope of the standard levies.

The bill provides for a new system of infrastructure contributions that can be provided in a range of different contexts. That is designed to provide flexibility so that fair and reasonable contributions can be made to the infrastructure costs in those various contexts. An important part of the regime is to provide greater certainty through the use of the standard levy system. It is intended that those standard levies will become a known quantity so we avoid the sort of bargaining and haggling over infrastructure items that currently creates a high level of uncertainty and cost for all concerned. Instead there will be clear identification of the items that may be funded through the infrastructure contributions plan.

The key to the operation of the regime established by the bill is the preparation of the infrastructure contributions plan, and that is provided for in new section 46GB. It provides that a planning scheme may provide one or more infrastructure contributions plans for the purpose of levying contributions to fund the provision of works, services and facilities in relation to the development of land in the area to which the plan applies as well as the reasonable costs of preparing the plan. In other words, the contributions plan is to be developed through the mechanism that exists for any amendment to a planning scheme but within the parameters that are laid down by the legislation. The fact that the infrastructure contributions plan will be included in the planning scheme will give certainty to all concerned. In particular those who want to know what costs are going to be involved or what infrastructure is able to be funded will be able to tell that by reference to the plan which has been adopted as part of the planning scheme.

In terms of setting the contents of the plan, that is set out in some detail in proposed section 46GE. It runs through the various matters I have referred to including, importantly, the area to which the plan applies and also the staging of the provision of the works and services to be funded through the plan. It needs also to relate the need for plan preparation costs, works, services and facilities to be funded through the plan to the proposed development of land in the area. In other words, there

needs to be a logical connection between the amount to be collected and the provision of the works, services or facilities, and these matters are to be worked through, usually by the local council in the course of development of the plan.

Proposed section 46GF allows the minister to issue written directions to planning authorities in relation to the preparation and content of infrastructure contributions plans. Those directions are intended to provide a framework within which principally local government will develop the plans. That section contains a range of matters that may be subject to the minister's directions, including the types of land to which the plan may apply, the classes of development of land in respect of which a standard levy or supplementary levy or both may or may not be imposed, standard levy rates, the method for determining the amount of the standard levy payable, the requirements that must be complied with by the planning authority, the criteria in deciding whether to impose a supplementary levy and so forth. This framework is intended, as I said, to provide greater certainty, to reduce costs and the time taken for all concerned and therefore to facilitate and speed up the making available of land for housing and other purposes across the state.

Mr Wynne interjected.

Mr CLARK — As the minister says by way of interjection, for consistency of application.

The bill goes on to provide mechanisms for the collection of the levy and the passing on, where necessary, of the levy that has been collected by one body — which is intended generally to be the municipal council — to other development agencies responsible for the expending of the money.

All of this is fine as far as it goes. As I said, this bill is very similar to a bill that was introduced under the previous government. However, as I also said at the outset, while we have no objections to the scheme this bill sets out to achieve, we are concerned about how it may be applied under the current government. It is clear that this government has made commitments and promises that far exceed its capacity to deliver without prodigious fundraising efforts. We are concerned to ensure that this legislation is not at risk of being misused by the current government in a way that was not intended when it was developed and that the government will not use it to try to fill the gap it has created between the expectations it has raised or the promises it has made to the community and its capacity to deliver on those promises.

I refer in that regard in particular to the potential for this regime to be used to fund public transport projects such as level crossing removals. Clearly it was envisaged in the bill as introduced under the previous government that it was open for the regime to be used for infill development and that it could be for development opportunities located close to public transport and other infrastructure. However, notably the second-reading speech under the previous government went on to make clear that those areas that could be subject to a contributions plan would be areas consistent with *Plan Melbourne*, the growth corridor plans and the regional growth plans and would be defined in the minister's direction. That commitment is not present in the second-reading speech for the current bill.

I will be interested to hear the contributions government members may make on the bill, what the minister may say in summing up debate on the bill, what might be ascertained during the consideration-in-detail stage, if the Leader of the House were to allow that opportunity, and what assurances the government might give that this is not simply going to be misused and the purposes of the bill are not going to be hijacked in order to fund inappropriately projects that the government has committed to but which it does not have the wherewithal to pay for.

With those remarks, I indicate that the opposition will not be opposing the bill, but I reinforce the concerns that we have about its potential for misuse. We very much look forward to hearing what explanations, commitments and assurances government members may be able to give in respect of those concerns.

Mr CARBINES (Ivanhoe) — I am pleased to make a contribution to the debate on the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015. It has been quite a big week in planning. Already we have seen some stronger protections for Victoria's heritage outlined by the Minister for Planning. In the Ivanhoe electorate planning matters are critical to the local community. They drive the thinking of a lot of people and a lot of community engagement.

While some of the reforms outlined by the government in this bill go particularly to some of the growth areas, there are salient points about how developer contributions play out in the community in my electorate in making sure that we get a fair contribution from developers. We have local communities whose members make great contributions to parkland and in the services they offer. They work in their local communities, they run sporting organisations and they pay their rates. In doing all that, they create great

communities, and they add not only value in community building but also a monetary value, which many outside that community seek to take advantage of.

Developers also bring with them a potential to add value through jobs and infrastructure as well as services in those communities. Ultimately that is off the back of the sacrifice and work of locals, who do so not only through their labours but also through their biggest financial commitment, which is to live where they do in their community. They want to make sure not only that their councils have the capacity to deliver on infrastructure in those communities but also that those who seek to make personal profit and windfall gains from the local community have an opportunity to make a contribution back to the community. That can be in many ways. It might be in relation to car parking or services.

What is important is that in some of the infill development that happens in the middle belt of suburbs and around the inner city, in places like my electorate of Ivanhoe, the developer contributions are reasonable and there are open and transparent arrangements. When developments are proceeding or may take place and are supported in our community, we must know that there will be a contribution from which the community will benefit. That is particularly so where developments might be resisted.

For those of my colleagues who represent electorates much further afield, in outer Melbourne, progress on developer contributions and the way policy in this space has developed over several parliaments has been a fraught issue. Growth area contributions have been the subject of pretty hostile discussions and debates. Those discussions have been about the expectations of local communities, those who choose to land bank in some of those communities and councils that desire and consider they have an obligation to provide services in those communities but also have pressure around how development proceeds and how the communities are accountable for what services are provided.

The main point I want to make in supporting the changes is that they really add to and expand the capacity of councils to be engaged in discussion and delivery and to have some autonomy in how developer contributions are leveraged and managed. They provide a clearer pathway both for significant investment by developers and also for local communities, so that they can have an expectation of what those investments will be and when they will be delivered. How they balance those with local projects is critical for councils and the state government so that local communities can get an

understanding of what services they can expect to be provided out of developer contributions.

What needs to be much more part of the discussion is how communities are engaged to support ranges of development that sometimes can be controversial and significant and that could change the nature and neighbourhood character of a suburb. It is important to make sure that developer contributions are seen not as a curmudgeonly impost that is fought against but as a contribution to growing the community. Everybody wins — developers win, the economy wins and local communities have not only a development that stands for all time but also investments through developer contributions that make a substantial change. That can be through the provision of internal infrastructure, roads and parkland, and other services that are made available to local communities.

I realise many other members wish to speak on this bill, so I will leave my contribution at that. However, it is particularly important to make sure developers understand that they need to make contributions and support councils and government in providing the services that not only make a community and add value to that community but make it attractive for developers. Those who come afterwards want to know they will have services funded to meet their expectations of a livable community. The additions and changes proposed in this bill go a long way towards continuing to firm and strengthen the expectations communities have around developers and the contributions they are obliged to make.

The ACTING SPEAKER (Ms Halfpenny) — The member for Gippsland South.

Mr Burgess interjected.

Mr D. O'BRIEN (Gippsland South) — I thank the member for Hastings for his wonderful introduction to my very brief contribution to the debate on the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015. Previous speakers have given a little of the background to this legislation. I note that the member for Box Hill pointed out that this is another bill that was effectively a coalition bill in the previous Parliament.

It has been remarked by some that there has been a plethora of bills coming through that were first introduced by the Attorney-General in the previous government, and we wonder if the member for Box Hill should be getting a commission for the amount of work that is coming in. He spoke well on this bill, although he cannot take credit for it. This is a bill for which the

Leader of the Opposition should perhaps be getting a commission, given it is largely the bill he put forward when he was the Minister for Planning.

This bill is not being opposed by the coalition. That is because it is largely the bill we introduced last year, but more particularly it is because it should provide some clarity and certainty for industry, and that is always a good thing. Therefore I am not here to criticise the government for this legislation, because I think it is an example of where the Parliament does some good bipartisan work. The government has recognised that what we had intended to do last year is worthy and in the interests of all.

I strongly support any simplification of measures and regulations for industry, and in this case we are talking about developer contributions. The bill will bring together a more harmonised system across the state, across different councils and across the metropolitan planning authority and the various other authorities and agencies that are responsible for levying infrastructure contributions.

It is important — I appreciate that this is particularly an issue for people who live in electorates in the growth areas, whether that is in the outer suburbs or in the inner city infill sites — that when development is being planned, be that housing, office or industrial space, contributions are made towards the relevant and necessary works. Whether that be roads, utility infrastructure, open public land or parkland or things like schools and other infrastructure governments would obviously fund, it is important that we do the planning well, and the coalition supports developers making a contribution to those things.

As I said, I strongly support anything that will simplify and reduce red tape. I said as much in my inaugural speech. It is important that we reduce the burden on the business sector in the best way we can, and this bill makes sure that developers will have a clear understanding right across the state. Importantly for housing affordability, given that much of the development we are talking about is new housing, this legislation potentially makes it easier for developers and makes housing affordability less of an issue, although I hope the charges and levies we are talking about will be capped. I am concerned that there are some aspects of the bill that leave that open. I am cognisant of the government's commitment not to introduce or increase fees or charges, and I hope that is the case here.

It is good to have a framework across the state. I am always cautious about one-size-fits-all solutions, but in

this case hopefully the framework will give industry some certainty about its contributions. Often what business wants above other things is certainty, so that it knows where it stands and can plan accordingly without worrying about changes in different areas, local governments or whatever.

In conclusion, I acknowledge that at this point the outcome of this bill is not intended to affect my electorate, where we do not have a huge number of developments, but the government has flagged that its measures could be expanded across the growth areas into regional areas and ultimately across the whole state. Therefore we might be in a good position in that we can see how the legislation works and learn from any mistakes while also being the beneficiaries of the reduced red tape.

I hope this bill delivers on its promise of reduced red tape and complexity and ensures that we have appropriate developer contributions across the state towards the infrastructure we need, including, as I said, roads, schools and other utility infrastructure. As mentioned, the coalition will not be opposing this bill, and I look forward to further debate.

Ms HUTCHINS (Minister for Local Government) — I rise to speak on the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015. I am very excited to be able to speak on this bill because it has been a long time in the making in terms of genuine support and cooperation for the growing outer suburbs of Melbourne. I had the pleasure of being on the Outer Suburban/Interface Services and Development Committee for a couple of years during my first few years in this Parliament and had the privilege to work with colleagues on both sides of the house on the inquiry into liveability options in outer suburban Melbourne.

Keeping up with the infrastructure needed to match the population growth in Melbourne's outer ring was a huge issue. I would like to read a quote from the *Age* economic editor Tim Colebatch, who is quoted on page 87 of this report. In 2011 he said:

Melbourne's outer suburbs are growing faster than any other area in Australia, part of a record-breaking trend that has seen Melbourne's population closing the gap on Sydney.

The city's outer suburbs are leaving coastal Queensland and Western Australia's mining towns in their dust, as more than 1000 people a week pour into Melbourne's fringe.

That number has only grown since then and continues to grow. In my electorate precinct plans combined in the next five to six years will see around 30 000 new homes either completed or well underway. As you

would know, Acting Speaker, 30 000 homes bring not only many people but also many needs to the area — needs for improved road services, improved public transport and improved connections within the community. As we saw in this inquiry into livability in the outer suburbs a few years back, isolation becomes a real problem in these areas. The way to break down those barriers is by supporting community growth and making sure that infrastructure is provided in line with population growth at the time. Over the last two years we have seen a real lag across our outer suburbs. We need to look at all the mechanisms we can as a government to ensure that local councils in those areas are supported in having infrastructure in place in time for these new suburbs as they open up, not after years have passed.

This bill looks at the development contribution system that has been in place since 1995 and how we can improve it so we can support the timely provision of the infrastructure that is needed by communities. The new infrastructure contribution system will provide a simple, standardised and transparent system for levying development contributions in growth and strategic development areas. Of course a similar bill was introduced by the previous government, but unfortunately it lapsed.

There are some general changes from that bill, but in essence this legislation still provides — I must say, after much consultation — a system that will give clarity and certainty to people in those development areas and to the councils which are trying to work with the new infrastructure that is required. It will allow the system to become cheaper as the cost of preparing and approving an infrastructure contribution plan will be significantly lessened. Preparation and approval of infrastructure contribution plans will be quicker, simpler and more streamlined. Finally, they will be more transparent, allowing new reporting requirements to ensure that funds collected and expanded through the infrastructure contribution plan are subject to greater accountability. That is what we want to see.

The Andrews Labor government has not stopped with the legislative change; it has also made the budgetary commitments required. I was very pleased to see in the most recent budget a commitment to the Community Infrastructure Fund for the outer suburbs and specifically for the growth areas. That is in the budget to support the growth in community infrastructure that is desperately needed in many areas where estates have opened over the last few years without the infrastructure to support them. With those few brief comments, I commend the bill to the house.

Ms SANDELL (Melbourne) — I rise to affirm that the Greens will support the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015, which creates a new scheme for levying contributions from developers towards infrastructure costs. Of course the Greens support efforts to make developer contributions more effective and efficient.

When we entrust the development of land, and indeed the crafting of our cityscape, to developers we give them a chance to mould a part of the built environment that we share as a community. We also allow them to make money out of this opportunity to change our city, and in certain circumstances we give them windfall profits. As well as making sure our cities are planned properly for people and not just for developers, it is crucial that developers in turn give back to the community. One of the simplest ways they can do that is through contributions towards infrastructure. This system has been in place for some time, but its administration has left a lot to be desired. The Greens hope this bill will help to make the system work better, be fairer and hopefully deliver better results for Victorian communities.

More certainty should make it easier for local councils to deliver the scheme. Both developers and communities will be better able to understand the requirements, which the Greens welcome. I would like to raise one point of concern regarding the bill. It is always worrying to see a broad discretion being handed to the Minister for Planning, especially when the government could very easily enact regulations instead, which are more open to scrutiny by the Parliament and also by the public. In the case of this bill, section 46GF allows the minister to issue ministerial directions.

We should be very cautious about giving sweeping discretion to the minister, especially when both major parties continue to accept donations from property developers. In light of this broad power being given to the minister in section 46GF, I would ask the minister to clarify his approach to using this discretion. I would ask the minister to make some key commitments to Victorians. I ask that he commit firstly to making sure that developer contributions deliver the positive social and environmental outcomes our communities need. This means prioritising social housing infrastructure, sustainable transport, public open space, sustainable waste management and renewable energy infrastructure, among other things.

Secondly, I ask that he commit that he will not use his discretionary power to reduce the contribution a developer must make to the community. This discretion must be used solely to maximise the potential of

developer contributions to deliver benefits to the community and not to provide a way of helping developers to escape from their responsibilities. I also ask that he promise to be consistent with his directions so local governments can apply the scheme easily and efficiently rather than having complicated variations or giving particular councils preferential treatment as it suits the government's political agenda.

There is a lot more to be done in the planning space, as we know. I have made many contributions on this issue. Primarily we need to ban political donations from property developers. We also need to fix the Melbourne City Council gerrymander, reintroduce notice and appeal rights for people in the capital city zone and the Docklands zone, together with many other things, including minimum standards for apartments.

The Greens will continue to fight to fix the planning scheme, because we need to make sure that we keep Melbourne livable. This bill is a constructive step in improving the system of developer contributions for infrastructure. I hope we hear a definite commitment from the planning minister as to the principles which will guide his discretionary powers. I assure the minister that the Greens will be vigilant in ensuring that the new system delivers benefits for the community, and not just to developers at the community's expense.

Mr McGuire (Broadmeadows) — This is an important bill because it goes to the development of vital infrastructure needed in our growth areas. I want to speak, as the member for Broadmeadows, on how important this is. We saw what happened in the last Parliament. I say this particularly for the new members, who may not be aware that we had a reverse Robin Hood event happen. Funding was provided under Labor for a central activities district and new government services building in Broadmeadows. But where did that funding go, I am asked by the member for Sunbury? Great question. What happened was that the then Minister for Planning, the now Leader of the Opposition, took the money and sandbagged marginal seats with it. He bought the vote of the member for Frankston, and down in Mordialloc, as my learned colleagues say, 'That worked really well'. That is right. People saw through the unfairness of this, and it is still a taint on the coalition — and at a federal level as well. We have seen that with Prime Minister Tony Abbott and the trouble he is in because of this same issue.

This bill will provide certainty around how we develop the outer suburbs. I know this is an issue close to the heart of the Acting Speaker, the member for Thomastown, because the cities of Whittlesea and Hume are amongst the areas of highest population

growth in the country. We need this coordinated strategy. We need to be able to bring this together and we need to be able to deliver it with some certainty. That is what the Victorian government is now doing. This infrastructure is crucial. We do not want to see the mistakes of the past — more than 50 years ago — being repeated, particularly the issues relating to the way in which Broadmeadows was established. We do not want to see that happen again, with generations having to go through an upheaval just to get the basics. Just a little over a decade ago we still did not have a public library.

The infrastructure is critical. It is how you build communities and it is how you bring everybody together. But Broadmeadows now has a global learning village, a multiversity and everything else. Under enlightened Labor governments that is what happens. We got them under the Bracks and Brumby governments and the Rudd and Gillard federal governments, and now we have them again under the Andrews Labor government. I commend the bill to the house.

Mr Pearson (Essendon) — I am delighted to join the debate on this important bill because it will create healthy communities. The bill imposes a form of progressive taxation because the reality is that most of the wealth creation in the past 20 years in Victoria has been created through property. At the stroke of a pen the Minister for Planning can create enormous wealth, and that occurs immediately. It is appropriate that developers contribute to infrastructure rather than pocket their profits and expect the state to cover the gap.

In preparing for this debate I did some research, and I came across a quote I would like to read into *Hansard*:

Widening income inequality is the defining challenge of our time.

The question is: who said this? Was it federal Labor leader Bill Shorten? The answer is no. Was it the Australian Council of Trade Unions? No. Was it the International Labour Office in Geneva? No. It comes from that cabal of socialists known as the International Monetary Fund (IMF). The authors of an IMF discussion note said:

Widening income inequality is the defining challenge of our time.

That is why a bill like this is so important. It ensures that there is a redistribution of the wealth that people have achieved through their investment in property over the last 20 years. The paper I referred to is the IMF staff

discussion note entitled *Causes and Consequences of Income Inequality — A Global Perspective*, of June 2015, which got a run recently in the *Australian Financial Review*. In particular the paper referred to the Gini coefficient, which is that 0 is when everybody has the same income and 1 is when one person has all the income. What the authors of the paper found is that if the income share of the top 20 per cent increases by 1 percentage point, gross domestic product growth is 0.08 per cent lower in the following five years, suggesting that the benefits do not trickle down. Instead, a similar increase in the income share of the bottom 20 per cent is associated with 0.38 percentage point growth, which is higher growth. That is why I commend this bill to the house.

Ms GRALEY (Narre Warren South) — It is a pleasure this evening to speak in the debate on the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015. I would just like to make a very brief contribution. It has certainly been my experience in local government, as a community activist, as a resident and as a representative of the outer suburbs that the issue of developers' contributions has been an ongoing, thorny issue. I note that the Minister for Local Government, who is at the table, spoke about a report of a committee of which we were both members, the Outer Suburban/Interface Services and Development Committee in the previous Parliament. It highlighted in glaring detail the need to catch up with the infrastructure provision so dearly needed in the outer suburbs.

I have lost count of the number of times I have heard local government accusing developers of not providing adequate funds to develop infrastructure, developers complaining about paying too much to local government or about the costs of and red tape involved in bringing land to market. Residents are caught up in the middle of this and are still waiting for much-needed community infrastructure. Everyone wants this problem solved. With this bill, we have the opportunity of going a long way towards getting a solution for these ongoing concerns. I note that the existing developer contribution schemes have become uncertain. They are very costly, and there is no doubt that they have been a barrier to new developments.

There is too much variation between what various councils are doing and between the conversations one developer is having with one council and another is having with another council. It has just become too complex. It is a lose-lose situation that we have at the moment. Sadly, it is the residents who lose the most because they do not get the infrastructure they need. We have to go down the track of making sure that the

contribution scheme is clearer, more transparent, easier to administer and cost-effective. We do not want to waste any more money on the schemes that we have had in the past. I know that many people have complained to me that they are waiting for that train station, roundabout or neighbourhood house to be built. The constant refrain is that it has taken too long and is too costly, and we hear bickering between local government, state government and developers all along the line.

Without further ado, I commend the bill to the house. It is an overwhelmingly sensible planning solution and a financially responsible way of going about dealing with complex financial and planning matters. In sum, it will be a good thing if we can pull this off. I commend the opposition and the Greens party for supporting the government in this project. I commend the bill to the house.

Debate adjourned on motion of Mr WAKELING (Ferntree Gully).

Debate adjourned until later this day.

BUDGET PAPERS 2015–16

Debate resumed from 11 June; motion of Ms ALLAN (Minister for Public Transport):

That this house takes note of the 2015–16 budget papers.

Mr WAKELING (Ferntree Gully) — It is a pleasure to rise to contribute to the debate on the Victorian budget, and I am pleased we have been afforded the opportunity to actually speak on the budget, because I know this government has been very keen to deny the opportunity to debate the flaws in the budget. That is just reflective of this government having said one thing in opposition and, after it got into power, doing something very different. With respect to the education portfolio, in which I am very pleased to represent the coalition in this Parliament, one thing that is very glaring is the government's lack of commitment to the Gonski funding deal.

In opposition the members of the government made it very clear that their future government would fully support the Gonski arrangement that was negotiated by the then coalition state government and the federal Labor government, but we now see that the government's members are unwilling to endorse their commitment to fund the final two years of Gonski — years five and six. Whether it was in this house, in question time; whether it was in the Public Accounts and Estimates Committee hearings; or whether it was through the media, we have seen that this government

is unwilling to make that commitment to Victorians and that it will not fund Gonski in the final two years. That is simply unacceptable.

Prior to the budget's release the government provided a drop to the *Age*; it said there was a supposed \$800 million black hole. When questions were asked by the *Age* about the government's own drop, which the *Age* had printed an article about the next day, the government was unable to provide one shred of information that explained where that supposed \$800 million black hole was. We then had the absurdity of the minister claiming in this house that he had been reflecting on a document which was a report prepared by the Department of Education and Training and the Department of Treasury and Finance but which he was unwilling to table. At the Public Accounts and Estimates Committee hearing we asked the minister to table his report, but again he was unwilling to do so. Those opposite have claimed they will make schools asbestos free by the year 2020, and we know that is potentially going to cost \$800 million to achieve. What has this government provided in this year's budget to make schools asbestos free by 2020? It has provided \$43 million. You are not going to achieve expenditure of \$800 million by allocating a measly \$43 million. That is just reflective of this government's approach.

I do not need to talk about regional Victoria. Members only need to look at regional Victoria to see the way this government is treating education in the regions. I visited Wodonga. The school closest to Wodonga that has received a funding contribution is in Wallan, over 230 kilometres away. Members should talk to the people in Merbein, up near Mildura, and they will find out that the students in that school would have to travel over 430 kilometres to visit the nearest school that received any funding in regional Victoria under this government. In opposition this government's members claimed they would make Victoria the education state. The way you would make Victoria the education state is by investing across Victoria. Members should go and talk to regional Victorians about what they have received from this government with respect to education.

I will give members an example; there are so many. A week before the election, the Labor candidate for the electorate of Bass stood up at a public meeting and said, 'Out of the \$520 million of funding that we will allocate, we will rebuild Wonthaggi Secondary College. Now, in government those opposite have said they will not fund the rebuilding of Wonthaggi Secondary College. More importantly, what did Ms Shing, a member for Eastern Victoria Region in the other house, say? She said the candidate was 'misquoted'. How do

you misquote a commitment? You either make a commitment, or you do not make it. You cannot be misquoted. That candidate had made the commitment on behalf of the Labor Party. The candidate committed to the people of Wonthaggi that if there was a change of government the people of Wonthaggi would get their school, but in government those opposite have said, 'Wonthaggi is in the Liberal seat of the member for Bass. We are not going to look after that seat. We are going to scrap our commitments'. That demonstrates how those opposite treat regional Victoria. They should hang their heads in shame.

In the short time left of that allocated to me I will talk about my own community in the city of Knox in the Ferntree Gully electorate. I have only 5 minutes, but I probably do not need many more than that. Prior to the election the government's members made one election commitment: to provide \$1 million over four years for the Knox Innovation, Opportunity and Sustainability Centre. That was allocated, and we thank them for that. There was nothing, however, for any schools in my electorate; there was nothing for any roads in my electorate; there was nothing for public transport in my electorate; and there was nothing for health in my electorate. In fact there was nothing else that was provided for people in my community by this government. This is a government that claimed it would govern for all Victorians. Regardless of who they voted for and regardless of who their local member was.

Ms Garrett interjected.

Mr WAKELING — I am pleased to see that the Minister for Emergency Services, at the table, agrees with that statement. The only way those opposite could demonstrate their commitment — could demonstrate that they are delivering for all Victorians — would be to demonstrate throughout the whole of Victoria that they were delivering for all of Victoria. I do not expect those opposite to fix every problem in my electorate in one year, but I would like them to fix one thing.

Honourable members interjecting.

Mr WAKELING — Those opposite may laugh, but the coalition had committed \$1 million to upgrade the Ferntree Gully railway station, and what is their side of politics doing? Nothing. We promised to provide \$8 million to Fairhills High School and funding for Scoresby Secondary College and Rowville Secondary College. How much was provided to those schools? Absolutely nothing. One thing we did was to provide certainty for the Ferntree Gully community that we would have height limits in place. We now know that is under threat. How do we know that? Because the

member for Essendon, sitting up there, in the previous parliamentary sitting week, told my community there is nothing wrong with four-storey apartments in the Ferntree Gully electorate.

An honourable member interjected.

Mr WAKELING — He says there is not. I am very pleased, because, let me tell you, that message has gone out to my community like an absolute wave. People are gravely concerned that the member for Essendon's comments have confirmed that this government is going to turn back the clock to the dark old days of the Melbourne 2030 planning system, which was so opposed by metropolitan Victoria, and that we are now going to see a return to that planning system, which overrides the views of local residents, which overrides the views of the local council, which overrides the views of local communities and which is going to enforce approval for four-storey apartment blocks through my electorate, which nobody wants.

Mr Pearson — How many storeys?

Mr WAKELING — It is four storeys. The member for Essendon might sit there and say there is nothing wrong with dumping four-storey apartment blocks on my community. I challenge the member to come out to my electorate at a time of his choosing. I will organise the meeting, and he can tell the residents of Ferntree Gully why they should accept it.

Mr Pearson interjected.

Mr WAKELING — I am very pleased he is going to take up my offer. I am looking forward to it, because he has got to explain to my residents why he is going to remove the planning height limit put in place by the former government, which was called for by the local community. He is going to explain to my residents why this government is going to remove that height limit and why those opposite are going to ignore the views of Knox residents.

This is a budget that demonstrates the disdain with which those opposite are treating this side of the house. The former government promised my community an east–west link. Those opposite have taken it away, and what have we got in return? In return for losing the east–west link the residents of the east have received absolutely nothing.

Mr Lim interjected.

Mr WAKELING — I will tell the member for Clarinda what we do have, and that is a commitment from this government that residents in my electorate

who use the Monash Freeway and pay tolls to drive from Knox to the city are going to pay tolls for an extra 15 years to fund a new road in the western suburbs. It is not good enough. It is unacceptable, and those opposite should hang their heads in shame.

Ms KILKENNY (Carrum) — I am very pleased to be able to make a contribution to the debate on this motion to take note of the budget papers. This is a proud Labor budget. It is a budget about education, health, jobs, transport and infrastructure. I would like to congratulate the Premier and our Treasurer on delivering a very responsible budget, one that is fair and progressive, smart and purposeful. It is a budget that has vision, recognises our future industries and charts a clear path for the future of Victoria and all Victorians.

With this budget the Andrews Labor government recognises the potential of Victoria and all Victorians. I am extremely proud to say that this budget delivers on our election commitments, and this will be very welcome news for so many Victorians, including members of my community in Carrum. The message is simple: when Labor makes a promise, it delivers that promise. We are maintaining the state's AAA credit rating, and we have a fiscal plan to encourage growth and propel Victoria forward.

I sat here and listened to the member for Ferntree Gully talk about what he says is shameful in this budget. What is shameful is the way the former government treated education. More than \$600 million was cut from public school education, not to mention the \$1.2 billion that was cut from TAFE, and this was felt extremely strongly in the outer electorates, including in my electorate of Carrum. There was a sustained dismantling of educational opportunities and an effort to undermine the social good that educational opportunities deliver.

I am proud to say that the Andrews Labor government is making the biggest investment in education in Victoria's history, including \$2.9 billion in schools, because we on this side of the house understand that education is about what is possible. Every single child has something they are good at, and every child has something to offer. Part of the role of education is helping our kids discover what that is. That is the opportunity an education can provide, and that is what the Andrews Labor government recognises and will provide for our kids in Victoria.

Education is very important to me and to members of my community in Carrum. At its core, education is about potential. It is about unlocking that potential and investing in Victoria's future. We owe that to the next

generation, so I am immensely proud that the Andrews Labor government is committed to the Gonski agreement. For the first time Victorian schools will have a line item in their budgets that clearly sets out the Gonski funding they can expect to receive. I have spoken to the principals in my electorate, and they are overjoyed at this news and immensely happy that they will be seeing this in their budgets come September.

While we talk about what is shameful, I remind the member for Ferntree Gully that it is shameful that the Abbott federal government — the opposition's friend in Canberra — has been playing political games with our kids' futures in failing to commit to its share of school funding for 2018 and 2019. Unlike those opposite, and unlike those in Canberra, the Andrews Labor government will keep standing up for my schools. I make the undertaking to the schools in my electorate that I will keep standing up for them also.

Let us not forget the mean scrapping of the education maintenance allowance. That was just plain mean. The pain was certainly felt by families in Carrum. I have spoken with parents recently whose kids missed out on school camps. There were other camps that had to be cancelled because schools did not want any of their kids missing out. I am immensely proud that in this budget we are seeing \$178 million to help families who are struggling with the extra costs of education. We will see the introduction of breakfast clubs for more than 250 000 students from disadvantaged schools, and we will see the free uniform, shoes and books program expanded.

Why is all this important? This education budget sends a really clear and strong message to children that we care about their future. Unlike those opposite, we care about the future of our kids, and I am immensely proud to be able to look them in the eye and say that we care about their future. We think they are valuable and worthy.

As I said, the former government ripped more than \$1.2 billion from our TAFE system. These cuts were reprehensible, and they were felt extremely strongly in my electorate. So when we hear former government members speak about fairness, what they mean is: everyone for themselves. When they speak about investing, what they mean is: showing the cost onto the individual and walking away from their responsibilities. Sadly, we are also seeing that from the federal government, with the latest proposal to put the cost of public school funding back onto parents and rip funding out of our public schools, which is reprehensible and, for Labor members, completely non-negotiable.

On 25 March the *Age* published an editorial discussing the TAFE Rescue Fund — that is, the \$320 million that the Andrews Labor government has committed to rescuing TAFE. It states:

This is what smart, progressive societies do. They invest in education, invest in new skills to match changing technologies and job markets; they build the skills to compete nationally and internationally.

There is another quote, that if we fail to invest properly in education:

We will eventually discover that the only thing more expensive than investing in education is not investing in it.

The Andrews Labor government, unlike the former Napthine government, is not turning its back on education. We are about investing in education and in social inclusion and social mobility. We are investing in the future education of our kids.

There are so many good things to talk about in this budget. There is infrastructure, investment and jobs. Make no mistake — the budget is also all about investment in infrastructure and jobs creation. It is about investing in Victoria's future. The government is all about jobs creation and a strong economy. The reason for that is simple: Labor believes everyone deserves the dignity of a secure job. I believe the greatest form of social justice is in having a job. Sadly, this seems to be something that the former Napthine government failed to grasp.

Let us look at what people are saying about this budget and Labor's investment in jobs and infrastructure. Firstly, the Victorian Employers Chamber of Commerce and Industry (VECCI) put out a media release on Tuesday, 5 May, headed 'VECCI commends 2015–16 state budget's strong commitment to statewide infrastructure and jobs'. It states:

The Andrews government's first state budget delivers on its election promises with an economically responsible budget that makes a significant investment in productivity enhancing, job creating infrastructure.

...

... the budget demonstrates responsible fiscal management with operating surpluses forecast to grow ...

The budget's strong focus on jobs and infrastructure will be well received by business. It is likely to spur business and consumer confidence, translating into further private sector investment and employment.

We commend the Andrews government for delivering these key commitments which recognise the vital role infrastructure plays in generating new jobs, strengthening livability, facilitating trade and keeping Victoria competitive.

That is a terrific endorsement by VECCI of the budget. Let me start with a few of the plans and policies. We have the Melbourne Metro rail project. What an exciting project that is. It is the biggest overhaul to our train network since the Melbourne city loop. Work has already started on that project. We have the rolling stock strategy, in which more than \$600 million has been directed to building new trams and train carriages and to refurbishing existing ones. Again, the strategy will directly contribute to more jobs and support jobs in the manufacturing, maintenance and supply chain — something that is tremendous and well needed in this state.

Then we have the project that will remove 50 of our most dangerous and congested level crossings. This is a massive project and something that will transform the public transport network as well as the roads network in this state. An amount of between \$5 billion and \$6 billion has been committed in this budget. This is about generational change to our public transport network, and it is critical to Victoria's future. As I say to people in the Carrum electorate, if we can increase the number of trains and increase their efficiency, it will mean more people using them, and that means less people on the roads, which is a good thing for everyone.

Speaking of jobs, the Andrews Labor government is getting Victoria back to work with \$100 million to fund the Back to Work scheme. The Andrews Labor government will offer relief to companies that take on unemployed young people, long-term unemployed and retrenched workers. We want to create 100 000 new jobs in Victoria. These are extremely smart budget measures. There are so many things to talk about, and I do not have time to cover them all, but they include improvements to roads and emergency services and of course addressing the issue of family violence. I am proud to be part of a government that is funding the first royal commission into family violence. This issue is a national disaster, and we are taking immediate action to protect Victorian families, mothers and children.

We are also seeing a record investment in health, as well as the Ice Action Plan. I have seen firsthand the devastating impact of ice on families in my electorate, so I commend the investment of \$45.5 million in the Ice Action Plan. In summary, the budget is about putting the interests of all Victorians first. Unlike those opposite, the Andrews Labor government sought a mandate from the people of Victoria. Unlike those opposite, the Andrews Labor government is getting on with the job of delivering for the benefit of all Victorians. This is a smart, responsible and progressive budget, and one that delivers for the electorate of

Carrum and for all Victorians. I wholeheartedly commend it to the house.

Mr R. SMITH (Warrandyte) — It is interesting to come in at the tail end of the debate on the budget because I have heard a lot of rhetoric, particularly from those opposite, who are spending a lot of time talking about the previous government's budget and commitments. I am hearing that the previous government did not care, but the fact of the matter is that budgets are not about caring. Everyone in this chamber cares about their communities and about the people in them. On a recent sitting day I heard the member for Bendigo West say, 'The Liberals don't care about sick children'. That is not only insulting; it is ridiculous. There is not a person in this chamber — I do not care whether you are Liberal, National, Labor, a Green or from the Shooters and Fishers Party — we all care about sick children. You could not find 100 people on the street outside who did not care about sick children. It is a ridiculous comment to make and it lowers the level of debate to the absolute depths because it is such a foolish comment.

Today the member for Bundoora talked about public education. According to him, apparently the Liberals do not care about that either. I went to public schools, both primary and secondary, and my children are at a state school; I am not sure that the Premier or Deputy Premier went to a state school. In fact I am sure that they did not. I know that the Leader of the Opposition went to a state school and his kids are at a state school. So the fact that those opposite are making ridiculous comments about not caring is taking the debate down to the lowest level and showing that they do not have much intelligence when it comes to contributing to a proper debate in the chamber.

Budgets are not about rhetoric or spin. They are about showing the community in very clear, black and white terms what your decisions are as a government. They are about showing that you can put as much spin as you want around it, but when you look at the numbers you can see where decisions have been made. Again, I could stand up and say that the Labor Party does not care about this or that, as evidenced by this or that in the budget, but the fact of the matter is that the budget is about decisions that have been made and about a government saying, 'We would prefer to spend upwards of \$600 million on cancelling a project rather than fixing schools in an area' or 'We would rather not have a wages policy and pay over the odds for our public service rather than put more beds in hospitals'. That is what budgets are about. They are about showing the public what you are actually doing and what you will fund rather than funding something else.

It does not matter what promises you make prior to an election or what you say to the electorate, budgets will show whether you are fulfilling those promises. Budgets will show the veracity of the promises you have made and the capacity to pay for those promises. That is what this budget has done clearly and succinctly. It has shown that the promises made by the Labor Party in opposition are unable to be funded. Labor cannot pay for all of the things it said it would fund. That is obvious from the fact that the government has put limited amounts towards the schools and roads it said it would fund.

When you look at level crossing removals in the budget, it is a fact — not an opinion from the opposition — that they are unfunded. The Melbourne Metro rail project is unfunded — that is a fact. We have given the Treasurer every opportunity in question time and during the Public Accounts and Estimates Committee hearings to show us in the budget where it is funded, and ministers and the Treasurer have consistently been unable to show us where that project is funded.

The budget is not about caring, because we all care. I will give this to the Labor Party, and from our side too: we all care about education, we all care about our communities. We all come into this place — Liberal, Labor, Greens, The Nationals — wanting to do the best for our communities. Our point of difference is not one of saying, ‘We care about education more than you’. I do not see that as an issue in this chamber. The issue is how you manage the dollars to do it, and the consistent argument from this side of the house is that Labor cannot manage money. Labor promises things it cannot fund, and the budget shows us that that is absolutely the case. You need only look to see that promises are not being paid for in the budget.

A budget also shows how you deal with issues outside your control. During the last couple of sitting weeks we have heard members opposite say, ‘You cut this because you don’t care. You cut that because you don’t care’. Do members know what we had to cut? We had to cut certain things from the budget for a number of reasons. When we first came to government we were hit with major floods and then there were more major floods in the second year we were in government. On 9 February 2014 we were hit with over 900 fires. We had to pay for that. We had to pay for budget black holes in some of the projects that, frankly, we would have loved to cancel the contracts on, but we kept those contracts going and we filled the budget black holes.

Recently the Premier was out spruiking the benefits of the regional rail link, a project started under Labor with

no signalling and no rolling stock. When we were in government we had to find money to pay for that. We also had to pay for reductions in our GST take, which went from 92 cents to 90 cents and then down to 88 cents. Those opposite might think there is a magic pudding or a money tree over in Treasury Place. The fact of the matter is that you have to find the money for those things. Again, it is not about not caring about education, not caring about emergency services, not caring about the environment. It is about what you can do: cutting your cloth to fit the coat. The previous government had a number of issues to deal with year after year, and over successive budgets it showed that it dealt with those issues. We dealt with the floods, the fires and the GST downgrade, and we still came out with a \$9 billion budget surplus over the forward estimates.

May I add, prior to the election the Labor Party said that if elected its budget measures would not affect the surplus over the forward estimates. That is a Labor lie. I go back to the budget, which clearly shows, in black and white, that in the last budget there was over \$9 billion in surpluses over the forward estimates. This time there is about \$4.6 billion. A clear election commitment was broken by Labor. As I said, the budget shows the decisions made by this government. The government cannot pay for its promises, and the budget shows that clearly. It is not good enough for the Treasurer to say the money is in contingencies. This Treasurer has put the con into contingencies. The money is not there, and successive budgets will show that to be the case.

Turning to my electorate, in a non-political way — and I cannot record the sarcasm — the front page of the budget overview document says, ‘For families’. I can tell the house that the budget is not for Warrandyte families. There is not one dollar in this budget for families in my electorate. The government can put these little slogans on documents and say it is ‘For families’. It is great: members on the other side of the house say, ‘My electorate got this’ and ‘my electorate got that’. The member for Ferntree Gully made it clear when he spoke a short while ago that those opposite claim to be governing for all Victorians, but they are not governing for people in my electorate because not one dollar has gone to them.

Again, the budget is about decisions. This government made the decision that it would rather fund the Carrum electorate, the Narre Warren North electorate or the Essendon electorate than fund the Warrandyte electorate.

Ms Graley — Narre Warren South.

Mr R. SMITH — I beg your pardon; Narre Warren South. There was a clear decision that the people of Warrandyte, the people who voted for me as their representative, would not be getting one cent out of — —

Mr McGuire interjected.

Mr R. SMITH — That comment takes the debate down to the lowest level. The member for Broadmeadows makes the crack, ‘The people of Warrandyte got it wrong’. The complete arrogance of those opposite is shown by the member for Broadmeadows in his comment, ‘They got it wrong’. I would never say that about the community of the member for Broadmeadows. Is that Broadmeadows or Brighton? I am not sure.

When I first came to this place the coalition was in opposition, and the schools, the streets and the police in my electorate had seen no love, no joy, and no money for 11 years. When the coalition government came in under the leadership of former Premier Ted Baillieu, and then of the member for South-West Coast, we were able to put money into three of my schools which had not seen money for 11 years, and had we won the election, we would have had commitments to three others. This government made the decision that it will not touch my electorate. I am sure it is just a coincidence — not political at all — that the electorate of the Leader of the Opposition also did not get one dollar. What a coincidence!

Mr Burgess — Or Hastings.

Mr R. SMITH — Or Hastings — there we go. The budget clearly shows that decisions were made to fund the seats Labor needs to shore up its position. It will not govern for all Victorians. As far as the budget being for families goes, it is very selective in its application.

Turning to some of the shadow portfolio areas for which I have responsibility, I look at roads. What can I say about the Minister for Roads and Road Safety? We have seen him on display. I have seen his backbenchers shake their heads in disbelief at some of his responses when we have tried to question him over the last six to eight months. He is presiding over a portfolio in which he has fairly limited responsibilities. The cancellation of the east–west link contract was taken out of his hands.

He came to office with the West Gate distributor — you can pretty well describe it as a half-a-billion-dollar off-ramp. That got dumped. Can you believe it? The government dumped the one road project it had. The government was saved by the white knight of

Transurban with a \$5.5 billion western distributor that is supposed to be the panacea to all problems. We have not heard about that for a little while. We saw the Premier come out and make big announcements about it all. Of course he kept the roads minister to the side, because government members do not want him out there; he is an embarrassment to the rest of them. But we saw the Premier make this big announcement. He made the big announcement to the media, then passed the invoice over to the Prime Minister, Tony Abbott, saying, ‘You pay for it. I want to take the credit for it, but you pay for it’. Someone else planned it, someone else can pay for it, but the Premier is out there announcing it. But we have not heard much more about that since the Premier first announced it.

We are also seeing the cutting of the country roads and bridges program, which gave \$140 million to country councils. It was a program that saved lives. I have been to talk to councils, and I have had councils out in the west tell me that they will be severely disadvantaged by not having that funding. Not only that but despite the government purporting to want to create jobs, local contractors in those country areas are going to lose out big time. The councils tell me very clearly that they are not going to be able to employ contractors, and it is to the detriment of local communities that that funding has been cut.

When it comes to industry, we have a few funds there but no plans. We have the Future Industries Fund, which is a \$200 million fund to kick-start jobs, but under questioning at a Public Accounts and Estimates Committee hearing the Minister for Employment had no idea what success looks like for those funds. She has no idea. There are no targets for what jobs she is looking at creating, and she has no idea which of the sectors that money is going to. She was asked about the fund in detail and to respond to questions about how much is going to the sectors and what jobs are going to be created. Believe it or not, her answer was that the fund is a fund, and she stopped there. Seriously, if that is what the calibre of ministers opposite is — they tell the Public Accounts and Estimates Committee that a fund is a fund rather than actually explaining how the fund works — God help us all, because we are not going to be getting very far.

In summary, as I said, this budget is about decisions. The decisions of the government are obvious. They are decisions that put some above others. It is a budget that clearly shows that the government’s promises are more than just suspect; they are simply unattainable. It is certainly a budget that shows the Premier for what he is, which is someone who went to the election with one story and who came in as Premier with a completely

different story. As far as many communities go, I think this headline in the *Geelong Advertiser* really sums it up, post-election, after all the promises and all the rhetoric, ‘We’d love to help you, but sorry, there’s no election’. Now the election is done, the Premier really does not want to listen anymore. He got what he wanted: he got to become Premier. Now Victorians will suffer.

Ms BLANDTHORN (Pascoe Vale) — It is with great pleasure that I finally rise to speak on the budget papers for 2015–16. In enthusiasm I prepared this speech quite some time ago, because I was very excited that this is indeed a Labor budget for the Pascoe Vale electorate. It is a Labor budget for the whole of the state, contrary to the rubbish we have just heard from the member opposite.

This is a budget that restores fairness for families. It is a budget that is economically responsible, and it is a budget that acquits over 90 per cent of Labor’s election commitments, because we do care. It is an education budget, first and foremost. It will build the education state. It is the biggest education budget ever. It is a jobs budget; it will create 100 000 jobs. We lost thousands of jobs under those opposite, but this budget will create more than 100 000 of them. It is an infrastructure budget. It will build hospitals and schools. It will build roads, it will build public transport and it will build other major infrastructure. And it is a community budget. There is significant investment in building community capacity in this budget.

The budget makes economic sense. The budget puts people first, and God knows after four long years of those opposite being in power we certainly need to do that. We need people who care. We had four long years of a Baillieu-Napthine-Shaw circus — and indeed it was a circus — in which members of the former government turned on themselves, were self-obsessed and, as we have just heard, they did not care. You do not have to take it from me. Nick Economou wrote in the *Australian* on 30 November:

It was a spectacularly self-inflicted defeat by the Liberals.

He also said:

Governing should have been easy, but instead they turned in on themselves and they’ve now carved a place for themselves in Victorian political history as the first one-term government since the 1950s.

There is no doubt that Victoria went backwards under the Baillieu-Napthine-Shaw circus. Most people — including those sitting opposite if they are entirely honest with themselves and each other — would agree that the Baillieu-Napthine-Shaw government was the

most dysfunctional, chaotic and incapable government that has ever presided over this state. Its own people think so, and its own election review turned it out. An article in the *Guardian* of 29 March 2015 headed ‘Liberal review of Victorian election loss points to Napthine office’s “dysfunction”’, reported that:

A review by former state president David Kemp has slammed the previous government, citing disunity and poor communication as factors behind it becoming the state’s first single-term administration in 60 years.

It also said:

Dr Kemp’s review of the November defeat criticised periods of ‘dysfunctional’ paralysis in the Premier’s office.

There is no doubt that it was a circus. That a government could be so bad is surprising, but when I look back on the last four years I truly am shocked: at almost every turn the inaction and incompetence of the government compromised the standard of living of Victorian people. It compromised their human dignity, it compromised their sense of self-worth, and those who are most vulnerable seemed to fare the worst.

In contrast, the Labor Party budget is an education budget. Labor understands that you cannot get a first-rate education in under-resourced, unsafe, second-rate facilities. This budget acknowledges that. This budget is a jobs budget. Meaningful work is fundamental to achieving a sense of human dignity, and this budget acknowledges that. It is an infrastructure budget. Good infrastructure policy is good economic policy is good social policy, and this budget acknowledges that. And it is a community budget. Building community capacity is essential to achieving a cohesive society, which is more important than ever before, and this budget acknowledges that.

We should take it as an education budget — as I said, the biggest education budget ever — because all kids deserve the best start, no matter where they come from and no matter what their background. In 2016 and 2017 the government will fund the Gonski reforms for the first time. The budget provides \$730 million for school infrastructure. Those opposite left schools to rot. That funding will build new schools and fund new relocatables, rebuilds, upgrades, renovations and refurbishments.

Those opposite have long claimed to be friends of the Catholic system, but it took a Labor budget to provide \$120 million for disadvantaged Catholic and independent schools, matching the Catholic system’s investment dollar for dollar. Under this government, struggling parish primary schools will be supported.

There is funding for the first stage of an asbestos removal program. Those opposite left schools riddled with asbestos. Labor will take it out. There is \$178 million to provide uniforms, textbooks, free breakfasts and free eyeglasses to students in Victoria's most disadvantaged schools. Those opposite scrapped the \$300 School Start bonus for preps and year 7 students, but Labor is restoring fairness in the education system. There is also \$148.3 million for camps, sports and excursions to help over 200 000 disadvantaged families.

In the Pascoe Vale electorate the education budget is particularly important. There are more than 10 state schools zoned to parts of Pascoe Vale, and many of these schools are in disadvantaged areas where the security of the Gonski funding in 2016 and 2017 will provide much-needed certainty. There are more than 10 Catholic and independent schools zoned to parts of Pascoe Vale. The \$120 million capital money and the 25 per cent linked recurrent funding for the Catholic schools will provide much certainty. The funding for breakfast clubs, school uniforms and excursions will also greatly benefit many of the schools in my electorate, particularly Glenroy West Primary School and Glenroy College.

I particularly want to discuss the rebuilds of Westbreen Primary School. This primary school was on the list in 2010 when Labor was in government. If Labor had retained government, it would have already rebuilt this school. Even though the need was clear, this rebuild was deprioritised by those opposite. The former Minister for Education, the member for Nepean, acknowledged that a petition put forward by children from the school who were lobbying for funding was the best one he had ever seen from students and clearly demonstrated the need. However, all he could provide was \$1 million in patch-up money. That is all they got.

My predecessor in the electorate, Christine Campbell, and team Westbreen teamed up. In the lead-up to the election, we were pleased to announce that Labor would commit a further \$4 million to Westbreen Primary School, and this \$4 million, plus the \$1 million in patch-up money the school was lucky enough to have already received, will rebuild six classrooms, an art room and the student administration offices. A first-rate experience in first-rate facilities is essential for our children. The kids in Pascoe Vale and Hadfield deserve the best opportunity to achieve their full potential, and under Labor they will get it. The previous Labor government rebuilt Pascoe Vale North Primary School and Oak Park Primary School, and this government will rebuild Westbreen Primary School.

This is not just an education budget. It is also a jobs budget. The Andrews Labor government is getting people back to work. That is what Labor governments do: they get people into work, and they look after them when they are there. When we last debated the budget, there was much reference made to the payment of penalty rates on public holidays. Labor looks after workers, and if they have to work on Easter Sunday, they should be compensated for it. Labor governments protect the dignity of work. They ensure that the dignity of the worker is protected.

What do our friends on the other side of the house do about unemployment? We should ask their friend Andrew Bolt. In an article in the *Herald Sun* of 1 December 2014 Andrew Bolt said:

Most importantly, though, the Victorian Liberals came to power with unemployment at 4.9 per cent. It's now 6.8 per cent and growth dangerously weak.

It really is the economy, stupid.

He said that — 'It really is the economy, stupid'.

The Victorian Liberals could boast that the books balanced, but that didn't matter that much while factories kept closing and the dole queues kept growing.

Yet what did the Victorian Liberals do? For the first two years almost nothing.

It takes a Labor government and a Labor budget to restore jobs and protect the dignity of work.

The jobs budget will provide \$100 million for the Back to Work scheme. This will offer relief and support to the long-term unemployed and companies who hire unemployed youth. There is \$508 million over five years for the Premier's Jobs and Investment Fund. There is \$200 million to establish the Future Industries Fund. There are grants to companies in the six key industries poised for growth, and particularly in the electorate of Pascoe Vale this includes the food and beverage sector. There is \$10.5 million for the Melbourne's North Innovation and Investment Fund. This will help an area recovering from the closure of the automotive industry. These measures will ensure that the dignity of the work is protected.

Again, let us hear from the friends of those opposite. The Victorian Employers Chamber of Commerce and Industry (VECCI) has said:

The budget's strong focus on jobs and infrastructure will be well received by business. It is likely to spur business and consumer confidence, translating into further private sector investment and employment.

VECCI also said:

With a strong focus on jobs, the budget funds the Back to Work scheme and establishes the Premier's Jobs and Investment Panel. It also supports new industries and new jobs through the establishment of the Future Industries Fund, along with separate funding for new energy jobs.

...

Victoria's education and training system will benefit from new tech schools, more money for Local Learning and Employment Networks (LLENs), as well as a new TAFE Back to Work fund that will support training and employment in partnership with local businesses.

The coalition's friends acknowledge it.

In the Pascoe Vale electorate in particular the jobs budget is extremely important. At the time of the last census, unemployment in Pascoe Vale was at 5.7 per cent. Youth unemployment in Pascoe Vale was 18 per cent. The \$100 million Back to Work scheme, which targets long-term unemployment and youth unemployment in particular, will be of great benefit to my local community. Melbourne's northern suburbs will feel the effect of closures in the automotive industry. The \$10.5 million for the Melbourne's North Innovation and Investment Fund is particularly important.

As I said earlier, Pascoe Vale is home to many food and beverage suppliers and manufacturers. A report released by NORTH Link, a collaborative project between a number of government organisations and higher education institutions, outlined a comprehensive growth plan for the food and beverage industry in Melbourne's north, the \$200 million Future Industries Fund. From very popular local cafes like Eastern Bloc, which is run by the chair of the Coburg Traders Association, through to wholesalers like Bertocchi and the Australian Seaford Group, as well as new manufacturers emerging in the industry, such as Apennine Gourmet Foods, which I have referred to in this chamber before, will all benefit from the \$200 million fund.

This is not just an education budget or a jobs budget; it is an infrastructure budget. There is \$730 million for schools and \$560 million for hospitals. There is funding for public transport, including up to \$6 billion to remove 50 of our most dangerous level crossings. This is record investment in public transport. There is \$600 million for roads. Labor is fixing and building infrastructure. These projects do not just create jobs — and they will create thousands of jobs — they will build our society.

There is \$10 million for noise walls in the electorate of Pascoe Vale. Every day 160 000 vehicles, including 28 000 trucks, drive up and down the Western Ring Road. The noise walls on the Western Ring Road will restore a sense of community and give people comfort at night. Babies will be better able to sleep, and people will be able to enjoy gardening or a barbecue in their yard. Glenroy residents can now look forward to far less noise coming from the Western Ring Road.

There is also the CityLink Tullamarine widening project, which will speed up travel times to and from the airport. Most significantly for the local traffic, we are funding a freeway management system along the corridor. People want to know how long their journey will take, wherever they are going. They want to know how long it will take them to get there, and the new infrastructure will assist in that.

The infrastructure budget also means the removal of the Bell Street, Coburg, level crossing and the Glenroy Road, Glenroy, level crossing. Traffic jams currently run the length of these suburbs, and there are wait times of up to 45 minutes, but this budget will build infrastructure that will help people move around their communities far more efficiently and much more quickly.

As I said, this is also a community budget. Building the capacity of our local sporting clubs and multicultural groups is particularly important in the Pascoe Vale electorate. The \$9.6 million in funding for inner city netball facilities will keep more girls in sport from the grassroots to the elites. There is also money for women's changing rooms, and again the successful girls at the Pascoe Vale Football Club are very excited about this project.

In summary, this budget makes economic sense. I cannot put it better than friends of those opposite did. On 29 January, Jess Wilson, president of the Victorian Young Liberals, said:

... there was no clear narrative of what they wanted to achieve. It was just spend, spend, spend and hope that that would win a vote, and it didn't. I think that was clear for some time before the election, and yet they just kept going and kept pursuing that same agenda.

And VECCI said:

The Andrews government's first state budget delivers on its election promises with an economically responsible budget that makes a significant investment in productivity enhancing, job-creating infrastructure.

...

Importantly, the budget demonstrates responsible fiscal management with operating surpluses forecast to grow to \$1.8 billion in 2018–19, net debt to fall over the medium term and expenditure to be kept in check.

This budget puts people first because we care.

Mr HODGETT (Croydon) — I rise to make a contribution on the 2015–16 budget papers, and I will use the time available to me to talk about the things that are important to my electorate — that is, education, law and order, public transport, local roads and local sporting clubs. There is also The Dining Room Mission, an organisation that deals with some of our disadvantaged, which I will talk about later. All of these issues are important to the electorate of Croydon but are not funded in this budget. I will continue to fight as the local member to get a fair share of funding from the Andrews government for the electorate of Croydon.

I turn to education first. Going into the election there were commitments from both the Liberal Party and the Labor Party to provide \$10 million to Melba College for stage 1 of a full rebuild. It is disappointing and has caused some distress to the school community that only \$1.365 million has been funded in the 2015–16 budget for the whole of the Maroondah education plan, even though \$19.5 billion was promised by the Andrews opposition prior to the election. The Premier claims he wants to deliver the biggest investment in education, yet he has neglected to fully fund the rebuild of Melba College.

As a candidate for the seat of Croydon, I promised \$10 million for the full rebuild of Melba College, as did my ALP opponent. It is a shame that nowhere near the promised amount was funded for this school. I have sought reassurances from the Minister for Education on behalf of the principal, Terry Bennett, the school council and the school community, and I have assured them that we will continue to fight for the full funding to enable stage 1 to be delivered. We will then work hard to deliver stage 2 of this magnificent school in my electorate.

I will touch on Croydon Primary School. The rebuild for that school was two-thirds to three-quarters complete under the former federal government's Building the Education Revolution program. When in government, we promised \$3 million to allow Croydon Primary School to finish the final wing of its school, which in effect would make the whole school a brand-new facility. Unfortunately the Andrews government cut the funding which would have enabled the completion of the school rebuild. Again, I will continue to raise that with the Minister for Education and work hard to try to get Croydon Primary School

finished, which will make it a great, state-of-the-art, modern school in the electorate of Croydon.

In a cruel hoax, the government built expectations of further funding for Pembroke Primary School. However, to everyone's disappointment, it was revealed that the government only photocopied the previous government's funding announcement from last year's budget, rebadged it and re-announced the \$2.2 million in funding as a so-called new initiative. Labor is very good at changing the name of things and reannouncing them. It is a pity, because people are not fooled. When there is a change of government, each side should acknowledge the work of the previous government. When we came to government in 2010 there were a number of projects that the previous Labor government had funded and we acknowledged the work. We invited the Labor members back when those works were completed. It is petty and foolish to rebadge something and pretend that you funded it. Clearly with changes of government at any level you should acknowledge the work of the previous government. In April 2014 we promised \$2.2 million for upgrade works at Pembroke Primary School. That funding investment has not changed. It is good that it has been honoured, but let us not pretend it is a new initiative and try to fool the school community.

In relation to law and order, it is disappointing that Labor has abandoned law and order so quickly. There is no money in the budget for additional police or protective services officers at Croydon or Mooroolbark, either at the police stations or the railway stations. Again, we will continue to work and fight hard to uphold the law and order agenda.

In relation to public transport, there is no money in the budget for additional train and bus services for the Lilydale line or for the local bus network for Croydon. Local residents would also have liked to have seen a commitment to additional car parking spaces at Croydon and Mooroolbark railway stations and/or additional bus services to enable people to leave their cars at home and commute to the railway station. A commitment is needed for additional car parking at both Mooroolbark and Croydon stations or, as I said, additional bus services for people to commute to and from those stations. This issue is constantly raised with me, and I will continue to raise it with the government.

In terms of local roads, the Andrews government has failed to commit to funding the removal of the level crossing on Manchester Road, Mooroolbark. This was promised as part of the member for Monbulk's election commitments. Of course the member for Monbulk has a part of Mooroolbark in his electorate, do the member

for Evelyn and I. The member for Monbulk promised the removal of the level crossing at Manchester Road, Mooroolbark. It was a key election promise of the Premier when as opposition leader he arrived in a red bus and visited Mooroolbark during the election campaign. He trumpeted that this was one of the 50 level crossings that he would remove in this term of government. Local residents have been sorely let down as the Premier turns his back on that commitment.

Edwina Ricci, president of the Croydon Chamber of Commerce and Industry, has raised the issue of the Croydon level crossing. It was not one of the promised level crossing removals, but I would like the government to have a look at the Croydon level crossing. We desperately need more parking at Croydon railway station. There was an opportunity to attract private investment to underground that railway station and provide a grade separation that would provide enormous benefits to the community. Edwina Ricci is doing a fantastic job as president of the Croydon chamber of commerce. Its members are working hard for improvements to Croydon, and this is one improvement that we will champion. The Croydon level crossing is not on the government's list but we would like to see it put on the list for a grade separation.

In terms of the Oban Road and Maroondah Highway, Ringwood, intersection, we worked hard, lobbied hard and raised it as an election commitment. We dragged the Minister for Roads and Road Safety kicking and screaming to announce the provision of \$1.3 million to install right-turn lanes. Those traffic signals will allow more green-light time for motorists travelling on Maroondah Highway. The intersection is part of the member for Warrandyte's electorate. He called it the no. 1 road issue. This intersection borders the electorates of Ringwood and Croydon. The member for Ringwood and I raised it as part of our election campaign, and after much lobbying and hard work I am pleased to see that through our efforts those works will be delivered.

I quickly turn to local sporting clubs. All members have local sporting clubs in their electorates that have needs. Nothing makes a member of this place more proud than to be able to announce upgrades and improvements to our local sporting clubs, whether it be cricket, netball, soccer, football, table tennis or whatever. There is no specific funding for the much-needed upgrades to clubrooms, ovals, drainage, lights and facilities for the many sporting clubs in Maroondah.

Disappointingly, the \$40 000 for the upgrade of the Croydon Rangers Gridiron Club clubrooms at Springfield Park, which is also used as the Eastern

Football League umpires training facility, has been cut. It was a modest amount for a very successful club in the gridiron league. The club trains there but has no undercover area for spectators. Basically it just wants to cut some holes in a brick wall and provide some windows and shutters to allow its spectators and supporters to enjoy the indoor facility in inclement weather.

As we all know, if we provide those sorts of facilities, we attract more people to the game, we attract families to the game and then the club benefits through various things, whether it be the canteen, bar service, food or whatever, so that they can grow the club and access funds. Then they can invest in training, equipment and better facilities for the club, and continue to reinvest. It is disappointing, firstly, that the ALP candidate for Croydon was not able to promise that modest amount of \$40 000 and, secondly, that that funding we promised has been cut and will not be delivered.

I should also mention that the Croydon Rangers Gridiron Club has not received the defibrillator it was promised. It has been told by the minister that it will now need to apply. Again, that is it cruel blow to the club when it was promised by an ALP candidate that it would receive a defibrillator — we all know the benefits of having a defibrillator available at your local club — and then with Labor being elected but not necessarily winning that seat, it quickly ran and hid and said, 'No, that was not a promise, you will have to get in line and apply'.

Ainslie Park Cricket Club is after lighting. Eastern Ranges Football Club, a TAC Cup team, needs \$650 000 for its centre of excellence, which is a fantastic project. The Croydon City Arrows Soccer Club continues to want to make improvements to its clubrooms and verandah. The North Ringwood Junior Football Club requires \$7000 or \$14 000 for upgrades to lights and facilities for its juniors at each ground — small amounts in the scheme of things. The North Ringwood Football Club requires improvements to its ground for the senior club. They were premiers in the EFL second division last year and are a great club in first division this year. It is a fantastic club run by some fantastic people, so it would be great to support it in the improvements it wants to make.

Finally, I turn to The Dining Room Mission, which is a great not-for-profit organisation that feeds the homeless and needy in our community. It is in need of a donation of approximately \$25 000 to assist with its ongoing running costs. At the 2010 election I was able to commit to and deliver a \$10 000 donation, which the then Minister for Community Services, Mary

Wooldridge, now the Leader of the Opposition in the Council, came out and provided. It was well received in the electorate. I have had requests from local schools, such as St Peter Julian Eymard Primary School. The students wrote a number of letters to us lobbying for funding for The Dining Room. It is a great cause, and nothing would give us greater joy than to bring that to the attention of the government and deliver a positive outcome for The Dining Room.

It is a shame. If the Premier had not wasted \$640 million-plus on the east–west link compensation payout, this budget could have funded these and other much-needed local projects, invested in our local schools, roads, public transport and law and order, and created new jobs in Maroondah. I will continue to fight for our local area to ensure that our community gets the best services and the infrastructure we need. I have got a good track record of delivering, and I will continue to fight for a fair share of funding for these much-needed funding upgrades and worthwhile projects in the electorate of Croydon.

Ms WILLIAMS (Dandenong) — It is with great pride that I stand here today to speak on the motion to take note of the budget papers for 2015–16. It is a budget that this state has been crying out for for four long years. It is a true Labor budget that delivers for all Victorians and certainly for the great people of Dandenong. This is not a budget that assumes wealth and privilege. It cuts to the core of what people need to thrive and build a future for their families. This is about giving people hope and opportunity, not simply condemning them to their current state or worse. Importantly, it is a sensible budget that has realigned the priorities of this state to match the priorities of its people. It is a fiscally responsible budget, delivering a surplus while also ensuring that the services and infrastructure needs of a growing Victoria are met. It looks to the future and plans for it in a way we never saw from the previous government.

Only Labor governments deliver for communities like Dandenong. Only Labor governments prioritise the areas that sustain us all, not just the lucky few. On that score, I am so relieved and thankful that the crucial areas of health and education are now back on track after four years of utter neglect by those opposite. Only the Andrews Labor government could deliver a budget that responds to these vital needs, and this budget, the biggest education budget in Victoria's history, does just that. With over \$2.9 billion to be invested in schools over the next four years, we are delivering on our promise to make Victoria the education state.

Dandenong is an area with over 60 per cent of residents born overseas, representing about 156 different nationalities. We have a population with a large number of migrants and refugees. Our diversity is our greatest strength, without question. I have said it before, and I will keep saying it. We have thousands of families who have escaped dark and dangerous places to create lives in Victoria. Many have not ever had the opportunity of formal education. We have children starting school well into their primary years, sometimes even their secondary years, with limited experience of education, and our teachers are working hard to bring them up to the standard of their peers. They work hard to open doors for these kids.

In my electorate and in many electorates across this state schools are critical to building strong communities. They are critical to building strong futures and they are critical to fostering harmony and social cohesion. It is not just about what they offer their students. Schools link families to the broader community. They provide social networks for families that might otherwise be isolated, particularly those who are new to our country and still learning our systems, our customs and sometimes even our language. Places like Dandenong highlight how valuable education can be in transforming people's lives. That is why I am elated that the Andrews Labor government has delivered on what it promised the people of Dandenong and Victoria.

Prior to my election to this Parliament I visited Lyndale Secondary College to tour its facilities and meet with the school council, staff members and students. I note with no great surprise that the former Minister for Education, the member for Nepean, refused to do the same, despite requests from the school council president. Lyndale's buildings are crumbling, some of its classrooms are uninhabitable at certain times of the year and students are studying in less than ideal spaces. It is testimony to the determination of the teaching staff and students that the school has continued to achieve sound academic results in this environment, but we cannot ask students to continue struggling in these conditions, as the last government did, and we will not.

When I visited the school for the first time last year it occurred to me that, much like the previous government, the school was in a state of disrepair, beyond any quick fix, and like the former government, it needed to be replaced. Lyndale had submitted its master plan for redevelopment shortly before the election in 2010. Upon winning that election the Liberal-Nationals promptly shelved that master plan, and it stayed on the shelf for four long years because the Liberal-Nationals coalition does not care about

Dandenong and does not care about working communities like mine; it only cares about those who can afford to pay for the finer things in life. There is no balance or equity in Liberal land.

The good news is that the budget makes amends for the contempt shown by those opposite, and it includes \$7 million fully funded this financial year to immediately begin the desperately needed rebuild of Lyndale Secondary College.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Taxi and hire car industry

Ms GRALEY (Narre Warren South) — My adjournment matter is for the Minister for Public Transport and concerns the impact of ride-sharing operators on the taxi industry. The action I seek is that at the next meeting of Australian transport ministers the minister raise the need for a coordinated response from all states and territories to the introduction and growth of ride-sharing operators.

I am regularly contacted by taxidriviers, licence owners and local residents who are concerned about the impact of ride-sharing operators such as Uber. Many local families from my electorate, including the wonderful De Cinque family, have been outstanding members of the local taxi industry for many years. Sadly, they are now very concerned that their livelihoods are being threatened by Uber and other ride-sharing operators. Many feel that Uber has gained an unfair advantage in the marketplace. I have been told that there is now a shortage of taxidriviers in the local area, as it is much easier to become an Uber driver. To receive accreditation, taxidriviers must pass a knowledge test as well as criminal and medical checks, yet this is not required of Uber drivers. Some have claimed that those who failed their knowledge test have simply moved on and begun working for ride-sharing operators. This is incredibly frustrating for many locals in the taxi industry who have done the right thing and are doing their very best to provide a much-needed service to local residents.

I understand that the minister held a taxi and hire car ministerial forum earlier this year to discuss the emergence of ride sharing. Many were pleased that a working group was established to look at the issue of ride-share services in further detail and examine what is

being done to respond to ride-sharing activities in other jurisdictions. I note that there have been many different responses to the emergence of ride sharing around the world. Germany, for instance, has banned Uber drivers from operating without a taxi licence.

It is clear that to appropriately respond to the emergence of ride sharing a strong coordinated response is needed from each and every state and territory. Our local taxi industry is incredibly diverse and full of wonderful local residents from a variety of backgrounds. They have enriched our local community, they work very hard to support their families and they contribute significantly to the local economy. I ask the minister to raise this incredibly important issue on their behalf at the next meeting of Australian transport ministers.

Croydon Primary School

Mr HODGETT (Croydon) — I raise a matter for the attention of the Minister for Education. The action I seek is for the minister to visit and tour Croydon Primary School and to meet with the school principal, teachers, parents, students and members of the broader school community to experience firsthand the dilapidated facilities of the last school building requiring refurbishment or rebuild.

To explain, the major part of Croydon Primary School was rebuilt as a brand-new facility through the federal government's Building the Education Revolution (BER) program. One building remains in need of urgent attention, requiring a major refurbishment or rebuild. Once completed, the Croydon Primary School community will effectively have a completely new school, with all its buildings updated.

Croydon Primary School provides a wonderful learning environment for its students through the hard work of the past and present principals and teachers and the wonderful volunteers of the parents and friends committee, who regularly volunteer their time for the betterment of the school. I have had the pleasure of working closely with the former principal, Jill Chin. On numerous occasions she advocated on behalf of the school to secure funding to upgrade the remaining buildings at the school when the rest of the school was rebuilt through the BER program. Last week I visited the school again, and the new acting principal, Anne Broadribb, and the president of the parents and friends committee, Pearl Severinski, took me on a further tour of the school to view the run-down wing.

In the lead-up to the 2014 election, as the candidate for the seat of Croydon I was pleased to be able to commit

\$3 million to complete the rebuild of Croydon Primary School. That unfortunately was not matched by my ALP opponent. I now seek to secure this funding so that this project can be completed. During my time as the local member I have worked hard to successfully deliver significant investment in Croydon schools, including \$7.3 million for Eastwood Primary School, \$10 million for Yarra Hills Secondary College, \$2.34 million for Bayswater North Primary School, \$2.2 million for Pembroke Primary School and \$10 million towards a full rebuild of Melba College.

Whilst I was at the school last week I was given a piece of rotten timber from the building that requires urgent funding. I seek leave to table this piece of rotten timber to convince the minister of the poor condition of the building.

The DEPUTY SPEAKER — Order! There is no provision in the adjournment debate for leave to be granted. Leave is not granted.

Mr HODGETT — I will ensure that the Minister for Education is given this piece of rotten timber to convince him of the poor condition of the building. I look forward to welcoming the Minister for Education into my electorate and working with him and his department to ensure that Croydon Primary School receives the full upgrade it deserves.

Loddon and Tarrengower prisons

Ms EDWARDS (Bendigo West) — My adjournment matter is for the Minister for Corrections. The action I seek is for the minister to visit the Loddon and Tarrengower prisons in my electorate for an update on important construction programs funded in the Andrews government's budget and the local jobs these projects will provide.

The corrections system is about trying to make sure first and foremost that you keep communities safe, but for people who do the wrong thing there must be consequences. However, a good justice system and a good corrections system should seek to put those people on a better pathway so that they do not return to the prison system. It has been estimated that recidivism in the prison system is set to reach 45 per cent this year. That is unacceptable, and it is also why the Andrews Labor government is getting on with investing in a corrections system that was left in crisis by the Liberal government - a government that ignored the critical prison infrastructure necessary for healthcare, training and other rehabilitation programs that are known to reduce recidivism and a government that failed to keep

pace with its own tough-on-crime policies, with figures consistently showing a crisis in Victoria's prisons.

The former Liberal government's key election promise to get tough on crime failed. This is what happens when you ignore the causes of crime and fail to put in any measures to prevent crime. We saw reports of jurisdictions where prisoners had to be housed in police cells or moved to other areas or housed in shipping containers because they simply ran out of beds.

Over this term of the Andrews Labor government we will focus on the difficult task of slowing the rate of people returning to prison. The former government failed to ensure that the supporting infrastructure was in place in our prisons, such as retraining opportunities to reduce the likelihood of prisoners reoffending and returning to prison. The former government especially failed to plan for any growth in our women's prison system — and it is at capacity. It failed to fund any mental health services for female prisoners beyond July this year. We want to help female prisoners, many of whom are victims of sexual assault or family violence. We want to see them get the mental health treatment, counselling and rehabilitation programs they need. That is why in this year's budget \$7.9 million was allocated to the Tarrengower women's prison. This funding will see a new multipurpose building at Tarrengower prison to be used for important rehabilitation and education programs. It will also fund an additional 18-bed unit.

The budget also allocated \$9.2 million for an expansion of the healthcare and education programs building at Loddon prison to enable inmates to have access to good healthcare and retraining programs. Corrections Victoria is an important local employer at both Loddon and Tarrengower prisons. I look forward to a visit from the Minister for Corrections to see for himself how these two projects are progressing.

Yarrowonga–Mulwala bridge

Mr McCURDY (Ovens Valley) — I raise a matter on the adjournment for the attention of the Minister for Roads and Road Safety. The action I seek is that the minister stop dithering and make a decision on the Yarrowonga–Mulwala bridge. The Yarrowonga and Mulwala communities are absolutely frustrated after six months of this government. The coalition worked with those communities for four years, and I have worked with them for more than 20 years. The communities celebrated on the day that the former Minister for Roads, the member for Polwarth, announced the green route as the preferred route between Mulwala and Yarrowonga, because that is the preferred route for most of the citizens of those communities.

Since members of the city-centric Andrews Labor government have become comfortable in office it appears that they have again forgotten regional Victoria. I understand that the bridge is not a level crossing, but it is still an important piece of infrastructure that the communities need to have planned so that they can have further direction into the future. Early this week New South Wales state local member Greg Aplin joined forces with the New South Wales Minister for Roads, Maritime and Freight, Duncan Gay. They have been very clear that the green route is their long-term preferred route as well.

It is time that the minister ended this ducking and weaving, came clean with the communities and made a decision so that we can all move forward. Advice received from New South Wales Roads and Maritime Services suggests that even if the minister made a decision today the works will not be completed until 2020 at the earliest. That is when the weir bridge between Yarrowonga and Mulwala will close, and that will create chaos in those communities. I urge the minister to show some compassion and give these communities the direction they deserve.

Cross-border complications mean that at the best of times it is difficult to get both states singing from the same hymn sheet, for want of a better term. Certainly New South Wales is ready to go, and we wait for the minister. We have written to him, we have met with his staff and we continue to wait. I encourage and urge the minister to make this decision so that these communities can move forward.

M80 ring-road upgrade

Mr CARROLL (Niddrie) — I raise a matter for the attention of the Minister for Roads and Road Safety. The action I seek is that the minister visit my electorate and provide an update to locals on how the upgrade of the M80 ring-road from Sunshine Avenue to east of the E. J. Whitten Bridge and the widening of the Keilor Park Drive interchange will benefit residents of Keilor Park and Airport West. As the minister would be aware, the M80 ring-road runs through the centre of the Niddrie electorate, intersecting with the Calder and Tullamarine freeways, which many locals use in their daily travels. With so many major and sometimes dangerous roads in my electorate it is hardly surprising that road safety is one of the major issues confronting the local community. Sadly there were 13 fatal accidents and 715 casualty crashes along the M80 ring-road in the period between 2006 and 2010. These crashes mainly occur at freeway merges where existing traffic lanes increase or decrease.

The Keilor Park Drive interchange is one such site, and I welcome the news that the Andrews Labor government will widen it as part of its upgrade of the M80 ring-road. Residents in my electorate, particularly those in Airport West and Keilor Park, will be interested to learn from the minister how this work will not only help reduce travel time for commuters but also improve safety. With some 160 000 drivers using the M80 ring-road every day, the issue of traffic congestion rates very highly amongst my constituents. I welcome the news that these works will cut travel times, once completed, and I look forward to seeing construction begin later this year. I look forward to the minister visiting my electorate to talk to locals about the next stage of the M80 ring-road, and I invite him to discuss this project and consult with local residents as soon as possible.

Country Fire Authority station upgrades

Ms STALEY (Ripon) — My adjournment matter is for the Minister for Emergency Services, and the specific action I seek is new fire stations for Ararat, Charlton and Inglewood. Last Friday, 19 June, I had the privilege of speaking at the Ararat fire brigade dinner. This fire brigade is 156 years old. The event was a fabulous community gathering under the leadership of Captain Greg Taylor. The brigade recognised a number of its members' long service as well as honouring three recipients of the National Emergency Medal.

I particularly want to mention four great volunteers from the Ararat fire brigade who have each clocked up 50 or more years of service. They are Ray Mason, 50 years; Bev Walker, 55 years; Allan Butt, 60 years; and Kingsley Walker, 70 years. Mr Walker spoke movingly of his fellow brigade veteran, Jim Jackson, whose death earlier this year robbed the brigade of the chance to recognise a second veteran for 70 years of service. Mr Walker joined the fire brigade in 1945 as a 14-year-old and his service period is only one year short of mirroring the life of the Country Fire Authority (CFA), which was founded in 1944. As part of the presentation, we were fortunate to hear a recording of Mr Jackson, who spoke of being given a hessian bag to fight fires with.

The conditions under which CFA volunteers battled bushfires and grassfires in Ripon electorate and across western Victoria in the 1940s are almost inconceivable today. Today we have well-equipped brigades with large, modern trucks and state-of-the-art equipment. Of Ripon's 95 fire brigades, many rural brigades received much-needed upgrades to their fire sheds over the term of the previous government. These important

community assets are already being well used for both brigade activities and more general functions.

However, there is a further group of brigades in the electorate with inadequate facilities that now require replacement. Three of these Ripon brigades are Inglewood, Ararat and Charlton. Briefly, Inglewood's building is 148 years old and unable to house most of the brigade's equipment, Ararat's is too small for its needs and is falling apart, and Charlton's is too small to house its trucks. Recent correspondence to the minister requesting a new fire station for Inglewood delivered no joy at all. These stations need investment, not neglect, from this city-centric Labor government. I am particularly concerned that in this recent correspondence the minister boasted about 350 new career firefighters being funded in the budget. The volunteer brigades of Charlton, Ararat and Inglewood, amongst others in my electorate, would prefer that money go to country Victoria's fire stations instead.

Cyclist safety

Mr PEARSON (Essendon) — I raise a matter with the Minister for Roads and Road Safety. The action I seek is that the minister meet with the City of Moonee Valley and local cyclists to address bike safety in the Essendon electorate. For many people in my electorate cycling is as much about a means of transportation to and from work as it is about exercising. Unfortunately one of the great challenges locally is catering for cyclists along a road network that is often quite congested and has an interface involving parked cars, vehicular traffic and trams. I note with interest that in the recent state budget the government committed \$100 million to establish the Safer Cyclists and Pedestrians Fund, which will invest in new, dedicated paths and routes across Victoria, keeping bikes and walkers away from traffic. I welcome the opportunity for the minister to meet with regular bike riders in my electorate, as well as the City of Moonee Valley, to see how the fund could complement activities the Moonee Valley council is already undertaking.

Minor facilities grants program

Mr WATT (Burwood) — My adjournment matter is for the Minister for Sport. The action I seek is for the minister to reinstate minor facilities grants. Under the former Liberal-Nationals coalition government the minor facilities grants program provided much-needed funding for local clubs — for example, funding in 2014 for lighting at Jordan Reserve so that the Chadstone Football Club and the Chadstone Synners disability football team could train.

However, I note that following the election of the Andrews Labor government there has been no commitment for future funding of this grants program, which is disappointing news for local sporting clubs across Victoria. The Department of Transport, Planning and Local Infrastructure website currently states that minor facilities grants provide funding of up to \$100 000 for community groups working in partnership with local government authorities to develop or upgrade community sport and recreation facilities, but unfortunately all of the dates mentioned were in 2014, when the Liberal-Nationals coalition was last in government. These grants enable communities to access better sporting facilities in the pursuit of a more active community, with increased female and junior participation. Although the grants are referred to as 'minor', they play a major role in contributing to the ability of small clubs to compete through improvements to well-used facilities.

Ceres Calisthenics is one such club in my electorate requesting access to this funding in order to improve its facilities. Ceres Calisthenics is a successful club based at Electra Reserve in Ashwood. Founded in 1987, it started with one class called the 'Married Ladies' team. Today there are around 170 girls, ranging from under-12s to masters, who are registered competitors for Ceres and compete at a championship level. The Ballarat Calisthenic Eisteddfod is the finale of the competition season for calisthenics, with all the major clubs competing.

Ceres first joined the competition in 1991 and has had major success since then. Last year the senior team took out first prize in the major competition at Ballarat and it is seeking to return to the top spot again this year. Ceres has contacted me for assistance with accessing a minor facilities grant. I searched through the budget but could not find the funding for minor facilities grants. My office recently contacted the department to seek information about the future of this program. We have been advised that the department is awaiting a decision from the minister.

I call on the minister to reinstate the program so that local sporting and youth clubs can access this funding to better improve their facilities and programs.

Invermay gas supply

Ms KNIGHT (Wendouree) — My adjournment matter is for the attention of the Minister for Regional Development. It concerns the former government's botched Energy for the Regions program. The action that I seek from the minister is that she keep the

residents of Invermay updated on the rollout of natural gas.

In the last Parliament I asked a number of questions on notice of ministers regarding this program and the former government's failure to deliver natural gas to Invermay, and throughout the last Parliament I had a real feeling that the Liberal government was not interested in keeping the people of Invermay informed about the Energy for the Regions program. I understand that despite the mess the former coalition government made of the rollout the program will go ahead under the Labor government. The minister stated in March that the program was plagued by budget and time line blowouts but that the Labor government will continue to work to fix up the coalition's mess and deliver natural gas to Victoria's regions.

I recently spoke to Ian Martin of the Invermay Progress Association, who expressed his concern that the community is unaware of the progress of the delivery of natural gas as promised to Invermay. Mr Martin, on behalf of the other residents of Invermay, would like regular progress reports regarding the delivery of natural gas to his community.

I know this Andrews Labor government is different to its predecessor. This is a government that wants to work with local communities and keep them informed to let them know about progress on government projects. Residents would very much appreciate the minister putting in place a regular update via email to the Invermay Progress Association, and I respectfully request that the minister implement such a process.

Bass Valley Children's Centre

Mr PAYNTER (Bass) — My adjournment matter is for the Minister for Families and Children. Tonight I ask the minister to commit to funding the Bass Valley Children's Centre. The townships of Corinella, Coronet Bay and Grantville form part of the Bass Valley region, but currently this region has no access to long day care, school holiday care or before and after school hours care. A new facility and service delivery in the area will enable access to critical early learning for children and an integrated education hub with the bordering primary school.

Bass Valley Primary School already delivers outstanding educational programs which make it a model for other schools. The new children's centre would add an important step in lifting the educational aspirations of future generations in the area. It has the added benefit of allowing parents to re-enter the workforce, undertake further education or enjoy

recreational opportunities and activities, adding enormous value to their quality of life and the health and wellbeing of the entire community.

Bass Valley Children's Centre Inc. aims to deliver a facility for children aged 0–12 years and their families which would provide the learning foundations that are so important to further one's education and job opportunities. The model of service for the children's centre is to provide a 60-place childcare centre including long day care, casual care, outside school hours care and a kindergarten.

I note that Bass Coast Shire Council has allocated \$80 000 in its 2014–15 budget towards the design work for the building. This project is shovel ready and has the full and totally committed support of everybody in the Bass Valley region. I congratulate the board on its hard work to date. I urge the government to fund this important project.

Responses

Mr NOONAN (Minister for Corrections) — It is my pleasure to respond to the member for Bendigo West, who is a very hardworking — —

Mr Watt — On a point of order, Deputy Speaker, I refer to the question from the member for Wendouree.

The DEPUTY SPEAKER — Order! I advise the member for Burwood that it is not a question; it is an action.

Mr Watt — I refer to the non-action, considering that *Rulings from the Chair* states:

The adjournment debate should not become a second question time, the distinction being that question time is an opportunity to seek information whilst, conversely, the adjournment debate is an opportunity to give information which members consider require attention.

The member for Wendouree asked for an update. She asked for information on the rollout of natural gas. She did not ask for an action; she asked for information, which is clearly against the standing orders. If you look at *Rulings from the Chair* in relation to the adjournment debate you will see under 'Procedure for raising matters', but the first ruling lists as further references Wheeler, 1974, and Plowman, 1997. Based on that particular ruling, which has quite clearly been confirmed by a number of Speakers, I would ask you to rule the member's adjournment matter out of order, considering that she asked for an update and not an action.

Mr Foley — On the point of order, Deputy Speaker, I was listening intently to the contributions of all members in this adjournment. My notes show that the honourable member for Wendouree dealt precisely with the standing orders in terms of the specific action she sought from the Minister for Regional Development — that is, to keep residents of Invermay up to date regarding the rollout of the natural gas processes in her electorate.

With the greatest respect to the hillbilly from Burwood, I seek that you rule his frivolous interjection and frivolous point of order out of order. What we have here is a repeat offender who diminishes the processes of this house through his smart alec approach to this place. I urge you to rule the member's contribution out of order.

Mr Burgess — Further to the point of order, Deputy Speaker, the minister may like to conveniently put the member's submission in terms that make it look like it fits within the standing orders, but in this case, regardless of the insults that the minister has thrown at the member for Burwood, it is very clear that there was an update asked for. The update unfortunately does not qualify within the terms of the standing orders regarding the adjournment, so unfortunately you are going to have to rule this one out of order.

Ms Knight — On the point of order, Deputy Speaker, the specific action that I requested was for the minister to provide the Invermay Progress Association with progress reports and information about the rollout of natural gas to Invermay — a project that the coalition was incapable of delivering.

Mr R. Smith — On a further point of order, Deputy Speaker, every member of this house has a right to get to his feet and take a point of order. They do not need to be abused by ministers of the Crown criticising their point of order. All our communities send us here to stand up for communities. There are forms of the house that need to be maintained — —

The DEPUTY SPEAKER — Order! If this is a different point of order, I will hear it at a later stage. At the moment we are debating the point of order raised by the honourable member for Burwood. Unless it is on that point of order, I will sit the member for Warrandyte down. But I will hear him again on a different point of order at a later stage.

Mr R. Smith — On the point of order, Deputy Speaker, I just say that when we are talking about the form of members here, the Minister for Housing, Disability and Ageing has form in abuse across the

chamber. It is not becoming of a member of the government — a member of the executive council — to speak in that way to a member of this house. He should be counselled.

The DEPUTY SPEAKER — Order! That is a different point of order, but I will take it on board.

Ms Ryan — Further to the point of order, Deputy Speaker, the member for Wendouree very clearly stated that she was seeking an update from the minister. I submit to you that she cannot now reconstruct her question in order to fit the standing orders.

The DEPUTY SPEAKER — Order! The house will pause while I take some advice.

Mr Burgess — Deputy Speaker, do you want now to go on with other points of order?

The DEPUTY SPEAKER — Order! No. I will rule on this point of order first. If there are further points of order, I will hear them. The house will pause while I take some advice.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members on both sides of the house to be quiet while I take some advice.

I will rule on the point of order. The honourable member for Burwood was correct when he said that this is not question time and the adjournment is a time to ask for action. He is correct on that point. The second point is that the adjournment is about asking for action, but there is no ruling that an update is not an action. The request was in actual fact an action, and I was listening intently to the honourable member for Wendouree. I have taken advice on this, and what I will do, along with the clerks, is refer this matter to the Speaker. We will have a discussion about it and come back to the house on this particular matter.

Mr Burgess — On a further point of order, Deputy Speaker, I would like to move that we have the abuse that was thrown at the member for Burwood by the Minister for Housing, Disability and Ageing referred to the Speaker for consideration of some sort of action. This is not the place for this. The minister has a real problem, and the way he treats — —

The DEPUTY SPEAKER — Order! The member for Hastings has proposed a motion. Is leave granted?

Leave refused.

Mr Burgess — On a point of order, Deputy Speaker, is it appropriate for the person that the leave is being sought against to be the one who denies the leave?

The DEPUTY SPEAKER — Order! Yes. Any member of the house can deny leave to any member of Parliament proposing a motion.

Mr Burgess — Deputy Speaker, I suggest that you counsel the minister on the basis that he stood here seriously abusing the member for Burwood while he was on his feet. I am not sure whether you heard it. I would be disappointed if you had heard it and not asked for that to be withdrawn. The minister called the member names like ‘hillbilly’, which is a derogatory term. He called him names like ‘goose’ — another derogatory term. It is indicative of the problem that this minister has. He seriously needs to be counselled. In fact he needs some assistance with it, because he has had the same problem over a number of years. I am asking, Deputy Speaker, that you seek that some action be taken against the minister on this basis.

The DEPUTY SPEAKER — Order! I have heard enough on the point of order. I will rule on the point of order the member for Hastings has brought to the house. The member cannot ask for a remark to be withdrawn on behalf of another member; it has to be done by the member who has been slighted at the time. That is number one. I take on board that it would be best for all members to respect each other in the house. If the member for Hastings is looking for some counsel, I ask every member to respect other members within the house.

Mr R. Smith — On a further point of order, Deputy Speaker, members of the community should be able to walk into any workplace, whether it be a nursery, whether it be a school, whether it be a cafe, whether it be a restaurant or whether it be any business or the Legislative Assembly of the Victorian Parliament, and not be bullied, not be intimidated and not be called names. Even while you were making your ruling, the Minister for Housing, Disability and Ageing was abusing me across the table. The Andrews Labor government claims to be against bullying — —

The DEPUTY SPEAKER — Order! If the member debates a point of order, I will sit him down.

Mr R. Smith — The minister is persistently abusing members of the opposition. It was only in recent times that the Speaker had to come in here and ask the minister to remove himself because of his abuse of the

member for Caulfield. I believe he needs to be counselled about the forms of the house.

Mr Foley interjected.

Mr R. Smith — Again we see it; I am getting spoken over again. The minister only — —

The DEPUTY SPEAKER — Order! I have heard enough on the point of order. I do not uphold the point of order. I said in my previous ruling that all honourable members need to be respectful of each other, and I say that to both sides of the house. I ask members to do that.

Mr Watt — On a point of order, Deputy Speaker, I would ask the member to withdraw the comments he made.

The DEPUTY SPEAKER — Order! I seek the assistance of the minister in withdrawing.

Mr Foley — I am unclear as to what I am being asked to withdraw, but to assist the processes of the house, I withdraw.

Mr R. Smith — On a point of order, Deputy Speaker, when a member is asked to withdraw a comment it is the form of this house that their withdrawal be unqualified and unconditional, and I ask you to ask the minister to withdraw unconditionally and in an unqualified manner as per the forms of the house.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. The minister has withdrawn.

An honourable member — He said he didn’t know what he was withdrawing.

The DEPUTY SPEAKER — Order! He has withdrawn, and that should satisfy the honourable member for Burwood.

Mr Burgess — On the point of order, Deputy Speaker, how can — —

The DEPUTY SPEAKER — Order! I have not called the member for Hastings yet. The honourable member for Hastings on a further point of order.

Mr Burgess — Going on from the point of the member for Warrandyte, how can the minister possibly have withdrawn when he has stood in front of you and told you that he did not know what he was withdrawing?

The DEPUTY SPEAKER — Order! Because he said, ‘I withdraw’; he withdrew. That represents the form of the house. That is the form — —

Mr Burgess — No, it’s not.

The DEPUTY SPEAKER — Order! That is the form and the customs and practice — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! No. I will not have an argument about my rulings. The minister has withdrawn. I asked him to withdraw, he has withdrawn and that is the end of the matter. I will not hear any further on that point of order.

Mr Watt — On a further point of order, Deputy Speaker, I do not feel that the withdrawal was acceptable. It is my understanding that members should withdraw unconditionally, and if this is your ruling — and I accept your ruling — I would request you to ask the Speaker to make a broader ruling about whether or not a member can withdraw while making qualifications around their withdrawal.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. The minister withdrew. I asked him to withdraw, and he withdrew.

Mr R. Smith — Conditionally.

The DEPUTY SPEAKER — Order! No, he did not withdraw conditionally. Further, it is the form of the house that if an honourable member is asked to withdraw, he withdraws, and whether a member feels the withdrawal was right or not is irrelevant. The forms of the house require the member to withdraw, and that is what the minister did, so there is no point of order. The minister to continue.

Mr R. Smith interjected.

Mr NOONAN — I am being hassled to be fast now, after 10 minutes of points of order. I thank the member for Bendigo West for raising this important matter and indeed for her ongoing commitment to her electorate. The member has invited me to visit the Loddon and Tarrengower prisons. I have done so in the past, but I did so in the context of an initial round of visits before the state budget. I was very pleased to visit the Dhurringile and Beechworth prisons last week to see how some of the investments by the Andrews Labor government will be utilised in terms of making our prison system run much more effectively than it has over the last four years.

We are investing \$9.2 million in the expansion of the health centre and program spaces building at the Loddon prison, which is a very important investment, as outlined by the member, and \$7.9 million in a multipurpose building to be used, importantly, for rehabilitation and education programs. We are investing in an 18-bed unit at Tarrengower prison. These are very important investments, as the member has pointed out, in terms of ensuring that we give prisoners in the corrections system every opportunity to tackle their offending behaviours, rehabilitate them and prepare them for transition back into the community in order to keep our community safe.

As the member outlined, the two prisons in her electorate she wishes me to visit are very large employers. The figures I have indicate that approximately 334 full-time equivalent staff are employed across these two prisons. I am keen to visit them, as the member seeks, and to do so in the context that the prison system — and these two prisons in particular — has been under enormous pressure due to the dramatic growth in the prison population. There has been a 25 per cent increase in the last two years. We have seen beds being placed in prisons without the supporting infrastructure to ensure that the prisons can run and keep up with the rehabilitation needs of prisoners. Under our government we will take a different approach, one that is ultimately about keeping the community safe by tackling the high levels of recidivism. I look forward to joining our hardworking member for Bendigo West on these two prison visits.

Mr FOLEY (Minister for Housing, Disability and Ageing) — The honourable member for Narre Warren South raised a matter for the Minister for Public Transport regarding issues for ride-sharing operators and cross-jurisdictional consideration. I will refer that matter.

The honourable member for Croydon raised a matter for the Minister for Education regarding Croydon Primary School. He is seeking a visit from the minister in relation to the refurbishment of that school, and I will refer that matter.

The honourable member for Ovens Valley raised a matter for the Minister for Roads and Road Safety regarding the Yarrowonga–Mulwala bridge, and I will make sure that the minister is aware of that matter.

The honourable member for Niddrie raised a matter for the Minister for Roads and Road Safety regarding the M80 ring-road upgrade and the implications for the residents of Niddrie.

The honourable member for Ripon raised a matter for the Minister for Emergency Services regarding new fire stations in Ararat, Charlton and Inglewood.

The honourable member for Essendon raised a matter for the Minister for Roads and Road Safety regarding bike safety in the city of Moonee Valley and in the district of Essendon.

The honourable member for Burwood raised a matter for the Minister for Sport regarding the reinstatement of minor facilities grants.

The honourable member for Wendouree raised a matter for the Minister for Regional Development regarding progress reports and information for the rollout of natural gas in the Invermay area.

Last but far from least, the honourable member for Bass raised a matter for the Minister for Families and Children regarding the Bass Valley Children's Centre. I will make sure the minister is aware of that matter.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 7.44 p.m.