

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 23 June 2015

(Extract from book 9)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

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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

Legislative Council committees

Privileges Committee — Mr Drum, Ms Hartland, Mr Herbert, Ms Mikakos, Ms Pulford, Mr Purcell, Mr Rich-Phillips, and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — Dr Carling-Jenkins, Mr Dalidakis, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Morris and Mr Ondarchie.

Standing Committee on the Environment and Planning — Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, #Ms Hartland, Mr Leane, #Mr Purcell, #Mr Ramsay, Ms Shing, Ms Tierney and Mr Young.

Standing Committee on Legal and Social Issues — Ms Fitzherbert, Mr Melhem, Mr Mulino, Mr O'Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Ms Springle and Ms Symes.

participating members

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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 COUNCIL
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

President: The Hon. B. N. ATKINSON

Deputy President: Ms G. TIERNEY

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The Hon. J. L. PULFORD

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The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:
The Hon. G. K. RICH-PHILLIPS

Leader of The Nationals:
The Hon. D. K. DRUM

Leader of the Greens:
Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina ²	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFP	O'Brien, Mr Daniel David ¹	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	Patten, Ms Fiona	Northern Metropolitan	ASP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Davis, Mr David McLean	Southern Metropolitan	LP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
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Dunn, Ms Samantha	Eastern Metropolitan	Greens	Purcell, Mr James	Western Victoria	V1LJ
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Springle, Ms Nina	South Eastern Metropolitan	Greens
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Young, Mr Daniel	Northern Victoria	SFP
Melhem, Mr Cesar	Western Metropolitan	ALP			

¹ Resigned 25 February 2015

² Appointed 15 April 2015

PARTY ABBREVIATIONS

ALP — Labor Party; ASP — Australian Sex Party;
DLP — Democratic Labour Party; Greens — Australian Greens;
LP — Liberal Party; Nats — The Nationals;
SFP — Shooters and Fishers Party; V1LJ — Vote 1 Local Jobs

CONTENTS

TUESDAY, 23 JUNE 2015

MAGNA CARTA ANNIVERSARY	1861	<i>Health funding</i>	1882
CONDOLENCES		APPROPRIATION (2015–2016) BILL 2015 and BUDGET PAPERS 2015–16	
<i>George Seitz</i>	1861	<i>Second reading</i>	1882, 1904
ABSENCE OF ACTING CLERK	1861	STATE TAXATION ACTS AMENDMENT BILL 2015	
ROYAL ASSENT	1861	<i>Second reading</i>	1890, 1914
RULINGS BY THE CHAIR		<i>Committee</i>	1914, 1921
<i>Minister for Small Business, Innovation and Trade</i>	1861	PRODUCTION OF DOCUMENTS	1924, 1925
<i>Questions on notice</i>	1877	ADJOURNMENT	
<i>Written responses</i>	1877	<i>Refugees and asylum seekers</i>	1926
QUESTIONS WITHOUT NOTICE		<i>Teacher travel policy</i>	1926
<i>Minister for Small Business, Innovation and Trade</i>	1864, 1867	<i>Homesafe</i>	1927
<i>Regional network development plan</i>	1867	<i>Swinburne University of Technology former Lilydale campus</i>	1927
<i>Renewable energy</i>	1868	<i>Sunbury municipality</i>	1927
<i>Coal exploration</i>	1868, 1869	<i>O’Herns Road, Epping</i>	1928
<i>Victoria Police</i>	1869, 1870	<i>Western Metropolitan Region schools</i>	1928
QUESTIONS ON NOTICE		<i>Geelong Region Innovation and Investment Fund</i>	1928
<i>Answers</i>	1870	<i>Greater Shepparton Work and Learning Centre</i>	1929
CONSTITUENCY QUESTIONS		<i>Crime prevention</i>	1930
<i>South Eastern Metropolitan Region</i>	1871, 1872	<i>Westwood Drive, Burnside</i>	1930
<i>Northern Victoria Region</i>	1871, 1873	<i>Bhangra Down Under</i>	1930
<i>Southern Metropolitan Region</i>	1872	<i>Chisholm Institute</i>	1931
<i>Western Victoria Region</i>	1872, 1874	<i>Responses</i>	1931
<i>Western Metropolitan Region</i>	1872	WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE	
<i>Northern Metropolitan Region</i>	1873	<i>Registered training organisations</i>	1933
<i>Eastern Victoria Region</i>	1873	<i>Legal costs</i>	1934
ABSENCE OF DEPUTY PRESIDENT	1874	<i>Scouts Victoria</i>	1934
STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE			
<i>State Taxation Acts Amendment Bill 2015</i>	1874		
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE			
<i>Alert Digest No. 7</i>	1875		
PAPERS	1875		
BUSINESS OF THE HOUSE			
<i>General business</i>	1876		
MINISTERS STATEMENTS			
<i>Kindergarten funding</i>	1876		
MEMBERS STATEMENTS			
<i>Numurkah District Health Service</i>	1877		
<i>Al Kasem Youth Organisation</i>	1877		
<i>Wyndham Vale railway station</i>	1878		
<i>Jumps racing</i>	1878		
<i>Port Phillip Specialist School</i>	1878		
<i>Firewood collection</i>	1878		
<i>Leadbeater’s possum</i>	1879		
<i>Ballarat Base Hospital</i>	1879		
<i>Australian Red Cross Blood Service</i>	1879		
<i>Victorian Assyrian Community</i>	1879		
<i>Moving FWD</i>	1880		
<i>Australian Labor Party</i>	1880		
<i>Gippsland road safety</i>	1880		
<i>Major events</i>	1881		
<i>International Festival of Language and Culture</i>	1881		
<i>Maryvale paper recycling plant</i>	1882		

Tuesday, 23 June 2015

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 2.07 p.m. and read the prayer.

MAGNA CARTA ANNIVERSARY

The PRESIDENT — Order! Consistent with a statement that was made by the Speaker in the Legislative Assembly, I draw members' attention to the fact that on 15 June people around the world celebrated a special moment in human history by honouring 800th anniversary of the Magna Carta. Today it is pertinent to recognise that anniversary and all it represents in terms of our parliamentary system here in Victoria.

The Magna Carta was a document of its time, but it became a symbol for all time and certainly for democracies around the world. 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 today and share with so many people around the world.

What makes this anniversary so special is the enduring legacy of the Magna Carta. It is woven into the fabric of our parliamentary system. Our separation of powers can be traced back to the events at Runnymede in 1215, as can the legal framework under which we all live. While the words on the parchment of the Magna Carta have aged, the principles are timeless. They are as relevant and real for us today as they were 800 years ago. As this Parliament that can link its authority back to the Magna Carta, I urge members to think about the value and importance of that document in history and what it has provided by way of assistance to all citizens in establishing their rights and the democratic principles we enjoy today.

CONDOLENCES**George Seitz**

The PRESIDENT — Order! It is with sadness that I wish to advise that Mr George Seitz, a former member of the other place — indeed a member with 28 years of service to this Parliament — died recently. He was the member for Keilor from 1980 to 2010, and as a mark of respect I ask members to stand in their places for 1 minute's silence in memory of Mr Seitz.

Honourable members stood in their places.

The PRESIDENT — Order! I know that all members in this place express their sympathies to Mr Seitz's family, friends and those people whom he worked with over so many years in public service.

ABSENCE OF ACTING CLERK

The PRESIDENT — Order! I take this opportunity to advise the house that our Acting Clerk, Andrew Young, has had a bereavement in his family. His father passed away. The Acting Clerk will not be with us today, but he is likely to be with us for the remainder of the week. Our sympathies go to Andrew and his family, particularly Andrew's mother.

ROYAL ASSENT

Message read advising royal assent on 16 June to:

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

RULINGS BY THE CHAIR**Minister for Small Business, Innovation and Trade**

The PRESIDENT — Order! It is pertinent at this time that I convey to the house a ruling I have made on matters that were brought before the Chair in the last sitting week in respect of Mr Somyurek's position as a minister. I make the following ruling in respect of Mr Somyurek's position.

The status of a minister in this chamber is a difficult matter for the Chair to rule on. If a minister does not attend the house, that is an issue that only the house may choose to address. However, if a question without notice or some other procedure that relates to ministerial responsibility is put to a minister who is said to have stood aside, the Chair is placed in a difficult position.

Two sitting weeks ago the Leader of the Government advised the house that 'until further notice the Premier is the acting Minister for Small Business, Innovation and Trade' and that he, as Leader of the Government in the house, continues to answer questions on behalf of the Premier. At that time, to the best of my understanding, Minister Somyurek had not resigned his commission or had it revoked by the Governor and had not ceased being a minister for the purposes of salary.

At the time Minister Somyurek did not attend the chamber, so the question of whether he could be asked a question without notice did not come to a head. In response to the uncertainty of the status of a minister in the chamber in terms of ministerial responsibility the Clerk looked into the approach taken in other jurisdictions.

In summary, there are some jurisdictions that simply take at face value the advice provided by the Leader of the Government in the house without any requirement for more formal advice or evidence of the minister having stood down. Other jurisdictions report that arrangements are made clearer than appears to be the case I am dealing with now, because the minister resigns, the minister does not resign but formally stands aside by forgoing their ministerial salary and/or another minister is formally commissioned to take on acting responsibilities for the minister who is temporarily stood aside, or there is a clear view in one jurisdiction that if the minister attends the chamber, they could be asked questions without notice even if temporary appointments are in place.

In other words, there is very little precedence in other jurisdictions for a minister previously commissioned by the Governor to be considered anything other than a minister with full ministerial responsibility if no other minister has been commissioned to be responsible for their portfolios on at least a temporary basis.

As Chair I accept that Mr Somyurek was a minister at the commencement of this 58th Parliament on the basis of, firstly and most influentially, the *Victoria Government Gazette* of 4 December 2014, which affirmed that His Excellency the Governor had appointed various ministers for specified portfolios, including Mr Somyurek as Minister for Small Business, Innovation and Trade; and secondly but less influentially, the statement of the Leader of the Government to this house on the first day of the 58th Parliament in which he outlined the responsibilities of ministers in this house. If the Leader of the Government had made no such statement, I would have still relied on the gazette to know who the ministers are in this house.

I am not aware of any gazette subsequent to that of 4 December 2014 in which another minister has been appointed, even if temporarily, to undertake responsibility for small business, innovation and trade. Therefore I think the circumstances of two sitting weeks ago are best characterised as Minister Somyurek's duties having been referred to the Premier.

If Mr Somyurek had attended the house at the time, I would have allowed a question without notice to be directed to him in relation to his ministerial responsibilities and I would not have ruled that it be directed to Minister Jennings. This is an important point that should inform the house in future if it should ever arise again that a minister is said to have stood aside yet retains their ministerial salary, attends the house and the house is not provided with reasonable information about how acting minister arrangements have been made.

On Thursday of the last sitting week two developments altered this ruling. Mr Somyurek formally advised the house by way of personal explanation that he had stood down from his ministerial responsibilities to allow an independent investigation to occur and that he had written to the Secretary of the Department of Premier and Cabinet requesting a hold on his ministerial salary pending the outcome of that investigation.

The Leader of the Government, Mr Jennings, then advised the house that by written instrument of 23 May 2015 the Premier had appointed himself as acting Minister for Small Business, Innovation and Trade with immediate effect until such time as the instrument is revoked. Mr Jennings further advised that by virtue of the new arrangement he would be the minister representing the Premier in the Council in relation to questions covering this portfolio area.

The statements of Mr Somyurek and Mr Jennings have a bearing on what, if any, questions I would consider are allowed by standing orders to be put to Mr Somyurek in this house. Standing order 8.01(1)(a) states that questions may be put to:

ministers of the Crown relating to public affairs for which the minister is directly connected, or has responsibility when representing a minister from the Assembly, or to any matter of administration for which the minister is responsible ...

The following are the requirements that must be satisfied in determining if and what questions may be put to Mr Somyurek in his capacity as a minister in this place: firstly, whether Mr Somyurek is a minister of the Crown; secondly, what constitutes either public affairs for which Mr Somyurek, as a minister, is directly connected or any matter of administration for which he, as the minister, is responsible; and thirdly, whether Mr Somyurek has responsibility representing a minister from the Assembly.

Following that sitting week Mr Rich-Phillips wrote to me on this matter asking me to consider the following points in making my ruling; I also indicate that Mr Davis in a point of order on that occasion raised

similar matters. The points put to me by Mr Rich-Phillips were that in the absence either of Mr Somyurek tendering his resignation to the Governor or of his commission being withdrawn by the Governor on advice of the Premier, Mr Somyurek continues to be a minister of the Crown under section 50 of the Constitution Act 1975 by virtue of his appointment by commission of the Governor on 4 December 2014; given the advice of the Leader of the Government that the Premier has assumed acting responsibility for Mr Somyurek's portfolios it may not be in order to ask questions relating to current activities in these portfolios as he is no longer directly connected with them; and in relation to public affairs or matters of administration with which Mr Somyurek is connected or for which he is responsible, the requirements of standing order 8.01(1)(a) are met and questions on those matters are in order, and this would extend to questions relating to the allegations made against Mr Somyurek and his involvement in subsequent events, including the Department of Premier and Cabinet investigation.

Keeping in mind what would have formed the basis of my ruling prior to the statements of Mr Jennings and Mr Somyurek last sitting week, and taking into consideration the correspondence I received from Mr Rich-Phillips, I make the following ruling in an attempt to provide some clarity and a basis on which the house may proceed if it is to put questions to Mr Somyurek.

In relation to Mr Somyurek's status as a minister of the Crown, as I have already stated, I am of the view that Mr Somyurek was a minister at the commencement of the 58th Parliament based on the notice published in the *Victoria Government Gazette* on 4 December 2014. While I note that Mr Somyurek has opted to forgo his ministerial salary pending the outcome of an investigation, this in itself has no impact on his holding an active commission from the Governor.

I also note that, as advised by the Leader of the Government, the Premier has issued an instrument appointing himself as acting minister for Mr Somyurek's portfolios until further notice. I accept that it is the prerogative of the Premier to allocate portfolio responsibilities within the ministry as he or she sees fit; however, this does not have the effect of terminating a minister's commission, as that power is vested in the Governor.

Therefore I am inclined to agree with Mr Rich-Phillips that, in the absence of his commission being terminated by the Governor, Mr Somyurek continues to be a minister of the Crown under the Constitution Act 1975 until such time as advice to the contrary is published in

the *Victoria Government Gazette*. On this basis I consider that questions can be put to Mr Somyurek in accordance with standing order 8.01(1)(a).

However, the Premier's instrument does effect a change in the current ministerial arrangements in terms of portfolio allocation, and this has a bearing on what matters may be canvassed in questions put to Mr Somyurek. It falls on me therefore to determine what scope there is to validly ask Mr Somyurek questions on public affairs for which he, as a minister, is directly connected or any matter of administration for which he, as a minister, is responsible. In considering how this requirement would apply to the small business, innovation and trade portfolio, I refer to *May's Parliamentary Practice*, 24th edition — it is a pity that Mr Viney is not here for this — which states on page 357:

A question should be addressed to the minister who is primarily responsible. It is for the government to decide which minister will answer ...

House of Representatives Practice, 6th edition, also provides guidance on page 549, stating:

Questions may not be put to one minister ... about the ministerial responsibilities of another except that questions may be put to ministers acting in another portfolio. Where a question may involve the responsibility of more than one minister, it should be directed to the minister most responsible.

The house has been advised in the previous two sitting weeks that the Premier has taken over Mr Somyurek's ministerial responsibilities in an acting capacity and that Mr Jennings continues to represent the Premier in the Council. Taking the guidance of *May* and *House of Representatives Practice* together with the Leader of the Government's advice, I consider that questions in relation to the small business, innovation and trade portfolio should be directed to the Special Minister of State as the minister representing the Premier in the Council. Further, the allocation of ministers representing Assembly ministers is based solely on the advice of the government, and on this basis I consider that questions in relation to Assembly portfolios that were previously directed through Mr Somyurek should now be addressed to the Special Minister of State.

I am now left to determine whether any other matters may validly be put to Mr Somyurek under standing order 8.01(1)(a). In doing so, I wish to draw members' attention to my ruling of 5 May 2011 in which I clarified that I considered a public affair under standing order 8.01 would need to be a matter that impacts upon the role, responsibility and performance of a minister to be considered in order. I also listed the grounds upon

which I considered questions would be ruled out of order as being outside government administration. Further, I refer to page 640 of *Odgers' Australian Senate Practice*, 13th edition, which states:

Questions may be put to a minister relating to the public affairs with which the minister is officially connected, to proceedings pending in Parliament, or to any matter of administration for which the minister is responsible in a personal or representative capacity.

On this basis I consider matters regarding a minister's conduct in relation to interaction with their ministerial staff and the staff of their department and satellite agencies to fall within their ministerial responsibility, and therefore these are matters which may be canvassed in questions under standing order 8.01(1)(a). I consider this would extend to include questions put to Mr Somyurek regarding the allegations made against him and subsequent connected events with which he has been involved, including the Department of Premier and Cabinet investigation.

I would like to clarify something with Mr Jennings. In the previous sitting week Mr Jennings advised us that he had temporary responsibility in relation to the environment portfolio. I understand that is a continuing position.

Mr Jennings — Yes, that is correct.

The PRESIDENT — Members are advised that Minister Jennings is still responsible for that portfolio in an acting capacity.

QUESTIONS WITHOUT NOTICE

Minister for Small Business, Innovation and Trade

Ms WOOLDRIDGE (Eastern Metropolitan) — My question is to the Minister for Small Business, Innovation and Trade. Given that the Leader of the Government has previously outlined that all ministers must adhere to the ministerial code of conduct, can the minister advise whether he has read the ministerial code of conduct and acknowledged his responsibilities to all aspects of the code?

Mr SOMYUREK (Minister for Small Business, Innovation and Trade) — I advise that I will be taking all questions today on notice, and I take this question on notice.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) — The code states that ministers must be required to

resign if the Premier is satisfied that they have breached or failed to comply with the code. Did the minister offer or did the Premier seek his resignation on Saturday, 23 May 2015, as per the ministerial code of conduct?

Mr SOMYUREK (Minister for Small Business, Innovation and Trade) — I will take it on notice.

Minister for Small Business, Innovation and Trade

Mr ONDARCHIE (Northern Metropolitan) — My question is to the Minister for Small Business, Innovation and Trade. The convention is that ministers are present for question time. Was the minister instructed to stay away from Parliament between 26 May and 28 May, and if so, by whom?

Mr SOMYUREK (Minister for Small Business, Innovation and Trade) — I refer to my original statement. I will take that on notice.

Supplementary question

Mr ONDARCHIE (Northern Metropolitan) — I thank the minister for his very succinct answer. Can the minister advise whether the Leader of the Government, Mr Jennings, was in the room when the minister was instructed to stay away from Parliament or was aware of this instruction?

Mr SOMYUREK (Minister for Small Business, Innovation and Trade) — I will take it on notice. My taking these questions on notice does not mean I agree or disagree with any of these statements. I am merely taking all questions today on notice.

Mr Drum — On a point of order, President, I understand that when a minister is unsure of an answer, it is totally within his purview to take those questions on notice so that he can come back with the information after he has been able to find out the details. However, these questions are purely to do with Mr Somyurek's knowledge. He and he alone knows the answer to these stories. Going away and finding out the answer is not going to increase his knowledge of the question that has been put to him. He has the answers; he is simply refusing to give this house those answers.

Mr Jennings — On a point of order, President, my point of order is in relation to —

The PRESIDENT — Order! It is not in response to Mr Drum's point of order?

Mr Jennings — No. In fact I am not going to debate with Mr Drum. I wish to raise a point of order in

relation to the line of questions that Mr Ondarchie has just raised with Mr Somyurek.

Mr Dalidakis — On a point of order, President, correct me if I am wrong, but previously you have undertaken in rulings that, because these matters are being investigated by somebody in relation to the conduct of the office as well as the allegation itself, it is inappropriate to answer any questions that may somehow interfere with those two investigations.

Mr Barber — On the point of order, President, I listened carefully to your ruling at the time, and I do not believe that was your ruling. In fact it would mean that any minister under any kind of cloud could not be questioned because they were subject to an investigation, and that investigation clearly cannot override the privilege of Parliament.

Mrs Peulich — On the same point of order, President, the conventions of this chamber, as well as others, is that matters that are sub judice may be deemed to be out of bounds of our standing orders and questions, but I think this matter is entirely within the parameters of the role of this chamber.

Mr Davis — Further to Mr Drum's point of order, President, standing order 8.01(2) says:

Questions may be asked orally without notice for immediate reply and placed on the notice paper for written reply.

Mr Drum's essential point is that these matters are within the knowledge of the member. They are not matters that require technical detail or would require the minister to come back with a considered response. The fact is these are questions he could answer now, and the clear spirit of 8.01(2) is that questions may be asked orally without notice for immediate reply.

The PRESIDENT — Order! I first take the point that was raised by Mr Barber and Mrs Peulich. I accept their view of my previous position and the position that I think a Chair ought to adopt in these matters, because as Mr Barber rightly points out, if you had a minister or a member who was under any sort of cloud — to use that terminology — then it would be fairly easy to avoid the scrutiny of the Parliament by simply not attending or by not participating fully and providing the house with suitable explanations of behaviour or conduct. That would be a significant detriment to the proceedings of the Parliament and to the responsibilities of the Parliament to explore matters that were of public interest and that were important in terms of ministerial conduct.

Whilst members and ministers may from time to time have problems within their careers that are likely to be subject to some scrutiny by this house, by the media and people outside this Parliament, they nevertheless have a responsibility as servants of the people and as people with a public office commission to actually be here and make an explanation to the Parliament. That is the point that was made by both Mr Barber and Mrs Peulich. In terms of sub judice, there is not a sub judice position in this in my view. As Mr Jennings says, I do not think anyone has argued that that was the case at any rate.

With respect to Mr Drum's point of order as to whether the minister is entitled to not provide an explanation to the Parliament on this day but to suggest that he will take those matters on notice, I make two points. One of them is that the minister, by doing so, effectively only has a reprieve of 24 hours, because the written responses would need to be in tomorrow. Whilst I am not in a position to direct a minister on how they should answer a question, and that is certainly the case in terms of how Mr Somyurek might deal with matters today, I would be attentive to the information that was put in a written response to those questions.

I am cautious in the respect that there is an investigation underway and Mr Somyurek's rights and entitlements as a member need to be respected by due process. That is a point that Mr Dalidakis has made, and that is a relevant consideration. Nonetheless, in adopting an approach in terms of his answers, Mr Somyurek allows the house to form opinions and interpretations of the matters which he does or does not canvass. As I said in respect of his answers, I am not in a position to tell a minister how they should answer a question directly, albeit under the current standing orders I have an opportunity to request that ministers who do not provide an apposite answer to a question ought to furnish this house with a written explanation or a written answer to that question, and we have time frames for that. To this point Mr Somyurek has indicated that he is taking those questions on notice. In that sense, as I said, the reprieve is only 24 hours, because I will be expecting written answers to these questions tomorrow.

Mr Drum — Thank you for that explanation, President. On a further point of order, President, I put it to you that the actions of Minister Somyurek are not within the spirit of the house. Mr Ondarchie's question was clear and basic, and the answers clearly lie within the minister's knowledge. For him not to be responsive to the question but to in effect enter into what I consider to be a delaying tactic means that he may be able to come back tomorrow with a response that may or may

not be acceptable and that may or may not enable further scrutiny of this issue. This could very easily be seen as not being within the spirit of the house. It could be a delaying tactic that will enable him and his party to get through to the winter break without the scrutiny it deserves.

The PRESIDENT — Order! The house can draw its own conclusions based on the responses that are provided to the questions. I would have thought that Mr Somyurek might have the ability to answer some of the matters that have been put to him so far, but he has indicated that he will respond by taking them on notice. Therefore I expect the responses tomorrow. Whether or not it is within the spirit of the house is not a matter I would want to determine. We have processes, and Mr Somyurek is availing himself of those processes. I do not have an ability to direct him to answer those questions today given that he has given the house an undertaking that he will provide those answers in writing tomorrow. To some extent Mr Somyurek's decision to do so is to ensure that the answers he provides are not only responsive to the questions put to him but also do not trample his rights as a member in respect of the investigation that is continuing.

Mr Jennings — On a point of order, President, in the spirit of you wishing to exercise the judgement of Solomon in your ruling today and the way in which it plays out in the Parliament, I would have thought that the nature of your ruling today would have led to the circumstance where questions today would be fairly contested in relation to their appropriate scope and the member's right to exercise his view about the appropriate response, which actually demonstrates his respect for the chamber and also protects his rights. In acknowledging that that is basically what you have just confirmed in your commentary on these matters, I seek to draw your attention to a ruling which you issued earlier in the session and which dealt with guidelines on the nature of questions. In those guidelines you expressed an expectation that not only were answers to be factual and succinct but that there was an obligation on those who asked questions to not, in the framing of the question, assert facts that may or may not be true.

I draw your attention to that ruling in the context of the supplementary question asked by Mr Ondarchie, because in his supplementary question he asked the member whether I was in fact in attendance at a meeting, which is a matter I have already placed on the public record — I was in attendance at the meeting that took place between the minister and the Premier on 23 May. However, he then asserted as fact a construction of the conversation, which I have already on the public record disputed as a fact. The mere

restatement in his question of that assertion does not make it a fact. I encourage you, President, to consider the nature of the supplementary question and whether it is in order with your ruling, to consider other questions that may be structured in such a way that they assert knowledge that the questioner cannot possibly know and to consider if there are any facts that have been put on the public record in this chamber that contradict that assertion. Within the scope of that question and further questions, I encourage you to be mindful of your previous guidance to us.

Ms Wooldridge — On the point of order, President, and on the Leader of the Government's points first, I think you have given us great clarity today in your ruling on what is suitable to be asked in terms of questions. I do not think you have left that open to debate or dispute. You, President, have been very clear about what is acceptable. I would put the opposite view to that of the Leader of the Government. Many times your rulings have been in relation to questions and that the capacity to answer questions is what allows a response to either answer it or answer it in the negative or the positive. Under the standing orders we are not allowed to ask for an opinion. In fact the standing orders require that we ask factual questions. If the minister then chooses to dispute that fact, that response is entirely within their purview. That is what you have ruled time and again. The framing of a question, not only the supplementary question from Mr Ondarchie, in many cases asserts a position which the minister then has the capacity to reject, accept or explain. This is clearly a question that is very much within the standing orders and is consistent with your previous rulings.

The PRESIDENT — Order! I thank the Leader of the Government for his point of order and the Leader of the Opposition for her perspective on that point of order and further comments. On this occasion I concur with the Leader of the Government and would strike out the supplementary question and not require a written response to that, because I believe this question, as it is framed, almost goes to verballing the minister in the sense that it states as a fact that the minister, as it were, was instructed to stay away, when in fact the substantive question asked whether or not he was. Having sought an answer to that question, to then assert, 'No? It's a fact that you were', is not in order.

Mr Jennings, as part of his point of order, which probably went a little further than a point of order, has reiterated to the house that he was at that meeting, so whilst that was not relevant in my consideration of the point of order, it certainly indicated to the house that some of the supplementary question has already been established as a matter of fact. But putting this

proposition as a fact, when the first question suggested that the opposition is not sure whether or not it is a fact, is not in order. Therefore the substantive question will stand, and I will be seeking a written response from Mr Somyurek on that matter but not on the supplementary question in this case.

Minister for Small Business, Innovation and Trade

Mr RICH-PHILLIPS (South Eastern Metropolitan) — My question is also to Minister Somyurek. Did he liaise with anyone in the Premier's office in the preparation of his personal explanation made to the house on 11 June, and if so, who?

Mr SOMYUREK (Minister for Small Business, Innovation and Trade) — I take that on notice, President.

Supplementary question

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I thank the minister for his response, and I ask: is he acting on advice in taking all these questions on notice?

Mr SOMYUREK (Minister for Small Business, Innovation and Trade) — I made my intentions clear at the start, so I will take it on notice.

Minister for Small Business, Innovation and Trade

Ms WOOLDRIDGE (Eastern Metropolitan) — My question is to the Leader of the Government. I refer to the 19 June 2015 *Herald Sun* article which outlines information about 'former Somyurek staffer, Xavier Smith'. When did Mr Smith's employment cease at the office of the Minister for Small Business, Innovation and Trade, and what were the circumstances?

Mr JENNINGS (Special Minister of State) — I do not believe that Mr Smith's employment status has been terminated. In fact I have previously given that indication, without necessarily naming Mr Smith. I have indicated to the chamber that no termination occurred, and that is my belief to this day.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) — I thank the minister. Can the minister then outline if Mr Smith is currently receiving leave with pay or receiving WorkCover payments?

Mr JENNINGS (Special Minister of State) — This is a matter that I will have to seek some additional information on because I do not know the conditions of his employment status at this point in time, apart from the fact that I know that he is still in the employ of the government.

Regional network development plan

Mr O'DONOHUE (Eastern Victoria) — My question without notice is to the Minister for Regional Development representing the Minister for Public Transport. I refer the minister to questions previously directed to her by Mr Purcell regarding the regional network development plan currently being undertaken by the government and the answers she provided to him about this project and how it will inform future decision-making regarding the V/Line network. In the context of those previous answers in which she referred to consultation the government is undertaking, what consultation has taken place with Pakenham residents regarding her government's decision to stop them having access to V/Line trains to and from Pakenham, resulting in a cut of more than 200 services per week?

Ms PULFORD (Minister for Regional Development) — I thank the member for his question. Consultations for the regional network development plan are commencing, and this will be an extensive consultation engaging communities right across regional Victoria. We expect that these consultations will occur throughout the second half of this year, and they will inform government decision-making about public transport access for people in regional Victoria.

Supplementary question

Mr O'DONOHUE (Eastern Victoria) — I thank the minister for her answer, but given that the decision to cut over 200 services per week — from her answer — was taken prior to this consultation process even beginning, I ask the supplementary question: given that the Pakenham community is growing rapidly, will the government make up for its savage cuts to the Pakenham community and deliver additional services for local commuters?

Ms PULFORD (Minister for Regional Development) — I thank the member for his further question. I would urge the member to encourage his constituents to participate in the regional network development plan review and consultation and to provide their input into public transport services across regional Victoria, as was the subject of the member's substantive question.

Honourable members interjecting.

The PRESIDENT — Order! That is out of order. Under no circumstances will I allow members' names to be used in a derogatory way or to be manipulated so that they convey some sort of disparaging remark. It is not on. Take heed.

Renewable energy

Mr BARBER (Northern Metropolitan) — My question is for the acting Minister for Environment, Climate Change and Water. Recently the Premier wrote to all federal Senate party leaders asking them to support an amendment to remove section 7C from the renewable energy target act; however, when the Greens moved that amendment the federal Labor Party did not actually vote for it. Can the minister tell me when he first became aware that the federal Labor Party would not be supporting the removal of section 7C?

Mr JENNINGS (Special Minister of State) — I thank Mr Barber for the question. That unhappy realisation may have actually come crushing down on the state Labor Party. Perhaps we did have some warning of it, given that our position was based upon trying to fill a gap between the negotiated outcome in the federal jurisdiction about the renewable energy target that had received a level of agreement between federal parties but which fell short of state Labor's aspiration to try to bridge that gap. We continue to advocate a position, and we will continue to advocate a position, but unfortunately, as Mr Barber would know, through the political process sometimes our federal brothers and sisters may be party to voting outcomes and agreements that may fall short of aspirations that we may have in the state. This may be one of those.

That does not actually mean that we have given up pushing for an increase to the renewable energy target. It does not mean that Victoria will give up on looking for opportunities to support renewable energy being generated in this state, and the Andrews government will be very determined to try to achieve that outcome in future. We will continue to be an advocate to not only the member's federal brothers and sisters but also our own in terms of trying to encourage them and the federal Parliament to increase the size of the renewable energy target that has been agreed to and to provide some support across Australia for the renewable energy industry. Certainly in Victoria we will be seeing what we can do to get on with it, and we urge other parties to support us in that endeavour.

Supplementary question

Mr BARBER (Northern Metropolitan) — In terms, then of having drawn a blank with the federal Labor Party and in terms of getting on with it at a state level, will the minister now commit to a renewable energy target but by another means here in Victoria, such as the method that has been adopted by the ACT Greens-Labor government?

Mr JENNINGS (Special Minister of State) — I thank Mr Barber for the entrapment he has embedded within the question. I acknowledge the entrapment within the question. Regardless of the entrapment within the question, I say to Mr Barber that we will be exploring ways in which we can achieve greater renewable energy in Victoria. We are very keen to drive that industry in Victoria. We have fairly strong legal advice that in fact the course of action is not available to us in Victoria, but I will encourage my colleagues, particularly the Minister for Energy and Resources, to explore all avenues — by legislation, by programmatic outcome, by industry support — through which we can achieve a better outcome for Victoria and Australia in relation to renewable energy. We will work with it, and hopefully we will actually get a broader coalition than the one Mr Barber identified, because ultimately we would hope even the other side of the chamber — notwithstanding the crossbench, because they may get the program already — the coalition, may get with the program eventually. We would have a broad-ranging coalition.

Coal exploration

Mr BARBER (Northern Metropolitan) — My question is to the Minister for Agriculture, also the Minister for Regional Development, Ms Pulford. Four new coal exploration licences were granted last week across some of the prime farmland in Victoria, including in Mirboo North in South Gippsland, plus a retention licence over the Gelliondale area. Did the minister know these licences were to be granted before the information became public?

Ms PULFORD (Minister for Agriculture) — I thank Mr Barber for his question. The matter he refers to is a matter for the Minister for Energy and Resources, Ms D'Ambrosio. I can refer that matter to Ms D'Ambrosio for a response.

The PRESIDENT — Order! The question was not about Ms D'Ambrosio's knowledge; it was about Ms Pulford's knowledge. To then seek a written response from Minister D'Ambrosio as to her

knowledge is not within the context of the question. Does Ms Pulford wish to readdress that in some way?

Ms PULFORD — I was not aware of that prior to the announcement, no.

Supplementary question

Mr BARBER (Northern Metropolitan) — I thank the minister. The other minister she refers to has wide discretion to set exemptions over areas of land in Victoria from mining. Is the minister concerned about the continued granting of these coal exploration licences on prime farmland without seeking her input into what could be a decision to in fact protect these farmlands and both the social and economic value of them to the state of Victoria?

Ms PULFORD (Minister for Agriculture) — I wonder if Mr Barber is seeking an opinion on this matter, but if I could perhaps answer in a broader and more general sense, this government is very committed to the protection of prime farmland. This is an \$11.6 billion industry that is absolutely critical to Victoria's future prosperity. I will work with all of my colleagues whose responsibilities in government interact with agricultural production, and this is a very long list of colleagues indeed: the Minister for Planning, the Minister for Environment, Climate Change and Water, the Minister for Roads and Road Safety, the Minister for Public Transport — the list goes on quite a long way.

Mr Dalidakis interjected.

Ms PULFORD — Did somebody say the Minister for Tourism and Major Events? That is perhaps less the case, but I thank Mr Dalidakis. We are a government that is absolutely committed to growing food and fibre in Victoria.

Victoria Police

Mr BOURMAN (Eastern Victoria) — My question today is to the Minister for Training and Skills, Steve Herbert, representing the Minister for Police. Victoria Police has a long and proud tradition of striving to be one of the best police forces in this country. My own experience was of a crew on the ground who wanted to produce the best result for the Victorian public in their day-to-day endeavours. The realities of the job of a frontline police officer are situations that most people may only face once or twice in their life, but the police will face them multiple times a day, and this can lead to issues such as post-traumatic stress disorder and physical injuries. I have been made aware of a huge number of complaints regarding the WorkCover

insurers of Victoria Police. Regardless of the practices of the insurer, it is incumbent upon the state of Victoria to ensure that the employees of this state are treated in a proper and respectful manner. My question is: given that I know police command is aware of the issues I have described, why is this situation not being actively remedied?

The PRESIDENT — Order! I will allow the minister to answer, but that had all the hallmarks of a set speech rather than the context for a question. Members can elect to provide information to ministers to assist them in providing an answer that members might wish for, but there was a fair bit of the member's own editorial in that question. Nonetheless, the minister, Mr Herbert, to respond.

Mr HERBERT (Minister for Training and Skills) — Yes, it may have been a bit like a set speech, but there is absolutely no denying Mr Bourman's passion for Victoria Police and the advancement of its members. In relation to the question, I am not so sure that it should be directed to the Minister for Police, who is also the Minister for Corrections. Rather, it may be a WorkCover issue, which is the responsibility of the Minister for Finance, who is responsible for WorkSafe.

Having said that, with regard to the issue of post-traumatic stress disorder, which the member was referring to in particular and which often results from conflict, bullying or a whole range of activities, I understand that Victoria Police has adopted a zero-harm strategy for its staff, including proactive approaches to educate its members about conflict and a range of other issues. I understand that it also provides support services and crisis responses for members experiencing difficulties. Officers of the police psychological and welfare unit, which I am sure Mr Bourman is familiar with, are trained to provide additional emotional support, advice, referrals and a whole range of other support. I understand that these services are available 24 hours a day, and of course there are also chaplaincy and other peer support services.

I understand Victoria Police wants to reduce harm and support police in terms of post-traumatic stress disorder, given the very dangerous jobs of police officers. However, with regard to the WorkCover issue, I cannot respond.

Supplementary question

Mr BOURMAN (Eastern Victoria) — I thank the minister for his response. Again, this question goes to the Minister for Training and Skills, Mr Herbert, but he may not be able to answer it. What will the minister be

able to do to streamline the processes so that genuine claimants will not have to endure frustrating delays and personal cost for work-related injuries?

Mr HERBERT (Minister for Training and Skills) — That is definitely a question for the Minister for Finance, who is responsible for WorkSafe. In the context, it is probably also an issue for the Acting Chief Commissioner of Victoria Police. I know Victoria Police has a range of programs in place. I alluded to some of them beforehand. I know it is, with Deakin University, having some reviews and research done in terms of the whole issue of mental health and in terms of working with the centre for post-traumatic stress disorder, beyondblue and other organisations, but when it comes to WorkCover claims and processing, I cannot answer that.

Victoria Police

Ms PATTEN (Northern Metropolitan) — My question is to the Minister for Training and Skills, Mr Herbert, who is representing the Minister for Police, and it concerns the release of use-of-force data by Victoria Police. Community legal organisations have expressed concerns about the difficulty of obtaining data on the use of force by police and protective services officers (PSOs). Centralised collection of use-of-force data has occurred in Victoria since 1995. Despite numerous recommendations by the Office of Police Integrity, this data has not been released to independent bodies for analysis and review. Given the lack of availability of the data, could the minister tell the house how many times capsicum spray has been used by a police officer or PSO in the line of duty in the last 12 months?

Mr HERBERT (Minister for Training and Skills) — That is a pretty specific question. The member is well known for her passion on these issues, but with respect to how many times capsicum spray has been used, I cannot answer that and I will take it on notice.

Supplementary question

Ms PATTEN (Northern Metropolitan) — Without independent monitoring and public reporting of the use of force by police and PSOs, the integrity and accountability of Victoria Police as a whole is, rightly or wrongly, called into question. Comparative statistics are a vital aspect of transparent, accountable organisations. Given repeated recommendations by the Human Rights Law Centre, the Federation of Community Legal Centres Victoria, the Office of Police Integrity, the Victorian Ombudsman and even

the Premier's acknowledgement that police in Victoria should be more accountable, when will the data on use of force against Victorians by police and PSOs be released?

Mr HERBERT (Minister for Training and Skills) — I thank Ms Patten for her supplementary question. To be perfectly honest, I think Victoria Police has great integrity. There are always issues, right around Australia, but I would have thought that Victoria Police is probably held in high regard in many jurisdictions around this country in terms of the way it handles these sorts of issues, despite the funding cutbacks it has had in previous years. However, on the specific issue, I will have to take that question on notice and come back to the member.

QUESTIONS ON NOTICE

Answers

Mr JENNINGS (Special Minister of State) — I have the following answers to questions on notice: 525, 545–7, 558–63, 565–6, 568, 570–2, 577.

The PRESIDENT — Order! I indicate in respect of questions put today that it is my expectation Mr Somyurek will provide written responses tomorrow to the question and supplementary put by Ms Wooldridge in the first instance today and to the substantive question put by Mr Ondarchie. Was Mr Rich-Phillips's question also to Mr Somyurek?

Mr Rich-Phillips — Yes.

The PRESIDENT — Order! I have not actually made a note against that one. As I understand it, Mr Somyurek referred all matters to a written response, whether or not he was advised to do so. I will require a written response to both of those tomorrow.

Ms Wooldridge's supplementary question to Mr Jennings will require a written response. Is that totally in Mr Jennings's purview? We do not need another minister from the other place to answer that?

Mr Jennings — No, I will find that.

The PRESIDENT — Order! In respect of Ms Patten's questions to Mr Herbert, Mr Herbert has undertaken to provide some further information, particularly with regard to the substantive question.

Mr Ondarchie — On a point of order, President, I note that during the 58th Parliament, where you have deemed a question unsuitable you have graciously given members the opportunity to restate their question.

I am wondering if you will afford me that same opportunity for my supplementary question to Mr Somyurek?

The PRESIDENT — Order! The answer to that is no. Whilst I do it as a courtesy from time to time, I must say I do it with the forbearance of ministers as well because they are perfectly entitled to check me and say, ‘Hey, that’s really out of order’. To some extent I am being lenient under the standing orders in providing that opportunity. Ruling Mr Ondarchie’s question out today is also not without precedent because in the last sitting week I ruled out one of Mr O’Donohue’s in exactly the same way without affording him an opportunity to reword it, and in some respects it was for similar reasons. I do not think it was appropriate to have that supplementary question, and I am not prepared to allow a rewording of it today.

Ms Wooldridge — On a point of order, President, Mr Ramsay asked a question of the Special Minister of State on 11 June, and we have received a written response in relation to that. The question was regarding how many staff members are having their legal costs paid for by the state government. The Special Minister of State has just asserted that he will not be answering that question until the investigation has concluded. I put to you that this question in no way impedes that investigation or has an impact on its conclusions. Mr Ramsay asked purely for a number — whether it be 0, 1, 2 or even 10 — of staff members who are having their legal costs funded by the state government in relation to the investigation. I am sure other staff members may wish to have further legal costs paid for, but we asked about a point in time for a number of staff. Given the absence of a genuine response to the question, I ask you to reinstate that question and seek a more fulsome answer from the minister tomorrow.

The PRESIDENT — Order! At this stage I will think about it. I also apologise in respect of the questions that we have had today in that I understand Mr Bourman also had a question that required a further response from a minister in another place.

Mr Herbert — It should have been to the WorkCover minister, the minister responsible for consumer affairs, which is an area that I do not have responsibility for.

The PRESIDENT — Order! Which minister has responsibility for WorkCover? Is it the Special Minister of State?

Mr Jennings — I think I will now.

The PRESIDENT — Order! At any rate we will seek a response from the WorkCover minister. The Special Minister of State has indicated that he will facilitate that. Can I indicate in respect of that question and also Ms Patten’s questions that the two-day rule applies. The responses are not expected tomorrow because they involve ministers in another place. I will give some consideration to Ms Wooldridge’s point in the minutes ahead.

Ms Patten — On a point of order, President, I refer to the question that I asked of the Minister for Equality and the response that I received. The specific question asked how many staff were employed within the minister’s office as part of the new equality portfolio — and it is a new portfolio — and the answer was that funding and tenure for ministerial staff is consistent with past practice. Considering it is a new portfolio — —

Mr Jennings — That is not a good answer, is it? That is not a great answer. It is not our best.

Ms Patten — This is question time, not answer time, is it not?

The PRESIDENT — Order! If Ms Patten can provide me with that documentation, I will make a response to it in a few moments. I think Ms Patten will probably be fairly happy with that response.

CONSTITUENCY QUESTIONS

South Eastern Metropolitan Region

Mr RICH-PHILLIPS (South Eastern Metropolitan) — My constituency question is for the Minister for Public Transport. I refer to a matter of great concern to residents of Cranbourne regarding the Andrews government’s failure to fund a grade separation on Thompsons Road in Cranbourne. This comes on the back of the government’s failure to fully fund the Thompsons Road duplication, which was promised last November but which was not delivered in this year’s budget. Neither the Thompsons Road duplication has been fully funded nor has funding been provided for a grade separation. My question to the Minister for Public Transport is: will the minister advise why the government has not made Thompsons Road level crossing a priority for removal by 2018?

Northern Victoria Region

Mr YOUNG (Northern Victoria) — I have recently had a conversation with someone who has just purchased himself a new firearm. As a part of the process to register the firearm in his name he had to

apply for a permit to purchase. Once approved, the permit needs to be paid. Currently these permits can only be paid at a Westpac bank. This person lives in far northern Victoria and had to drive 2 hours to get to the nearest Westpac bank to pay a \$9 fee. Why is there no online service to pay for a permit to purchase or at the very least the ability to pay at another bank or post office? My question is for the Minister for Police.

South Eastern Metropolitan Region

Ms SPRINGLE (South Eastern Metropolitan) — My constituency question is for the Minister for Industry. The automotive supply chain is made up of businesses that supply parts to Victoria's vehicle manufacturing industry. A recent survey found that the majority of businesses and workers in Victoria's auto supply chain businesses are in the South Eastern Metropolitan Region. The most alarming finding was that while these businesses see the value in diversifying, many of them do not know how to do it. That is because most of them have only ever worked to supply the car manufacturing industry. The City of Greater Dandenong has allocated an extra \$150 000 to programs to help businesses diversify, but it needs real money so that the south-east can avoid inevitable redundancies. What is the minister's plan to help businesses diversify so as to protect manufacturing jobs in the south-east?

Southern Metropolitan Region

Ms FITZHERBERT (Southern Metropolitan) — My constituency question is to the Minister for Education regarding the grounds at Albert Park Primary School. Like other local schools, it is growing fast, and the children have minimal outdoor play space. Currently there is a pop-up park on Moubray Street adjacent to the school's main building. This has been provided by Port Phillip City Council. It is not fenced, it is temporary and it is shared with the local community. The school would like to permanently expand its grounds to include this part of Moubray Street as well as the land beside its existing playground at the intersection of Moubray Street and Bridport Street West. The road is owned by Port Phillip council. Expanding in this way will not affect vehicle access for any neighbours and will likely have minimal impact on local traffic.

I ask the minister: will he direct the Department of Education and Early Childhood Development to purchase the land from Port Phillip council to enable Albert Park Primary School to expand its grounds, and can he provide a time frame for the required work to

happen? And if not, what will the minister do to expand the grounds of Albert Park Primary School?

Western Victoria Region

Mr MORRIS (Western Victoria) — My question is directed to the Minister for Police. I note that due to the extra resources that were provided by the coalition government to police in Ballarat, overall crime in Ballarat has fallen. A particular area of concern in Ballarat at present, though, is the number of burglaries that are occurring, with Ballarat now having one of the highest rates of burglaries in the state. The number of burglaries in Ballarat is of particular concern to families and the older members of our community, who have a right to feel safe in their own homes and to have their property respected. Added to this concern is that not a single new police officer has been allocated in Labor's budget for Ballarat — not one single officer! Given this, my question is: what is the government going to do to take crime in Ballarat seriously?

Western Metropolitan Region

Ms HARTLAND (Western Metropolitan) — My constituency question is for the Minister for Public Transport. Yarraville station has a level crossing on Anderson Street that is unsafe for local residents. Often the boom gates stay down for extended periods in anticipation of a train that takes many minutes to come. I have experienced the boom gates being down for up to 14 minutes. There is no pedestrian underpass as it was concreted in in 1997 — for no particular reason, it would seem. This means that whenever the level crossing boom gates are down for an extended period of time, pedestrians risk running across the tracks. Yarraville station's level crossing has not been the beneficiary of the government's level crossing redevelopment commitments, so my question for the minister is: will the government build a pedestrian overpass or reopen the underpass to reduce the risks to pedestrians?

Western Metropolitan Region

Mr FINN (Western Metropolitan) — My constituency question is directed to the Minister for Public Transport. I refer to the minister's announcement last week that she has listened to public outrage from the Sunbury community about Labor's broken promise on maintaining V/Line services for Sunbury passengers and has given them some short reprieve by delaying the V/Line ban on Sunbury residents until the end of this year. Given revelations of recent days concerning the timetable, will the minister now confirm that it was this debacle that drove her

decision on V/Line services and not the genuine concerns of people in Sunbury?

Northern Metropolitan Region

Mr ONDARCHIE (Northern Metropolitan) — My constituency question is to the Minister for Public Transport, Jacinta Allan. It is about the citizens of Melbourne's outer north and their confusion about exactly when they will get their Mernda railway station. In 2014 the lower house member for Yan Yean put out a flyer saying that Labor would extend the South Morang rail line to Mernda and that work would start next year. On 5 May this year the Treasurer said that the government had allocated \$9 million towards planning and had committed to completing it in its first term. On 6 May the member for Yan Yean said on her Facebook page that it would be completed by 2018.

On 15 May Minister Allan said at a Public Accounts and Estimates Committee hearing that it would be commenced within four years. On 18 May Ms Green, the member for Yan Yean, said it would be operational by the next election. On 19 May the minister said she wanted construction started in the first term and hoped to have it finished by 2019. The Deputy Premier said it would be finished in the 2018–19 financial year, and Minister Allan said, 'We don't want to waste a moment because we really have to start from scratch'. My question is: can the minister advise the residents of Whittlesea and me exactly when they will be able to catch the train from Mernda?

The PRESIDENT — Order! I make the observation that the school group up in the public gallery wins an award for the longest sitting in the house ever. That is remarkable. Well done. I asked, 'I wonder what those kids did wrong?'. I understand they are from Geelong; I hope they enjoyed the football on Sunday, as I did.

Northern Victoria Region

Ms LOVELL (Northern Victoria) — My question is for the Minister for Families and Children. It is regarding facilitating better arrangements for interaction between kindergartens and primary schools when a kindergarten is co-located with a primary school. One of the key reasons for co-location is to provide better transition from kindergarten to primary education. This is achieved because a child is more familiar and comfortable with the school surroundings, students and teachers.

When I was Minister for Children and Early Childhood Development I had the department doing work on breaking down some of the barriers that exist for

schools that wish to run their own kindergarten and also around access between the two facilities. Currently licensed children's centre boundaries are limited to the kindergarten site only and parental permission needs to be gained for each visit the kinder children make to participate in activities on the school site. Surely there can be a streamlined approach. Perhaps there could be one permission slip signed annually for interaction with the school. I ask: will the minister investigate ways to streamline the access between kindergartens and adjoining primary schools when the kindergarten is co-located with the school and continue the work I was doing as minister?

The PRESIDENT — Order! That was borderline in terms of a question, I must say.

Eastern Victoria Region

Mr O'DONOHUE (Eastern Victoria) — My constituency question is to the Minister for Public Transport. It refers to the answer just given by Ms Pulford to my question without notice regarding the savage cuts by the government to rail services for Pakenham commuters. More than 200 services a week have been cut. Ms Pulford in her answer referred me to the consultation sessions that are taking place as part of the Public Transport Victoria (PTV) network development plan that is currently underway, but having looked on the PTV website I note that consultation sessions are scheduled in Gippsland — in Warragul, Sale, Bairnsdale, Traralgon and Wonthaggi. There is no mention of Pakenham. The question I have for the minister is: will there be a consultation session for the commuters of Pakenham, many of whom have approached me and have been to my office expressing their concern, and when will that consultation take place?

Northern Victoria Region

Mr DRUM (Northern Victoria) — My constituency question is to the Minister for Education. Last parliamentary sitting I asked the minister to get himself involved in the Ulumbarra Theatre project, in which central Victorian businesses working as subcontractors on this government project are owed millions of dollars due to variations. My question is: has the minister or his staff met with Contract Control Services over these outstanding payments, which are due because of contract variations, and were any representatives of the Construction, Forestry, Mining and Energy Union present at that meeting?

Mr Leane — On a point of order, President, I ask you to make a ruling on whether the last two

constituency questions comply with the standing orders as to what a constituency question should be.

The PRESIDENT — Order! In respect of Ms Lovell's question I am not convinced inasmuch as it was a broad, general issue rather than something that related to a specific instance in her electorate.

Ms Lovell — It was raised with me by a constituent.

The PRESIDENT — Yes, but we can all say that. I have actually pulled up Mr Leane in the past in exactly that context. He raised an issue and later said to me, 'I've talked to my schools about it', but he was actually raising a broader issue. It is exactly the same here. For consistency it needs to be a matter that is specific to a member's electorate and not a broad government policy issue. Members can pursue those matters under other procedures. I agree with Mr Leane that Ms Lovell's question did not conform to our requirements for a constituency question. I will look at Mr Drum's question. In the meantime, I call Mr Ramsay.

Ms Lovell — On a point of order, President, would you allow me to draw that to the specific school so that it is —

The PRESIDENT — No, because I did not allow Mr Leane to do so the last time. Sorry.

Western Victoria Region

Mr RAMSAY (Western Victoria) — My constituency question is to the Minister for Public Transport. It is in relation to the new bus services that have been provided to the greater Geelong region. There was a significant consultation period with the Geelong regional community and Public Transport Victoria over many months that tried to provide the best connections possible between rail and bus services throughout the Geelong area, but it has been a total debacle since the new bus service routes were introduced on the weekend. An article in the *Geelong Advertiser* headed 'Patrons miss the bus' quotes commuters as having said:

It's a disgrace. I live in Corio and now have to catch two buses into town ...

My biggest issue is the lack of buses between Corio and Lara.

I didn't think the bus services in Ocean Grove could get any worse. Scrapping the 83 now means the only way into Geelong and back is by a —

pushbike.

Another commuter stated:

At the moment, if I want to go to Waurn Ponds from Marshall, I have to either catch a bus to Belmont and then out to Waurn Ponds ...

Anyway, members get the drift. My question is for the minister to review the new bus routes that were implemented on the weekend and make significant changes to appease a very upset Geelong community.

The PRESIDENT — Order! The question should be framed as 'can the minister', not 'the minister should'. Let us turn it into a question. In respect of Mr Drum's question, Mr Drum did mention a specific project in his electorate, and that met the criteria for a constituency question.

It has been raised with me that Mr Ondarchie mentioned Whittlesea, which is not in his electorate. I am not sure of the exact geography of what he raised in his constituency question, but perhaps I will have a look at that tomorrow or later today. Again, constituency questions have to be about a member's own electorate.

ABSENCE OF DEPUTY PRESIDENT

The PRESIDENT — Order! I take this opportunity to advise that the Deputy President, Ms Tierney, has a rather urgent matter she needs to attend to regarding the health of a very close relative, and she will therefore not be here today. For the rest of the week her presence will depend on the circumstances associated with that matter. I indicate to the house that I will require Mr Elasmarr to be the chair of committees as required this week.

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

State Taxation Acts Amendment Bill 2015

Mr MORRIS (Western Victoria) presented report, including appendix.

Laid on table.

Ordered that report be published.

Mr MORRIS (Western Victoria) — I move:

That the Council take note of the report.

On behalf of the Standing Committee on the Economy and Infrastructure, I present the first report of the committee for the 58th Parliament. This was a groundbreaking inquiry in that it was the first time a Council committee has reviewed a bill before its introduction into the Legislative Council. The committee was able to review the bill without delaying

its passage through the Council. In undertaking the brief for this important inquiry the committee received evidence from key witnesses about how investigators may react to this proposal. The evidence given to the committee suggests that the impact may be shown several years further down the track given the lead times involved in property investment.

Concerns were raised in the hearing about the ability of the Treasurer to grant exemptions from the stamp duty surcharge and the transparency of that process. However, the committee was also advised that these types of exemptions are not unusual as there are similar provisions in other acts. Witnesses suggested that fast-tracking exemption applications would assist developers to plan developments with certainty. The government may need to review the operations and staffing of the State Revenue Office.

I thank my colleagues on the committee, Khalil Eideh, Philip Dalidakis, Nazih Elasmr, Colleen Hartland, Bernie Finn, Rachel Carling-Jenkins and Craig Ondarchie for their work on the inquiry. On behalf of the committee I thank all the witnesses for their time and evidence. Finally, the committee's thanks go to the staff and in particular Anthony Walsh who undertook the research and managed the inquiry from the outset to enable the committee to meet its very tight deadline. I commend the report to the house.

Mr EIDEH (Western Metropolitan) — I rise to speak briefly on the Standing Committee on the Economy and Infrastructure report into the State Taxation Acts Amendment Bill 2015. I thank the committee's chair, Joshua Morris, for tabling this report. I take this opportunity to thank all the members of the committee, Philip Dalidakis, Nazih Elasmr, Colleen Hartland, Bernie Finn, Craig Ondarchie and Rachel Carling-Jenkins for their ongoing work on the inquiry. In addition to my committee members, I thank all the staff who assisted the committee, and in particular Anthony Walsh, and all the witnesses who kindly offered their time and evidence for this important report.

This was a very important inquiry. It was the first time a Council committee has reviewed a bill that is before the Parliament and prior to its introduction into the Legislative Council. Through this process the committee was able to receive evidence on how future investors might perceive this proposal. Under the process the committee found that the impact of the taxation amendments outlined in the legislation may not be fully understood for some time when the lead times involved in property investment are considered. We also heard other concerns about stamp duty exemptions

and suggestions including fast-tracking this process and ensuring its accountability. I commend the report to the house.

Ms HARTLAND (Western Metropolitan) — I would like to add a few words. This inquiry was very well done. It shows we can look at legislation and have a rapid turnaround to the house. For that reason it was very worthwhile, and I hope we deal with more legislation in this way.

Motion agreed to.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 7

Mr DALLA-RIVA (Eastern Metropolitan) presented *Alert Digest No. 7 of 2015, including appendices.*

Laid on table.

Ordered to be published.

Mr DALLA-RIVA (Eastern Metropolitan) — I move:

That the Council take note of the report.

It is unusual to move that the Council take note of an *Alert Digest* report. However, yesterday the executive officer of the Scrutiny of Acts and Regulations Committee, Andrew Homer, announced that he would be stepping aside from that role. He has been in that position for some 20 years, well before the Scrutiny of Acts and Regulations Committee was formed, if that makes sense, when there was a scrutiny role. He indicated that he first took on the role in 1988 and that he has seen eight chairs come and go, and I am one of them. For the record and in order for the Parliament to acknowledge officers who work tirelessly to assist us in our duties, I formally record my appreciation to Mr Homer. I wish him well, and I wish his family well as he moves towards retirement, as we all eventually will do. I look forward to the report being published.

Motion agreed to.

PAPERS

Laid on table by Deputy Clerk:

Crown Land (Reserves) Act 1978 — Minister's Order of 1 June 2015 giving approval to the granting of a lease at Albert Park.

Melbourne City Link Act 1995—

City Link and Extension Projects Integration and Facilitation Agreement Twenty-Third Amending Deed, 19 June 2015, pursuant to section 15B of the Act.

Exhibition Street Extension Sixteenth Amending Deed, 19 June 2015, pursuant to section 15D of the Act.

Melbourne City Link Thirty-Fourth Amending Deed, 17 June 2015, pursuant to section 15(2) of the Act.

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 the following amendments to planning schemes —

Casey Planning Scheme — Amendments C143 and C148.

Hobsons Bay Planning Scheme — Amendment C105.

Knox Planning Scheme — Amendment C134.

Warmambool Planning Scheme — Amendment C98.

Victoria Planning Provisions — Amendment VC125.

Yarra Ranges Planning Scheme — Amendment CI 31.

Statutory Rules under the following Acts of Parliament —

Associations Incorporation Reform Act 2012 — No. 46.

Crime Statistics Act 2014 — No. 48.

Local Government Act 1989 — No. 47.

Subordinate Legislation Act 1994 — No. 50.

Transport (Compliance and Miscellaneous) Act 1983 — No. 49.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule Nos. 46, 48 to 50, 52, 54 and 61 to 63.

Legislative Instruments and related documents under section 16B in respect of —

Declaration of provisions to be a corresponding law, 9 June 2015, under the Prevention of Cruelty to Animals Act 1986.

Declaration of Approved Seatbelts, 13 May 2015, under the Road Safety Act 1986.

Ministerial Order 843 — Victorian Institute of Teaching Schedule of Registration Fees 2015–16, 5 June 2015, under the Education and Training Reform Act 2006.

Proclamations of the Governor in Council fixing operative dates in respect of the following acts:

Veterans and Other Acts Amendment Act 2015 — Remaining Provisions — 15 June 2015 (*Gazette No. S144, 9 June 2015*).

Legal Profession Uniform Law Application Act 2014 — Remaining Provisions — 1 July 2015 (*Gazette No. S151, 16 June 2015*).

BUSINESS OF THE HOUSE

General business

Ms WOOLDRIDGE (Eastern Metropolitan) — By leave, I move:

That precedence be given to the following general business on Wednesday, 24 June 2015:

- (1) notice of motion given this day by Ms Wooldridge appointing participating members to the various Legislative Council standing committees;
- (2) order of the day 22 standing in the name of Mr Rich-Phillips in relation to the failure of the government to produce various documents;
- (3) notice of motion 102 standing in the name of Dr Carling-Jenkins in relation to disability procurement;
- (4) notice of motion given this day by Mr Bourman relating to the benefits of outdoor sports and activities.

Motion agreed to.

MINISTERS STATEMENTS

Kindergarten funding

Ms MIKAKOS (Minister for Families and Children) — I rise to inform the house of the Andrews Labor government's new investment in supporting kindergartens to move to improved child-to-educator ratios. As a government we have a vision to make Victoria the education state, and early childhood education and care is a key part of this. Our vision builds on the legacy of the last Labor government that expanded kinder hours by 50 per cent in the year before school from 10 hours to 15 hours of kinder per week and lifted quality in our services through the introduction of the national quality framework. This is why I was proud to announce yesterday with the Premier up to \$83.7 million over the next four years to support the implementation of improved child-to-educator ratios from 1 January 2016 to move Victoria from 1 educator for every 15 children to 1 for every 11 children.

Research shows that improved child-to-educator ratios promote improved literacy and communication skills as well as better socialisation skills. We have also invested new funds to ensure that children from disadvantaged backgrounds get access to free or low-cost kindergarten through the early start kindergarten program and the kindergarten fee subsidy.

Improved ratios will deliver higher quality care for our children in kindergarten. Improved ratios will also create several hundred more early childhood educator jobs. In light of this it is extremely disappointing to see media reports today that, according to its leaked green paper on federation, the Abbott government is yet again considering cuts to kindergarten funding and walking away from preschool altogether. If the Abbott government were serious about the value of early childhood education, it would rule out pulling out of kindergarten funding. If it were serious about lifting school performance, it would provide ongoing funding certainty for kindergartens. If it were serious about economic growth, it would invest more, not less, in high-quality early childhood education.

The contrast is clear. The Andrews Labor government believes in giving every Victorian child access to a quality early childhood education, and we are investing in supporting more children to participate in kinder through \$50 million for improved infrastructure for kindergarten and early year facilities as well as funding to implement the new child-to-educator ratios.

RULINGS BY THE CHAIR

Questions on notice

The PRESIDENT — Order! I have resumed the chair briefly, and I thank the Acting Chair for allowing me to return to indicate the rulings in respect of matters raised with me earlier.

In respect of Ms Patten's question on notice 525 to the Minister for Agriculture, I concur with Ms Patten that the answer is unsatisfactory. It does not address the question that was asked, and therefore I will reinstate that particular question.

I have also had a request from Ms Dunn in respect of question on notice 543 that was put to the Minister for Agriculture. It was in regard to various funding aspects of logging activities in Victoria, particularly with regard to the VicForests arrangements. I have reviewed the answer, and I am of the view that whilst there is a reference to some of that information perhaps being available online, most of the response is not apposite to the question that was asked; therefore I reinstate question 543.

Written responses

The PRESIDENT — Order! In respect of Ms Wooldridge's point of order regarding Mr Ramsay's question of last week which has been answered in writing by Mr Jennings — and this goes to

legal representation — I have given this some consideration. It is a difficult one for me in the sense that whilst it might seem straightforward to say, 'There are a certain number of people at this point in time who are having their legal costs funded', I am not in a position to direct the minister to change his answer on this one. He has stated by way of answer that with the investigation ongoing he is not in a position to provide the information sought. He has indicated, however, that when the matter is concluded there will be a preparedness to respond to the question in respect of all those people whose legal costs might be met. In that sense the minister will be providing an answer to that question at what he regards as an appropriate time, given the nature of the investigation.

MEMBERS STATEMENTS

Numurkah District Health Service

Ms LOVELL (Northern Victoria) — Last Friday I was pleased to attend the official opening of the new Numurkah District Health Service, three years after the original hospital was devastated by floods in 2012. In 2013 the former Liberal government provided \$18.3 million for the replacement of the hospital, which needed to be fully rebuilt as it was so badly damaged it was rendered permanently unusable.

I want to thank former health minister David Davis for his commitment to the Numurkah District Health Service rebuild and the board and CEO Jacque Phillips for their leadership during a very difficult time. I would also like to congratulate the Numurkah community for having raised a very impressive \$200 000 towards the purchase of new equipment.

The new hospital is a fantastic facility that will serve the community well and be a constant reminder of the strength and resilience of the Numurkah community and the coalition's commitment to regional health needs.

Al Kasem Youth Organisation

Ms LOVELL — It was my pleasure to attend the official launch of the Al Kasem Youth Hub in Shepparton the week before last. The Al Kasem Youth Organisation has had a strong presence in the Shepparton community since 2011, attending and organising a wide range of events and activities to strengthen community relations. I congratulate all members of the Al Kasem Youth Organisation on their great achievements in our community.

Wyndham Vale railway station

Mr LEANE (Eastern Metropolitan) — I was very pleased on Saturday to attend the community open day for the new Wyndham Vale railway station, where there were hundreds of very happy people. They were not just happy about this station but also happy about the services.

Mr Finn — Why wasn't I invited?

Mr LEANE — Mr Finn must not be part of the community, because it was a community open day. I am a bit sad on his behalf if he is not.

Anyway, everyone was very happy to be there and check out their new architect-designed station, their new bus exchange and one of their new double-decker buses. It is the first community that will have access to the new double-decker buses, which double the seating capacity for passengers. They were also happy with their warm indoor waiting room, the extra car parking, the facilities to park their bikes and the lifts down to the platform. That is a novel thing — actually putting lifts in when a station is opened rather than six months later, which was the practice of the previous government.

Mr Finn interjected.

Mr LEANE — A fun time was had by all, and it is a shame that Mr Finn missed it.

Jumps racing

Ms PENNICUIK (Southern Metropolitan) — Just how dangerous jumps racing is for horses and jockeys was clearly shown last Sunday at Hamilton, with falls and riderless horses in all three events. In race 1 only five out of nine horses finished. King of the Forest was described as jumping 'awkwardly' — again blaming the horse instead of the dangerous activity — and lost its rider. On the eighth hurdle Longshaw lost its rider and continued around the track with King of the Forest. Towards the end of the race Lake Eerie pulled up and was unable to finish, and King of the Cross lost its rider as well. So there were three horses in that race running around without riders.

In the second race only five of the seven horses finished. Diello Rose smashed through the wing at the hurdle and continued after losing its jockey, and Cavallo Reigns knuckled and fell, dislodging its jockey. In the third race only four of the six horses finished. Red Rossa failed to finish, and Hezza Tidal Wave fell over the second-last hurdle, throwing its jockey.

I urge members to view videos of these events and to ask themselves if this is the sort of hazardous activity that should be sanctioned in this day and age. It is interesting that all these falls occurred in the last stages of these 3.2-kilometre events, when the horses were clearly tired, and also that, except on one occasion, the riderless horses avoided jumps whenever they were able to, even crashing through barriers to do so.

Port Phillip Specialist School

Ms FITZHERBERT (Southern Metropolitan) — Last week I was delighted to revisit the Port Phillip Specialist School, many years after I was first there. It was even more inspiring to me than it was some 15 years ago. The school caters for students aged from 2.8 to 18 years, including students with intellectual disabilities and other associated disabilities. Approximately 45 per cent of students have autism spectrum disorder as well as an intellectual disability.

The school is a leader in providing educational, health and welfare services to students and their families. It does this through an integrated service model. This means structuring educational, medical, paramedical and mental health services to maximise the available resources and outcomes for students. The school looks very different to the way it looked the first time I went there, mainly because of the major playground redevelopment undertaken in 2014. Another major achievement of the past year is that the school is now partnering with a school in Singapore, the Melbourne Specialist International School.

I acknowledge the work of the teachers at the school, led by principal Alison Druce and assistant principal Katie Brice, and also the contribution of the school council, its foundation and the Friends of Port Phillip Specialist School. They all contribute to make this an absolutely outstanding school.

Firewood collection

Ms SYMES (Northern Victoria) — In making my members statement today, I commend the Minister for Environment, Climate Change and Water for her decisive action in securing domestic firewood supplies for communities in the Barmah National Park vicinity in my electorate of Northern Victoria Region. This action was brought about after a number of constituents contacted my office expressing concern about their difficulty in obtaining wood and the pending end to collection in the Barmah National Park on 30 June this year. Cobram resident Daryl Hitchcock and his wife, Janice, who unfortunately is suffering from cancer, rely on wood as their primary heating source. They, like

many vulnerable pensioners in the area, are the people most impacted by the transition to no firewood collection from the legislated sunset date.

It was my constituents' stories that led me to work on a policy solution to help local residents, something the former government failed to do. That is why I was proud to announce last Friday that the Andrews Labor government has secured vital firewood collection for vulnerable local residents who are depending on it this winter. As I speak, the remaining firewood in designated collection areas within Barmah National Park is being collected and made available, with a focus on getting wood to the most vulnerable in our community. Parks Victoria will provide access for firewood on Barmah Island, which is not in the national park, for the next firewood collection season from 1 September.

I thank my constituents, local councils, Parks Victoria, Corrections Victoria, the Woka Wolla crew, which is part of the Yorta Yorta Nation Aboriginal Corporation, and the Department of Health and Human Services for working with the minister and me on this important issue.

The ACTING PRESIDENT (Mr Elasmr) — Time!

Leadbeater's possum

Ms DUNN (Eastern Metropolitan) — I rise to commend Zoos Victoria for its efforts in pushing for urgent action to protect the habitat of the Leadbeater's possum. Zoos Victoria is in good company, with an increasing number of government ministers, respected research bodies and local councils as well as many businesses and community groups in Victoria raising urgent and serious concerns about VicForests' management of native forests. The recent up-listing of the Leadbeater's possum to critically endangered status ought to be a clarion call to the Victorian government to cease logging of the Leadbeater's possum's habitat.

The four core points that Zoos Victoria has raised with VicForests are: firstly, current forest management requirements for the central highlands are inadequate to protect Victoria's faunal emblem from extinction; secondly, establishing the Great Forest National Park is the most important conservation action for the Leadbeater's possum; thirdly, the scarcity of tree hollows due to timber harvesting and fire raises extinction concerns about other hollow-dependent species, particularly the sooty owl, the greater glider and the yellow-bellied glider; and fourthly, the current

scale of timber harvesting in the central highlands cannot be viewed as ecologically sustainable.

In the context of these latest findings from such a respected Victorian institution, I find that VicForests has listed a further 300 logging coupes, which, if the plan proceeds, will ensure that all that remains of the Leadbeater's possum's most identifiable home, Toolangi State Forest, is logged by the end of next year. This is an atrocious state of affairs and must be addressed with urgent, decisive action.

Ballarat Base Hospital

Mr MORRIS (Western Victoria) — I was thrilled to be at the opening of the helipad and multilevel car park at the Ballarat Base Hospital on Wednesday of last week with the chair of the Ballarat Health Services board, Andrew Faull, and the Minister for Health, Jill Hennessy. The helipad and car park was an important initiative of the coalition government under then Premier Denis Naphthine and former health minister David Davis, who delivered a critical piece of infrastructure to facilitate the efficient transfer of critically ill patients from Ballarat and broader western Victoria to hospitals in Melbourne, giving patients the very best opportunity for positive health outcomes in time-critical situations.

Initiatives such as the Ballarat helipad do not occur without local champions, and I pay tribute to my predecessor in this place David Koch, who advocated for over a decade to have the Ballarat helipad built for the benefit of all western Victorians.

Australian Red Cross Blood Service

Mr MORRIS — I recently visited my local Australian Red Cross Blood Service donor centre where I gave not a pound of flesh but half a litre of blood. As we often hear, 1 in 3 of us will need blood at some point in our lives, but only 1 in 30 actually give blood. At this time of year, when many people have colds and flu, the number of people who can give blood is greatly reduced, so I encourage all members to roll up their sleeves and give some blood. Just a single donation can save up to three lives.

Victorian Assyrian Community

Mr MELHEM (Western Metropolitan) — Last Sunday I was delighted to join the federal member for Calwell, Maria Vamvakinou, and my parliamentary colleague Bernie Finn to officially open Bet Urmia House, a new centre for the Victorian Assyrian Community. The Victorian government is incredibly

proud to support the upgrade of Urmia House through its Multicultural Community Infrastructure Fund, which provided a \$50 000 grant so this new centre could continue to be a place where the Assyrian people could come together as a community to participate in important cultural traditions and activities.

The Assyrian people, also known as Chaldeans, Syrians and Arameans, are an ethnic group whose origins lie in ancient Iraq. They speak, read and write distinct dialects of Eastern Aramaic exclusive to that part of the world. Today Mesopotamia is comprised of parts of several nations, including northern Iraq, south-eastern Turkey, north-eastern Syria and north-western Iran. The Assyrians were one of the first civilisations in that part of the world to adopt Christianity.

With recent global events contributing to the migration of many cultures, it is important to have organisations such as the Victorian Assyrian Community set up houses so they can get together as a community. These organisations cannot reach their full potential without dedicated and hardworking teams behind them. I acknowledge the president of the Victorian Assyrian Community, George Daniel, and its secretary, Monika Younan, for the tremendous work they do for the community.

Moving FWD

Ms PATTEN (Northern Metropolitan) — Last week I had the honour of attending the Hume City Council's Moving FWD graduation ceremony. I got to watch eight young people participate in the ceremony and celebrate the successful completion of their Moving FWD course.

Moving FWD is a council-run initiative that connects disengaged and disenfranchised young people in the Hume area back into the community, empowering them and enabling them to recognise their potential. It boosts their confidence and reignites their motivation to succeed. These are children who were falling through the cracks. They were not going to school, they were not employed and they just were not moving forward.

Moving FWD has delivered 16 programs in the last four years and boasts a completion rate of 85 per cent. In total an incredible 124 young people on the fringe have been given the encouragement and support to step forward to a more promising future. To date 84 per cent of the participants have gone on to or returned to further education or employment and 80 per cent are now connected with mental health and/or drug and alcohol services.

Sadly, the federal government cut the funding for this program, so it is up to the Hume City Council to continue it, and we are not sure that it will. I take this opportunity to enshrine in *Hansard* the names of some amazing people: Aidan Cressey, Alyssa Glover, Emmy D'Arcy, Chloe Hubezak, Paul Murray, Rhys McKernan, Samantha Lomas and Tristan Scott-Overs.

The ACTING PRESIDENT (Mr Elasmr) — Time!

Australian Labor Party

Mr FINN (Western Metropolitan) — Excitement is building throughout Melbourne's west. Those of us who are aware of the level of corruption rife in the ALP in the western suburbs are now anticipating that this knowledge will be shared with every other interested Australian. Putting to one side the imminent appearance of the federal Leader of the Opposition before the Royal Commission into Trade Union Governance and Corruption, because that is something that I would not want to anticipate, it seems at least some sections of the national media are turning their attention to the quagmire that is Labor in the west.

With any luck the world will soon know the Brimbank scandal was about far more than a dodgy Labor council. Very soon we will know just how far the tentacles of the Suleyman empire reach in this country. Very soon we will know exactly who did what to whom and how many times. I anticipate many big names being exposed as participants in the grubbiest and most despicable forms of political activity. I fully anticipate we will soon see the opening of a squalid barrel of corruption, bribery, threats and intimidation, no end of dirty dealing and shysterism and more than a little criminal activity.

At long last those who have suffered at the hands of Labor in Melbourne's west will have their plight recognised. After many years in some cases, justice will be theirs. The antics of the ALP in Melbourne's west are a disgrace, and they have been a disgrace for as long as most locals can remember. I am told that the shining light — —

Ms Shing — Time!

The ACTING PRESIDENT (Ms Dunn) — Order! I thank members for making rulings on time, but that is time for Mr Finn.

Gippsland road safety

Ms SHING (Eastern Victoria) — I rise to acknowledge the significant work that is being done throughout Gippsland in relation to road safety and the

contributions made by community members to better inform the direction that road safety initiatives take throughout regional Victoria.

To this end I note that a number of forums have been conducted throughout the state to better encourage grassroots participation in what works and what does not work so far as driver education and the physical environment of our roads, including road treatments, safety barriers and amenities being changed to save lives. In addition to that, they have looked at the education that is absolutely part and parcel of making better, safer drivers from the get-go before young people even start to turn the ignition and take control of a piece of what is often very dangerous machinery that they will be involved in needing to control in often less-than-optimal circumstances.

For example, on 16 June a very important and useful consultation was held in Sale, which I attended. It was coordinated by the Transport Accident Commission and attended by VicRoads, police, ambulance and other emergency services, as well as road safety groups and individuals who are concerned with improving road safety across Gippsland. I commend their efforts and thank everyone who has made a contribution across Gippsland to improve the situation and reduce our road toll, tragic as it is.

Major events

Mr DRUM (Northern Victoria) — Last week the Premier spoke at the State of Origin function held prior to the game at the MCG. He spoke about how proud he was to be able to see the greatest colosseum in the world filled to capacity. The following morning on the *Today* show Premier Andrews then went on to say:

Victoria's been a bit sleepy in the last three or four years ...
Well all that changes now.

I find that quite amazing because the current calendar of major events in Melbourne has nothing to do with Daniel Andrews and his government. If anyone wants to find a major event that the Labor Party has brought to Melbourne, then they have to go out to Flemington and have a look at cage fighting and join 1400 people watching people belting each other senseless. That is the most major event that the Labor Party has brought to Victoria.

In contrast, during its time in office the former coalition government brought to Melbourne the Cricket World Cup, for which the MCG was sold out. During the soccer Asian Cup, Melbourne held the opening match and the opening ceremony. In the next month Manchester City will compete with Real Madrid for the

International Champions Cup in Melbourne, along with Associazione Sportiva Roma. Each of those three games will pack out the MCG.

It was the former coalition government that brought the State of Origin to Victoria, and Daniel Andrews is taking credit for it. Next week will see an AFL game attended by 80 000 people — and we continue to support major events. The coalition government may have had some shortcomings over its four-year term, but its major events calendar and support for major events certainly was not one of them. These statements made by the Premier show a distinct lack of class and an inability to be gracious. The Premier should be able to acknowledge the work that has been done by others. This sort of attitude reflects very poorly on the Premier, Daniel Andrews.

The ACTING PRESIDENT (Ms Dunn) — Time!

International Festival of Language and Culture

Mr EIDEH (Western Metropolitan) — We are fortunate to live in a society enriched by the many cultures that have contributed to our great state in many ways. We are also fortunate to live in a society where there is cultural harmony and inclusion. It is one of the greatest qualities we possess in Victoria.

The International Festival of Language and Culture was held in Australia for the first time on Sunday, 7 June, and I had the privilege of attending this event. Also in attendance was the Minister for Multicultural Affairs, the Honourable Robin Scott; Inga Peulich; my colleague Mr McGuire, the member for Broadmeadows in the Legislative Assembly; the executive director of the Australian Intercultural Society, Mr Ahmet Keskin; and representatives from Sirius College.

The International Festival of Language and Culture started in 2003 as a competition in Turkey, with only 62 students from 17 countries. It has now grown to include students from six different continents. This event was one of the many festival events held in nine countries and featured over 2750 students from 150 nations. Those who attended were lucky enough to watch a showcase of outstanding performances by talented students from different cultural backgrounds.

It was wonderful to see so much diversity under one roof and a true representation of the cultural harmony that already exists not only in our state but also throughout Australia. Events such as this festival demonstrate a proud commitment to multiculturalism and promote the important values of tolerance, diversity and social cohesion.

Maryvale paper recycling plant

Ms BATH (Eastern Victoria) — Last week I donned my hard hat and safety glasses to witness a good news story at Australian Paper’s Maryvale mill in the Latrobe Valley. The de-inking wastepaper recycling plant is like no other in Australia. This plant has the capacity to produce 50 000 tonnes of recycled paper pulp each year, which will in turn divert up to 80 000 tonnes of paper away from landfill. That is the equivalent of more than 16 billion sheets of A4 paper.

In April this year project manager Gavin Jones and his highly skilled team successfully completed the first monthly manufacturing of recycled products, meeting stringent specifications and Environment Protection Authority Victoria standards. This brought to fruition many hours of hard work. It has been a two-and-a-half year journey, with 90 contracts awarded and hundreds of direct and indirect jobs created. For those statistically minded, we are talking about 80 pumps, 216 motors, 73 kilometres of cables and 20 kilometres of stainless steel piping.

The recycled paper produced at this plant is backed by Planet Ark for its environmental benefits. In my view the important thing is this: as individuals and in our workplaces we need to choose to support recycled paper products made locally in the Latrobe Valley and make a commitment to purchasing Australian Paper’s recycled paper products. Well done to all concerned.

Health funding

Mr DAVIS (Southern Metropolitan) — I join Ms Lovell in congratulating the Numurkah community and the board and CEO of the Numurkah District Health Service on their magnificent fightback from the floods of 2012, and I indicate my pleasure in joining them at the opening of their hospital on Friday. I also point directly to the additional capacity in our hospital system left by the coalition government. Victoria now has 15 170 beds, comprising 13 583 acute beds and more than 1500 other types of beds, including hospital in the home, prevention and recovery care beds, subacute beds and private contract beds. This is up from 14 460 beds in 2009–10.

Ms Hennessy, the Minister for Health, has been misrepresenting the facts in relation to the former coalition government’s achievements from the base year of 2009–10, the last full year for which Daniel Andrews was the responsible minister. Coming to government in 2010–11, we pumped \$55.2 million into the system in the first month to lift the performance of our health system and cover up the problem left by

Daniel Andrews, who had not funded the Christmas holidays of health workers. That is the valid comparator.

We promised 100 additional beds in 2011–12, 200 beds in 2012–13, 200 beds in 2013–14 and 300 beds in 2014–15. We delivered 710 new beds by 30 June last year and are on track to deliver 800 beds by the end of this financial year. That is a remarkable achievement, and Jill Hennessy should stop misleading the community.

APPROPRIATION (2015–2016) BILL 2015 and BUDGET PAPERS 2015–16

Second reading

Debate resumed from 11 June; motion of Mr HERBERT (Minister for Training and Skills) and motion of Ms MIKAKOS (Minister for Families and Children):

That the Council take note of the budget papers 2015–16.

Mr MELHEM (Western Metropolitan) — I rise to speak on the Victorian budget 2015–16 — and what a budget! The budget has received very positive feedback from the people of Victoria, including families and businesspeople. In particular the feedback has been very positive from my electorate, the Western Metropolitan Region, and that is what I am going to focus my contribution on for the next few minutes.

My electorate is now getting some special attention from this government in relation to various investments, including in education, transport, health and other services. I start with the benefit my electorate receives from this Andrews Labor government budget —

Mr Finn — Last year was better for the west.

Mr MELHEM — I say to Mr Finn that the west did not get much last year. He should be ashamed of that comment. In relation to education, there is funding for upgrading existing schools and the opening of new schools. For example, the Essendon Keilor College’s East Keilor campus has benefited from the budget, as have Strathmore Primary School, Sunbury College, Sunshine College, Werribee Secondary College, Westbreen Primary School, Williamstown High School and a number of others.

There has been a significant investment in upgrading existing schools. There is also investment in new schools. The western suburbs of Melbourne are experiencing significant growth with an increasing

population, and that is why investment in new schools is very important. For example, there will be a significant investment in the Footscray Learning Precinct, which will combine Footscray City Primary School and Footscray City College, to the tune of \$15 million. We will also complete the Tarneit P-9 college project and are looking at implementing a new tech school in Wyndham.

Education is a cornerstone of this budget, particularly in the west — for example, Victoria University will stand to benefit from this budget. That is against the background of previous budgets — both state and federal — where there have been some massive cuts to TAFE. The \$320 million investment by the Andrews Labor government will see some investment back into the TAFE system, and Victoria University will benefit out of that.

I turn to health, another area in which the western suburbs will benefit from this budget. There will be an \$85 million upgrade of the Werribee Mercy Hospital, which services Wyndham and those regions of Melbourne. For families across the west there is an investment of \$200 million dedicated to the Western Women's and Children's Hospital, with 237 beds, 39 special care nursery cots and 4 theatres. That is welcome news for Sunshine Hospital. I have visited the hospital and spoken to staff there, and the investment in these two hospitals is very welcome investment in the west.

Another area of investment in the west relates to transport. In the last week or so we have seen the completion of the regional rail project. That project was commissioned under the former Labor government — both state and federal —

Mr Finn interjected.

Mr MELHEM — State and federal. Without that vision and the investment by the former state Labor government and federal Labor government, that project would not have seen the light. That was left by the former coalition government. They sat there for four years, and really they could not claim to have implemented a single project — not a single one. I am pleased that that project was completed on time and under budget.

Mr Finn interjected.

Mr MELHEM — You did not do that, Mr Finn. It was done by hardworking people who are union members; they worked on delivering that project. I had the pleasure of negotiating that agreement with good

conditions. It was delivered on time and on budget, and we are proud of that.

Talking about transport, another matter I will talk about is railway crossings. As recently as the last couple of days a contract has been awarded for the Main Road West level crossing, and the project will go ahead, and that will include the Furlong Road level crossing. That is welcome news. There are five other railway crossings in the western suburbs of Melbourne that are part of the 50 railway crossings the Andrews Labor government has committed to upgrade during this term of government and the next term. It is pleasing to see that upgrades to at least seven railway crossings in the western suburbs of Melbourne will be delivered under this government.

Let me talk about another project that will benefit the western metropolitan region — that is, the Melbourne Metro rail project. This government will not talk about doing things; it is going to do things. An amount of \$4.5 billion has now been committed to start construction of the Melbourne Metro rail project. Where members of the previous government said, 'Maybe one day we're gonna do', we are not the ones who are 'gonna do'; we are the ones who will deliver things and get on with it. Construction on the metro rail will hopefully start shortly.

It is an ideal time to talk about the announcement today by the government of the introduction of legislation to establish Infrastructure Victoria. Finally, we will have an independent body which can plan the infrastructure needs of the state for years to come and which will not be part of any political arguments about what the state needs. That is welcome news.

I will refer to some infrastructure projects that will benefit my electorate of Western Metropolitan Region. One is the West Gate distributor and the Transurban proposal, which I think is an excellent proposal and which members of this government and our federal counterparts are happy to support. I am sure Infrastructure Australia will give it the tick. Hopefully that project can start sometime this year.

The second project is the M80 upgrade — and Mr Finn has been very quiet about this one. The former Minister for Roads, Mr Mulder, and the former federal Labor transport minister, Mr Albanese, announced there would be \$500 million to complete that part of the Western Ring Road between the Calder Freeway and Furlong Road. However, the former state government decided to take that money away and put it into the so-called east-west link. Motorists in the western suburbs of Melbourne are left stuck in traffic in the

morning and afternoon peak times, and I do not see Mr Finn raising any issue with that, because he has no argument. But guess what? We are fixing this. Money has been allocated to complete that project. When motorists go from four lanes down to two — —

Mr Finn interjected.

Mr MELHEM — We are going to fix your mess! I think Mr Finn should be supporting that project, because it is a great project. We are getting things done. There will also be more buses and more routes, which will be part of the upgrade. They will benefit my electorate. I finish my contribution there. I hope in due course the house will support and vote for the bill. It is a great budget, and I commend the bill to the house.

Mr FINN (Western Metropolitan) — I should thank Mr Melhem for his contribution and point out to him that when it comes to voting for this piece of legislation, we have no choice. That is just a part of the deal. If we did have a choice, a bloke would be tempted, I can tell you that now. Whilst this government is a new government in Victoria, I have to say that it is not showing any new imagination or any new thought processes. I go back to the previous Labor governments, the Bracks and Brumby Labor governments, that were pretty flat on most things, it has to be said. It is the same old Labor budget that we have come to expect. ‘We spend up big and we slug the taxpayer’, that is the way the Labor Party operates.

At the very beginning of my contribution I have to say that the decision to pay \$640 million not to build a road has to be the most outrageous decision by any government in this state’s history. The scrapping of the east–west link is, without question, the single biggest act of economic vandalism in this state’s history by a government against its people.

Ms Crozier — They wanted it only four or five years ago.

Mr FINN — As Ms Crozier points out, they wanted it only four or five years ago, and we all know that in 10 years we are going to have to build it for probably three or four times the amount it will cost now. But that will not be Labor’s problem, because of course in three and a half years Labor will not be in government and it will not be its concern.

We heard from Mr Melhem, and I am disappointed to see that Mr Melhem has left the chamber. He said that what he called the western distributor will begin — he said, ‘Hopefully, perhaps, maybe, could be. I don’t know. I’ll think about it and get back to you tomorrow’,

and all of these sorts of possibilities — sometime this year, or maybe next year or maybe the year after.

Mr Eideh — This year.

Mr FINN — This year, is it? Can you give us a date? Come on, Khalil, give us a date.

Mr Eideh — Sometime this year.

Mr FINN — No, I think you should make a quick call. I have another 12 minutes left. Make a quick call and get back to us, will you? We will get that into *Hansard* quick smart.

This western distributor, I have to say, is something that is not going to solve any of the problems the people of the western suburbs have. It is one glorified T-intersection. In fact what it is going to do for the western suburbs is what Hoddle Street and the Eastern Freeway have done for the inner east. It is absolutely nonsensical. Why would you put the motorists of Victoria into hock for years just to do that? It will solve no problem. It will create a bigger problem, and as a result the motorists of Victoria will be paying tolls for many more years.

I had hoped that I might live to see CityLink handed over to the people of Victoria as a paid-off entity. I think we have something like 17 years left in order to do that, and I was very hopeful that I would live to see that happen, being a member of the government that initiated CityLink. I have to ask: where would Melbourne be without CityLink now? As I said, I had hoped that I would live long enough to see that handed over as a paid project for the people of Victoria, but if this West Gate distributor T-intersection — call it what you will — goes ahead, there is no way on God’s earth that I will live that long. There are probably a few around who are quite happy to hear that! There is no way I would live long enough to see anything handed over. In fact there are very few people around anywhere who would live long enough to see CityLink handed over to the people of Victoria, because we will be paying tolls for the duration if this goes ahead.

Just on the subject of the West Gate T-intersection, I recall that before the last election we had a project that was proposed by the then Leader of the Opposition, the now Premier. He called it the western distributor. He told us it was shovel ready. Remember that? He said it was shovel ready. He was asked by the media what the Labor Party would do if it were elected and it scrapped the east–west link. He said, ‘Well, I’ve got the western distributor. It’s ready to go. It’s shovel ready, and we’ll do that’. I would love to know: whatever happened to the western distributor? Where did it go? It is like some

great, shrinking monster that has disappeared into the ether. We still do not know — and I suspect we will never find out — what has happened to the western distributor, despite the fact that Mr Andrews had all the plans. Mr Andrews had his shovel ready, and I think I know what he has been using it for since.

The fact of the matter is that this distributor — the western distributor, the West Gate distributor, whatever they want to call it — is a joke. It will solve no problems for the western suburbs of Melbourne; in fact it will create more. Of course the fact that we have spent — —

Ms Crozier — How is it going to be funded?

Mr FINN — How is it being funded? I know how it is being funded: it is being funded by tolls for the next I do not know how many years.

The people at the Transurban consortium are no dills, but they know a dill when they see one. They saw Daniel Andrews and said, ‘Yes. Come in, sucker! Here we come, and have we got a deal for you!’. They have dragged him along by the nose. Here we have a Premier desperate to say that he has actually done something, and the good people of Transurban came along and said, ‘Dodgy’ — because they are on first-name terms with him — ‘we have got a deal for you’, and he has apparently fallen for it hook, line and sinker. Here we are, having those tolls for years to come. It is not exactly good government, is it? I suggest that very strongly. Then again, you would expect less than good government from this crowd because at this point they have not shown much promise at all — perhaps a lot of promises but not much promise.

Ms Crozier — Broken ones.

Mr FINN — There have been a few broken ones too, and I will get to that in just a moment. In the meantime we are going to have a situation where people on the West Gate Freeway, people on the Tullamarine Freeway and people on the Calder Freeway are going to be stuck in traffic gridlock for many years to come — perhaps for a generation to come. That is something that is tragic for Victoria’s future, and it is something this Labor government will long be remembered and cursed for.

Another thing this government will be long remembered and long cursed for is scrapping the rail link to the airport. As I have explained to this house in the past, it is not the first time Labor has scrapped this particular project. Back in 1999, very early in his career as Premier, Mr Bracks knocked the airport rail link on the head after promising it would go ahead. In fact we

in the west, and the north-west in particular, are very proud of the fact that we had the first-ever broken promise by Steve Bracks — and God knows, there were a few more after that. But we were the first. Mr Bracks said, ‘Remember that rail link we were going to build to the airport? Forget it, because we were only joking, and quite frankly we do not care what you think, because you will vote for us anyway’. That was the attitude of the Labor Party back then; it is still the attitude of the Labor Party now.

Mr Barber interjected.

Mr FINN — That rail link to the airport is something that is absolutely necessary, and I am glad to hear Mr Barber agrees that that rail link to the airport is very necessary. On my way into the city this morning I drove past the airport, and I saw the traffic banked back for kilometre after kilometre. I thought to myself that this government’s scuttling of the airport rail link is a further act of vandalism against the state of Victoria.

We heard a great deal from Mr Melhem about the regional rail link. We heard that Labor was going to remove the level crossing at Main Road in St Albans. I do not know where Mr Melhem has been, but the fact of the matter is that the money — \$220 million, or part thereof — was set aside to remove that level crossing. That money was set aside not just to remove the level crossing at Main Road in St Albans but also to build a premium station and reconfigure the bus interchange there. It was a big deal. I am not sure that the Labor Party is still going to go ahead with that. It says it is going to remove the level crossing, which I think it will find is a bigger project than it anticipated. But then again, Labor has been promising to remove this level crossing for generations.

I first remember Labor promising to remove this level crossing back in 1982, when Jack Ginifer was the member for St Albans in the Assembly. Mr Ginifer left us shortly after and George Seitz — who has since gone to God, and may God rest his soul — was elected in the by-election of 1982, and he promised that the Main Road level crossing in St Albans would be removed. It just never happened. Labor has promised it again and again. The people of the western suburbs, particularly the people of St Albans, cannot be blamed for being very wary of what Labor says, because we all know what Labor says and what Labor does are two very different things. We certainly know that in the western suburbs.

What is happening out in Sunbury with the regional rail link? It is quite extraordinary, because this regional rail link, as even Mr Melhem has had to admit, has come in

on time and under budget, and that is as a direct result of the work of the former coalition government which built this thing. Terry Mulder, the member for Polwarth in the Assembly and the former Minister for Public Transport, did a brilliant job with the regional rail link. It was all set to go, and we were turfed out. There was only one thing that needed to be done to get the regional rail link up and running, and that was to get the timetable right so you knew what time the trains were coming and you could get down to the station and get on the train. But guess what? Labor stuffed up the timetable. It is hard to believe. The coalition government built the train tracks, it built the magnificent new stations throughout the western suburbs and into Werribee and beyond and it oversaw the spending of billions of dollars, on time and under budget, only to see Labor elected and stuff up the timetable. This was the only thing the Labor government had left to do on the regional rail link, and it stuffed it up. But that should not surprise anyone, because that is the Labor way.

Unfortunately that is what we are seeing with the Sunbury out of Hume issue. Labor promised before the last election that it would respect the will of the people, and it is now doing everything in its power to ensure that the will of the people is thwarted and that Sunbury remains within the city of Hume. It is very sad that Victoria has a government such as it has, and I am very sure that in three and half years we will have a Matthew Guy-led government in Victoria.

Ms HARTLAND (Western Metropolitan) — I will keep factual my presentation about the budget. Today I specifically want to talk about how the Andrews government in the 2014–15 budget has dealt with the issue of health. The Greens recognise Labor has delivered on many of its election promises in relation to health, and we congratulate Labor on that. As a member for the western suburbs I personally am particularly pleased that Labor has delivered on the promise of the Western Women's and Children's Hospital at Sunshine. This will provide much-needed capacity for maternity services and restore paediatric care to the hospital. This is something that the Greens have campaigned for, and we are thrilled that it is actually going to be built, although I note that the government has short-changed the hospital. The women's and children's hospital was costed at \$200 million when done in tandem with the Western Hospital at Footscray. If done alone, it will be costed at \$230 million. Given that the government has as yet not committed to proceeding with the Footscray Hospital proposal, the government needs to be forward planning for an additional \$30 million over the coming years for Sunshine.

That said, I would now like to spend some time talking about where this government has not delivered on health. My first topic will be Footscray Hospital. Before I talk about the hospital, even though the building is crumbling and the emergency room is unsafe, I have to say that the staff are the most amazing people I have ever encountered and they work under extraordinarily difficult circumstances.

The Andrews government has failed to fund the redevelopment of the Footscray Hospital emergency department and inpatient precinct or even provide funding for the detailed design work that needs to be done this year so that work could commence. These parts of the hospital are decrepit and in urgent need of redevelopment. Footscray Hospital's emergency department and inpatient precinct is struggling to keep up and now has the longest wait times of any hospital in Victoria and the second longest in Australia for emergency department transfer into inpatient care or discharge.

I think the minister will be loath to admit that the south ward is currently being decommissioned ward by ward due to the sorry state of its infrastructure, but anybody who wanders through the hospital can plainly see closures and just how bad things are getting. Delays in the redevelopment of Footscray Hospital will end up costing the government far more than if it just got on with the job now.

Over the coming year and in the forward estimates it is clear that Footscray Hospital will require millions of dollars to be spent on it to keep the number of wards open in the face of structural problems. These bandaied measures will then only be wasted, as they will be demolished along with the rest of the buildings when the government finally does step up to the mark and invests in much-needed facilities.

I have regard for the Minister for Health, so I am hoping she is not trying to hide exactly how many millions will be spent propping up these decrepit buildings by burying these figures in budget line items. However, I have asked the minister questions about this many times now and I am still hoping for honest answers, but they have been quite slow.

The residents of the inner western suburbs deserve high-quality health services like the rest of Victoria. When I raised this issue the government said, 'We have not neglected the west; we have invested in Sunshine and Werribee hospitals in this budget'. To that I say the fact that it has finally invested in these areas does not reduce the need for investment in Footscray Hospital. All it demonstrates is how great the need is in the

western suburbs. The fact that there are three suburbs in a desperate state only highlights just how badly previous Labor, Liberal and Nationals governments have neglected these issues and failed to keep up with growing demand over the years. The Andrews government must fund the long-overdue Footscray Hospital redevelopment before there is a disaster.

Another area of great concern to the Greens is the failure to provide funding to keep the Healthy Living Victoria initiative going. Far too little of our budget is spent on health promotion and preventive health. In this Victorian budget spending on health advancement decreased to just \$68.4 million. We all know that prevention is much better than cure, yet less than 3 per cent of our over \$14 billion health budget is spent on these areas. This is particularly shocking given we know the overall savings it can have in the health system and in community benefits.

Healthy Together Victoria is a fantastic program and an important investment in the health of our children in areas overrepresented with preventable chronic illnesses such as diabetes. This program provides healthy eating advice support in schools, workplaces and communities, including in local government areas with poor public health indicators such as high rates of obesity, diabetes and heart disease. Healthy Together Victoria has been recognised nationally as a flagship program that others seek to replicate. It is a model example of how the state might tackle the growing obesity crisis.

Over the past three years Healthy Together Victoria has worked directly with over 600 000 Victorians, 725 workplaces, 625 primary and secondary schools and 1265 early childhood centres in Victorian communities most in need. Despite the great achievements and obvious benefits, the Abbott government cut the funding to the national partnership agreement on preventive health through which this program was originally funded. Knowing this full well, the Andrews government has let this cut stand.

I understand that the health budget is tight, especially in light of the devastating federal cuts to health. In an ideal world we would not have to pick up after the failures of the federal government. However, with a program as important and successful as this, one which has the potential to deliver savings to our health spending over the longer term, I am disappointed that this government has not been re-funded in the 2015–16 Victorian budget. It is even more amazing that the federal Liberal Abbott government cut this program.

In recent weeks the Minister for Health has said she would look at whether there were any aspects of the program she could save. I hope she looks at the whole program and realises that she must save it all. Without programs such as these I seriously question how the government thinks it is going to be able to tackle the crisis we face in the growth in obesity, diabetes and heart disease.

Speaking of the neglected parts of the budget, I will now turn to the issue of funding our rural health services. In this budget the dedicated capital funding for rural health services has been discontinued. This fund aimed to strengthen and sustain existing rural and regional health services through the upgrade of their local facilities. We know that people living in rural areas on average have poorer health than city dwellers. Many rural hospitals suffer from underfunding and provide a limited range of services. Many locals have to travel long distances to get the health care they need. I seriously hope that this is an area that the government will examine in future budgets to reduce inequity in health and health care in Victoria.

Another area I am quite concerned about is the lack of funds for the establishment of a real-time prescription monitoring system in Victoria and the limited increase in funds for drug and alcohol support services to help reduce the hundreds of preventable drug-related deaths. In 2014, 314 people died from pharmaceutical-related deaths in Victoria. This is greater than the road toll and far greater than the number of deaths from illegal drugs and alcohol. This issue needs to be tackled urgently.

In the 2014–15 budget the Australian Medical Association costed a real-time prescription monitoring system at \$55 million to allow doctors and pharmacists to install IT systems so that they could view medical histories and prevent people from obtaining and filling multiple prescriptions at once for strong pain medications that pose massive health risks if abused. The government has only allocated \$300 000 for evaluation and planning of real-time prescription monitoring in this budget. This figure is not going to meet the need.

There is also the issue of public hospital and general practice IT systems more generally. Not only would an upgrade of IT systems help prevent doctor shopping, it would dramatically improve patient care. If it were not so disturbing, it would almost be comical to see the archaic systems doctors use to communicate patient records. Yet there is no money in this budget for upgrading our public hospital and general practice IT systems, and that is a disappointment.

The final area I wish to touch on today is mental health, in particular the mental health community support services. During the recommissioning of the sector under the Baillieu and Napthine governments, a number of agencies that provided vital care were defunded. WISHIN — Women's Information Support and Housing in the North — Bethlehem Care and McAuley Community Services for Women are women's agencies that provide mental health support to women seeking refuge and housing, including after fleeing violence at home. They provide this service in a safe environment that is tailored to the needs and sensitivities of the life experiences of these women.

Thanks to the coalition government's decommissioning of these agencies, they are no longer funded to provide mental health support. There are no longer any women-specific agencies funded to provide mental health care. Before the budget was tabled, I called on the Labor government to rectify this situation as gender-specific services play a vital role in our community, especially for women escaping family violence. Unfortunately in this case my calls fell on deaf ears. This is deeply unfortunate, and I hope the Royal Commission into Family Violence highlights the shortfall in this area.

Finally, I had hoped the Andrews government would have demonstrated its commitment to continued access to mental health community support services for those not eligible under the national disability insurance scheme by removing the new eligibility criteria — which limits new client care to those with permanent mental health conditions — and by funding the expansion of these services in the Barwon trial area. Unfortunately this has not occurred, which means that many people with episodic mental illness will miss out on early intervention and ongoing care in the community. This is going to be particularly difficult for young people. I very much hope to see this reversed and a greater investment in this area in the coming years.

I conclude by saying that when it comes to health the Greens stand for quality health care for all, not just for those who can afford it. The Andrews government has delivered a reasonable health budget, but so far it has not delivered transparency and integrity in health infrastructure spending. And it has failed, as many governments before it have, to recognise the importance of investment in preventive health and health performance. I look forward to the health minister taking more care in this area in the future and making sure that these programs are well resourced and properly funded.

Mr EIDEH (Western Metropolitan) — I am delighted to rise to speak on the first budget delivered under the Andrews Labor government. It is a budget which I am very proud to be a part of. It is a budget that I believe is something the people of Victoria have been calling out for over the past four years, but their calls went unheard under the previous government. This budget has made one thing very clear, and that is that this government is getting on with the job and delivering on the commitments it made to the people of Victoria. The 2015–16 budget embodies our commitment to putting people first. The 2015–16 budget delivers for families. The 2015–16 budget delivers for necessary infrastructure. The 2015–16 budget delivers the biggest education budget in Victoria's history and establishes Victoria as the true education state in Australia.

A total of \$3.3 billion has been invested to ensure that all Victorians, regardless of their age or socio-economic status, can access the skills and education they need to obtain the jobs they want. The budget will allow Victoria to meet Gonski funding levels up to the 2017 school year, and despite the Prime Minister's failure to commit funding for 2018 and 2019, this government will remain committed to fighting for it. Our kids not only need it, they deserve it. We are investing a total of \$688 million to upgrade old and decrepit school buildings and to build much-needed new schools, and an extra \$10 million will provide works and equipment for students with disabilities. Funding of \$35 million will deliver 120 new portable classrooms, and \$42 million will commence the first stage of a program to remove dangerous asbestos from schools across Victoria. This is because it is our responsibility to ensure that children are not exposed to such dangers when obtaining an education. It is our responsibility to ensure that Victorian students have the best environment in which to learn and develop. Their environment is key to their being happy and strong.

One of my fondest commitments in this budget with respect to education is the Camps, Sports and Excursions Fund. This fund will help 200 000 disadvantaged students in 250 primary schools get free eye tests and glasses and will assist in extra costs associated with schooling, including uniforms and school camps. In addition, this fund will open up breakfast clubs to serve free meals to 25 000 disadvantaged students. Breakfast is the most important meal of the day, and after seeing the results of various programs run through local schools I regard this commitment as very important.

No element of education has been forgotten. Victorian high schools will receive \$12 million to support and

build tech schools. The budget also allocates \$300 million to complete the \$320 million TAFE Rescue Fund, which assists in reopening facilities forced to close under the former coalition government. The reopening of TAFEs across the state is of critical importance to my constituents, many of whom are disengaged from the school and tertiary education system. TAFE offers my constituents a different approach to learning and obtaining skills, and the results of this system speak for themselves.

This budget does not stop at education. This budget is a true representation of the core principles of the Labor Party movement: education, health, jobs, access, infrastructure, transport, development and putting people first. My electorate encompasses some of the biggest growth corridors in the commonwealth, which is why I was personally delighted to see our hospitals receiving the support they so desperately need to meet this increasing demand.

The government has allocated \$200 million to build the Western Women's and Children's Hospital in Sunshine, which is a very important investment for the people in the west. The Western Women's and Children's Hospital will have 237 beds, 39 special-care nursery cots, 4 operating theatres and additional outpatient clinics. This development will ensure that the hospital can continue to offer expert care and deliver the high number of births predicted in the future. Around 5500 babies were born at Sunshine Hospital last year, and in 2025 this number will reach 7500. That is staggering. The Western Women's and Children's Hospital will have more capacity to continue the very important teaching they conduct each year.

The Werribee Mercy Hospital expansion has also been committed to in this budget, with an investment of \$85 million to expand the facility. In addition, \$15 million has been committed to the Mercy hospital mental health expansion to help those in the west suffering mental illness. The Labor government's budget commitments will provide families in Melbourne's west with desperately needed access to surgical and critical care services closer to home. Currently the hospital offers 260 beds, including 37 across Mercy mental health. In 2014 Werribee Mercy Hospital recorded 33 571 attendances at its emergency department and a staggering 3014 births. A total of \$2.1 billion has been committed to the Victorian health system.

Up to \$22 billion has been committed to infrastructure in the state. Within this, a total of \$600 million has been allocated to widen the Western Ring Road and CityLink to the Tullamarine Freeway. The budget

commits a total of \$6 billion, including \$2.4 billion over four years, to remove 50 of the state's worst level crossings. In my electorate the dangerous Main Road, St Albans, Furlong Road and Melton Highway level crossings will be removed to increase the safety of those living in the west.

Finally, this budget does what no budget has ever done before. It responds to the state emergency that is occurring in homes around Victoria: family violence. Family violence is inexcusable and unacceptable. It is inexcusable that it has taken so long to become a government priority. The government is providing \$81.3 million to support Australia's first Royal Commission into Family Violence and relieve the overwhelming pressure on the services women and children need to keep them safe and out of harm's way. We are increasing funding for child protection, with \$257 million to protect our most vulnerable and to help families and carers access the vital services they need, such as early intervention and preventive services.

I could talk for hours about the importance of the 2015–16 budget, but there is really no need for that. Actions speak louder than words, and this budget is testament to the commitment we have to Victorians and to getting on with the job.

The parliamentary appropriation bill provides parliamentary authority for payments to run the Parliament, with specific appropriations for the Legislative Assembly, the Legislative Council, the Parliament's investigatory committees, the Department of Parliamentary Services and the Victorian Auditor-General's Office. It is very similar to last year's bill, as are the financial figures. The bill provides funding for ongoing capital works and maintenance. Our Parliament is a very old building, one of the grandest of its kind. I am awed by the beauty of this place when I look up each sitting week. But the building needs ongoing maintenance and upgrades, and this bill allows for that.

When I think of the Parliament and its staff I often think first of the important and hardworking parliamentary library staff, who do an exceptional job. The researchers make our job that little bit easier by ensuring that we have all the information we need to make important decisions. The tours conducted by staff are excellent and are testament to the pride they take in their work environment and in our Parliament. I have spoken with some of my constituents who have taken library tours in the Parliament, and they raved about how fantastic that experience was and how professionally the library staff conduct themselves. I thank them for their dedication and hard work. In

addition to the library staff, I thank Hansard staff. Each and every sitting day they bear witness to and transcribe each and every debate, some of which take hours on end. They conduct themselves in a very professional manner, and I thank them.

In addition to these important staff, there are also workers who look after our immaculate grounds, staff who support our parliamentary committees, dining room staff, who ensure we can refuel on our breaks, table office staff, cleaners and security staff. I thank all those who make up this important and dynamic team and make Parliament what it is today.

Finally, there is another very important team that needs mentioning — that is, the staff who do not work in Parliament itself, our electorate officers. They are essential in ensuring that we are responsive and represent our constituents effectively. My very hardworking electorate office staff, Robert Mammarella, Ashleigh Bouvet and Sarah Tawil, work tirelessly and are a very valued resource. They always do much more than what their roles entail. I very much appreciate the work they do on my behalf. I commend the bill to the house.

Debate adjourned on motion of Ms CROZIER (Southern Metropolitan).

Debate adjourned until later this day.

STATE TAXATION ACTS AMENDMENT BILL 2015

Second reading

Debate resumed from 28 May; motion of Mr HERBERT (Minister for Training and Skills).

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I am pleased to make some comments on the State Taxation Acts Amendment Bill 2015. This is a bill that represents 333 million broken promises. After the election last year we saw the Premier, the Deputy Premier and other members of the new government get up and say that the incoming Labor government would not increase any taxes, impose any new taxes or increase any fees or fines beyond ordinary indexation. This bill gives effect to three of this year's budget measures and actually imposes two new taxes which have been projected over the forward estimates period to raise more than \$333 million between them. This is a breach of faith with the people of Victoria. There was a very clear commitment — no increased taxes, no increased fees or charges beyond indexation

and certainly no new taxes — and that has been broken in the first budget.

I have to ask why we are in a situation where the government is introducing a measure in its first budget to generate \$333 million in new revenue. One really only needs to look at the debt profile in this year's state budget. I spoke about this in my contribution to the debate on the Appropriation (2015–2016) Bill 2015 several weeks ago.

The government is desperate to keep debt under control, to the extent that it has cut \$6 billion out of the infrastructure program whilst also cutting \$4 billion out of accumulated surpluses over the forward estimates period. It is desperate to keep the debt profile no higher than it was in the budget update. Of course to do that with the spending it is going through it needs revenue and ultimately it needs cash, and this measure gives the government \$333 million over the forward estimates period. While the surplus does not reflect that need, certainly to maintain the state debt levels, and in doing so hopefully maintain in the longer term the AAA credit rating, the government has been desperate for revenue. We have seen this broken promise, which is estimated in the budget between the two measures, which I will speak about later, to generate some \$333 million gross of new revenue.

There are two main provisions in the bill. The first is a new 3 per cent stamp duty on property purchases by what are defined as foreign buyers. The second is a new 0.5 per cent land tax on what are described as absentee landowners. This is a whole new area for the state taxation regime.

At this point I would like to reflect on the work undertaken by the Legislative Council's Standing Committee on the Economy and Infrastructure, which has today tabled its first report, being an inquiry into the State Taxation Acts Amendment Bill 2015. This is the first report of its nature by any of the Legislative Council committees. It was a self-reference by the committee in anticipation of the bill being transmitted from the other place. By undertaking that self-reference before the bill arrived in this house the committee was able to hear from key stakeholders, particularly in the property industry and in the taxation field, about some of the issues and concerns with the legislation. That report made its way to this place today in time for this debate, and it is a credit to the committee that it was able to undertake the work and produce the report, which is of value to members in understanding some of the issues and concerns around the legislation. I record my thanks to the committee, and to its chair, Josh Morris, for the work that was undertaken in getting the

report here today. It forms a useful model by which the Legislative Council could consider other legislation in the future.

The two main provisions, referred to in the report and in the bill, are the new 3 per cent stamp duty on property purchases by foreign buyers and the 0.5 per cent land tax — ongoing, being land tax — imposed on absentee landowners. These are new areas for state taxation. Currently in the Duties Act 2000 and in the Land Tax Act 2005 we do not discriminate between taxpayers on the basis of them being foreign land purchasers or foreign landholders. This has required the Treasury and the government to put together a remarkably complex structure of definitions with respect to what a foreign buyer of land is and what an absentee landowner is, as well as defining foreign corporations, foreign individuals, foreign trusts, absentee corporations and absentee individuals for the purposes of the legislation.

What we are seeing around the principle of the bill of imposing these new taxes on foreign buyers is an incredibly complex framework of definitions as to what a foreign or absentee buyer or landowner is. Of course the more complex you make those provisions the more opportunity there is for avoidance through loopholes and unintended consequences, and that is something we believe will be an ongoing issue.

The other aspect of the bill which is of concern is its dog whistle nature. The rhetoric in the second-reading speech — —

Mr Barber — Foghorn rather than dog whistle.

Mr RICH-PHILLIPS — Foghorn, Mr Barber. The rhetoric in the second-reading speech, in the budget papers and in the government's commentary around them seeks to imply implicitly that foreign buyers are a bad thing and are the reason why house prices in Victoria and Australia are so high. The government is attempting to put a wedge in the property market by saying, 'This is the solution. The reason why prices are so high and the reason why families are having difficulty in buying properties is foreign buyers'. There is no comment, of course, from the government on issues such as land supply or reducing red tape in residential construction. It is seeking to drive a wedge by alluding to the suggestion that property prices are high because of foreign buyers and that this measure will fix it. Conveniently, the measure the government is introducing, because it wants \$333 million of new revenue, will address the issue of housing affordability for first home buyers.

This is of concern to the opposition because in its first six months in office the government has already demonstrated a very negative trend in respect of foreign investment, the most blatant example of that being what the government did with the east-west link project. The Leader of the Government came in here and threatened to introduce legislation to void a valid contract. That has sent a message to investors and governments in Europe and investors in Asia with respect to Victoria, which frankly is a provincial government in the eyes of large-scale investors and foreign governments, and raised questions that have led to the commonwealth government asking what the Victorian government is doing and what its position is on foreign investment when it seeks to void a legitimately entered into contract with foreign investors and when it suggests it will pass legislation to do that. Now we see the government introducing foreign-targeted stamp duty and foreign-targeted land tax, and it sends a very strong message to potential foreign investors as to the attitude of the government.

Unfortunately damage can be done very quickly, but it takes a long time to repair. While the government continues to go down this path it will be to the detriment of the Victorian economy. If the government gets its house in order with the port of Melbourne lease and goes to market with it, it will be interesting to see what sort of response it gets from foreign buyers in the region and elsewhere, because the message it has been sending to the market so far, in six months, is that foreign investment is not welcome. This legislation — revenue grab that it is but dressed up as protecting domestic house buyers from foreign buyers — sends a similar message and will lead to similar concerns more broadly.

One of the key areas where the opposition has concerns is in relation to the exemptions in the bill. As I said before, the provisions proposed by the bill with respect to defining who is a foreign buyer in the case of imposing the foreign buyer stamp duty and who is an absentee landowner in the case of imposing the new 0.5 per cent land tax are complex provisions. The definitions are complex and the way in which they operate is complex. In each of those respective provisions of the bill — clauses 15 and 26 — a very broad exemption has been created which allows the Treasurer to basically determine that a party that, under the definitions listed, would be a foreign buyer in the case of stamp duty or would be an absentee landowner in the case of land tax is not one of those parties and is therefore not subject to this new tax imposition. In giving the Treasurer that capacity there is absolutely no scrutiny of how the Treasurer would use those provisions. There is no need for the Treasurer to

produce or publish any guidelines as to how those provisions would operate. There is no obligation on the Treasurer to publish any details of where he uses that exemption, how many parties he uses it for or the extent of the exemption given.

In many of the cases that have been reported this could relate to very large land transactions — those related to new housing developments and new estate developments — where the sums involved with this stamp duty in particular could extend into tens of millions of dollars. Very substantial sums of money can be involved for individual taxpayers. As the legislation is currently drafted there is no constraint on the Treasurer as to how he exercises his discretion and more importantly no requirement on him to report in any way the fact that he has exercised that discretion in relation to exempt parties.

It is the coalition's intention to seek to amend the bill, and I ask that those amendments be circulated now.

**Opposition amendments circulated by
Mr RICH-PHILLIPS (South Eastern Metropolitan)
pursuant to standing orders.**

Mr RICH-PHILLIPS — As outlined, the coalition is proposing two substantive amendments with respect to clauses 15 and 26 to provide that where the Treasurer produces guidelines as laid down in the legislation for his exercise of the discretion that those two clauses give him, those guidelines be published in the *Victoria Government Gazette* where they are publicly available and where, if they change, that change would also be subject to publication in the *Government Gazette*.

The coalition equally seeks a requirement in both the provisions with respect to stamp duty and land tax that where the Treasurer exercises his discretion he subsequently reports upon it — that is, that a report be made to the Parliament and published on an appropriate website disclosing where the Treasurer has used the discretion, who he has used the discretion for and the extent to which, in dollar terms, an exemption has been given. We think that is an appropriate balance to the very broad discretion that this bill affords the Treasurer to exempt taxpayers from these provisions. We believe there needs to be that check and balance in place and that that is an appropriate mechanism to do that.

This bill is a clear breach of election commitments that were made by the government. It sends a very negative message with respect to this government's attitude to foreign investment, particularly on the back of what we saw with the east-west link. The coalition has significant concerns about certain provisions in this bill

with respect to the disclosure of the Treasurer's use of discretion.

The bill as it stands will not be supported by the coalition. However, if the Council supports the amendments which are proposed by the coalition, the coalition will not oppose the passage of the bill on the third reading. This is bad legislation. It breaches what the government said it would do, and it highlights the way in which this government is willing to walk away readily and quickly from its election commitments in the pursuit of revenue to keep its budget in order.

Mr BARBER (Northern Metropolitan) — I would like to give the house the story so far. The government announced this special tax on foreigners, and the rationale it gave was that foreigners are not paying enough tax elsewhere because they do not live here, therefore it is going to charge them more via this tax. The Treasurer said:

If you own a property in Victoria, then you should contribute accordingly and the surcharge goes some way to redressing that balance ...

Then, however, the Property Council of Australia came out and said, 'Hang on, it's not just foreign people. We have companies that are foreign owned, foreign controlled or with a significant foreign ownership component'. They turned out to be all the big names in Victorian property development, from Mirvac to Australand and the rest of them. The Treasurer said he did not mean that he was going to tax foreign-owned corporations. Who could ever suggest that foreign-owned corporations should, in the Treasurer's own words, 'contribute accordingly', and that the surcharge could go some way to redressing the balance?

A deal was worked out. By the way, Mr Rich-Phillips should feel free to intervene at any point if I have got the story wrong. Those opposite said, 'No, it wasn't meant to be you guys. You're our friends. In fact, we remember all those donations you gave us at the last election very well'. Not that they have been disclosed to the Victorian voter yet, but we will read about that one of these days. The Treasurer put out some guidelines saying that it was not meant to apply to the aforementioned developers.

The Property Council of Australia then boasted that this was a great victory. It was so boastful about it that it led to an article being published in the *Age* of 25 May under the headline 'Andrews' property tax watered down for developers'. The article says:

The Property Council and the Urban Development Institute of Australia have declared a 'major win' after lobbying the

Andrews government to introduce case-by-case exemptions from a 3 per cent stamp duty surcharge on foreign property buyers and a 0.5 per cent land tax increase for absentee landlords.

If the property council had such a major win within days of even starting its campaign, one can only wonder about the future major wins when various property groups come to the Treasurer and say, 'Under your new-found powers to basically decide who does and does not pay tax in Victoria, we would like a free kick, please'. It really did not develop too much further from there, except that now Mr Rich-Phillips has proposed an amendment to say that the guidelines the Treasurer will issue must be tabled in Parliament.

We had one development along the way that made it even more fruitful — an inquiry by an upper house committee, the first under this new system. In the style of Australian Senate committees, the Standing Committee on the Economy and Infrastructure conducted an inquiry into the bill, calling for witnesses, holding hearings and reporting back to Parliament, which it did just a few hours ago. I just spent a couple of hours reading the report. Evidence was given at public hearings by the Law Institute of Victoria, the Department of Treasury and Finance, the State Revenue Office, the Property Council of Australia, the Urban Development Institute and Pitcher Partners.

A surprising amount of the discussion during the committee hearings was about the impact this legislation might have on affordability. The answer to the question seemed to be that nobody really knows what impact it will have on affordability. In fact no-one ever really argued that this was about housing affordability. As the Treasurer himself said, it was about making sure that foreigners, or certain groups of foreigners anyway, pay their fair share. They all went round in circles for a while, including the lawyers from the law institute, trying to surmise the impact this might have on affordability, and the answer was that nobody really knows.

We know that stamp duty by itself is an incredibly regressive tax; it is a bad tax. It is bad because it taxes property transactions, so in order to avoid paying the tax, people avoid the thing; they avoid the transaction. If you are collecting large amounts of tax from a particular source, over time that starts to distort the economy. One of the distortions is that once you have bought a house you really do not want to sell it. You do not want to downsize when the kids leave home. You do not want to sell it and buy another one on the other side of the state if you are forced to move there — for example, because you want to continue knocking down trees for a living and you have to move from East

Gippsland, where the industry is highly subsidised, to western Victoria, which is crying out for more timber workers — because you will have to pay stamp duty every time you move house, or at least sell one. There is a whole range of inefficiencies around our state tax mix, and it is at this time of the year, every year, that I point out that the tweaking of stamp duty rates does not address the question. Fiddling around with a bad tax is not going to make the tax better.

Interestingly, the other part of the Liberal Party's amendments is to require the public exposure of anybody who receives an exemption — that is, their name and the value of the exemption. The big winners from the property council who had the ear, apparently, of the Treasurer have already said the exemption will save them millions. But from here on in we will see who is exempted — first of all, who qualifies for the exemption under the bill and then who is exempted from its provisions.

I would like to know a lot more about some of the tax exemptions and concessions that have been made so far. For example, if you go to budget paper 5, chapter 5, 'Tax expenditures and concessions', you will see that typically there are around \$2.2 billion of exemptions from land tax, \$952 million of exemptions from payroll tax, \$89 million of exemptions from gambling tax and \$218 million of exemptions from — and this is not including thresholds, by the way; this is just people who, by their class, are exempt from the act — other duties, which is principally stamp duty. I think that latter number is going to start getting bigger.

Further off in the budget papers you get a much longer list of who has been exempted from various taxes, why and so on and so forth. But now for the first time, if Mr Rich-Phillips's amendment is successful — and the Greens will be supporting it — and if the government then decides to accept this amendment to its bill, we will be reading the actual names of the people who are getting these exemptions.

The problem with exemptions is that the Parliament makes the decision once and then the exemption carries on for many, many years with a loss to the public revenue; it is a set-and-forget mechanism. As I have just outlined, there are billions of dollars of such exemptions in the act. This one is the opposite of a set-and-forget mechanism. In fact the Treasurer will keep on making decisions constantly in relation to the individual circumstances of particular property buyers. I think that is a recipe for — I am choosing my words carefully — unreasonable influence to be exerted by property developers, who we already know are very

powerful because they got the guidelines they wanted and then they boasted about it to the *Age*.

In some states property developers have been banned from making donations to political parties. In New South Wales that is the case. Both Labor and Liberal, and certainly the Greens, have supported bans on property developers making donations. We have tried to ask the Premier whether he would ever support such an exemption, and we are not getting a very positive response at the moment. In the meantime some of those self-same donors to political parties could be the same ones as foreign-owned land development corporations, or foreign-controlled land development corporations could be lining up asking for special circumstances to be exempted. Apart from making it public, Mr Rich-Phillips's amendment does not really do anything at all.

I refer to the transcript of the hearing of the Standing Committee on the Economy and Infrastructure held on 15 June. Mr Morris is the chair of that committee. The Victorian division of the Property Council of Australia and the Department of Treasury and Finance seem to admit that the guidelines have no legal weight. The property council's great victory is not looking so great at this point. Mr Rich-Phillips's amendment, which proposes to have these legally useless guidelines tabled in Parliament, will not exactly be the highlight of my day when they are tabled. However, it will be a highlight to see which property group has been exempted from having to pay the special stamp duty and to play connect the dots with their various webs of influence in and across state, federal and local government.

In the view of the Greens, the entire clause that is seeking to be amended should not exist. The Treasurer should not be given this level of open-ended exemption and discretion, so when that clause comes up the Greens will vote against it. It seems that the procedure will be that the opposition will get to move its amendment to the clause. I have flagged that the Greens will support the amendment, and my guess is that no-one is going to support the Greens' move to take away this discretion that the Treasurer wants to grant himself.

Even the Law Institute of Victoria — typically quoting Magna Carta — said it is a fairly big principle that the Parliament decides the laws and the laws include who pays tax. We do not have a member of the executive government — the Treasurer in this case — making random decisions about who does and does not pay tax. They are random because they apply nothing more than what is in the act. We seem to have agreed on that

point. The guidelines are of no legal import; it is only what is in the act that limits it.

The law institute has certainly expressed what I would say is a very strong and fundamental concern about that principle being breached. In the evidence that I read from the inquiry, which I have managed to have a look at in the last 2 hours, I did not see any other description of a substantively similar power being granted to a Treasurer. Yes, there are various lines of inquiry that certain bodies, including the State Revenue Office, have to undertake in looking at particular types of transactions and structures, but I would say that this is a gaping, wide-open discretion. It is for that reason that the Greens will not support the particular clause being incorporated into the bill.

Mr MULINO (Eastern Victoria) — I rise to support the State Taxation Acts Amendment Bill 2015, and in doing so I will explain the policy rationale for the bill. It is a balanced, proportionate and sensible way to address a couple of policy goals, and it will do so in a way that supports the budget's underlying strength.

The bill contains two new budget measures. In addition it contains financial relief for small business and a number of other secondary measures, which I will deal with later on. The two new budget measures aim, firstly, to improve housing affordability for local house buyers and, secondly, to achieve a better balance in the revenue sources from foreign purchasers and foreign absent owners that the government can draw on at a time when it is being called upon to provide infrastructure for a rapidly growing population. In summary, these two measures are a land duty surcharge payable by foreign purchasers on the transfer of residential property and a surcharge on land tax that will be payable by absentee owners. As I mentioned, in addition to these two measures the bill includes a tax relief measure, which I will outline briefly later on, and some technical amendments.

I will start by identifying a couple of contextual matters which I think are relevant to the framing of this bill: the housing market context and the infrastructure requirements of our society. The housing market context is a very topical issue. Housing affordability is an issue, particularly for some segments of our population. There are a number of different measures of the housing market; it is a difficult and complicated market to pin down with any one measure. Housing affordability is related to house prices, to the ratio of house prices to household income, to debt burdens and to the costs of repaying debt. Housing affordability has a number of different elements to it, but what is clear is that there are segments of our society that are

increasingly excluded from home ownership, and this is a serious economic and social issue.

One measure of the housing market is by looking at the proportion of homes being purchased by first home buyers, a proportion that has fallen over recent years. This is a concern in that it may well reflect — and I would suggest likely reflects — a barrier to those who are trying to become home owners. We do not want unnecessary barriers to those who want to enter into home ownership, and we certainly do not want any barriers to rise.

Rising house prices are placing upward pressure on housing repayment costs for individuals and families. Clearly what we are experiencing at the moment is a period of sustained high rates of housing price increase. There is a debate going on in the policy world, in the financial world and in the academic world about whether or not this is a bubble and whether or not it ranks, and where it ranks, against other bubbles. But what is clear is that we have entered a sustained period of increasing high rates of house prices. It is in that context that a measure that goes at least some way towards ameliorating house price affordability concerns for some people is worth considering. Indeed members of this government have gone further than considering it; we have implemented it.

One factor in the housing market at the moment is foreign purchases of residential property. I argue that the previous two speakers put up a straw man in that they suggested the government's rationale for the bill is that foreign purchases of residential property are the only driving factor behind rising house prices — not at all. Members of the government have never said that, and we have never said a measure like this is going to be a panacea or a silver bullet. What we have said is that it appears that in many markets foreign purchases of residential property are a material factor in the rate of the housing price increases we are witnessing.

This is a difficult matter to pin down, and that is why it is a matter of some debate in the community. You can find a range of views on the extent to which this particular factor is driving house price increases, but what is clear is that it is material. Based on some recent data, it appears that somewhere between 10 and 20 per cent of new properties are being purchased by foreign buyers, and the data we are seeing suggests that that rate, that proportion, may well be increasing. It is a sizable proportion. This is not any kind of dog whistle. This is just looking at bare facts and saying this particular element of the market may be putting upward pressure on prices.

I am happy to put on the record that I am in favour of an economy that is open to foreign investment. I am more than happy to put on the record that I believe it is positive to have foreign nationals connected to our economy in various ways, whether it be through studying here, through owning property here, as tourists visiting here or as business people trading here. The legislation is not at all an anti-foreign measure. What we are saying is that if the proportion of new properties being purchased by foreign buyers is this high, and potentially rising, it is highly likely to be putting upward pressure on prices. Some have suggested that there is something quite radical, anti-foreign or xenophobic about putting this kind of measure on foreign purchasers of residential property, but I do not think it is anything of the sort.

There are any number of measures at different levels of government that reflect the fact that on occasion it is worth considering in policy terms the differential impact upon an economy of foreign and local investment or purchases. For example, the Foreign Investment Review Board framework implicitly reflects the fact that the national economy occasionally wants to vet, control or limit foreign investment to some degree. The Foreign Investment Review Board framework, I would have thought, has support from all parts of this chamber. We might disagree on occasion as to the precise elements that constitute that framework, but I do not think many people in this place would suggest that we should totally remove it. There are all sorts of ways in which governments at a federal or a state level distinguish these things. We have to justify making those distinctions, but the notion that making the distinctions per se is somehow xenophobic or anathema to wanting an open economy is simplistic and ridiculous.

It is similarly ridiculous for anyone to throw the east-west link into the debate. This has nothing to do with major investment decisions; this is a targeted measure in the residential market, where foreign purchasers are clearly a significant and growing proportion. There is no bad faith here. There is no dog whistle. This is a balanced measure, and it is a measure from a government that continues to support an open economy with connections to the international economy. It is from a government that also understands that there are supply-side as well as demand-side measures but that demand-side measures are part of the story. That is the issue in the context of the housing market. This is a material measure. It is not the only measure, but the notion that we should do nothing if it is not a silver bullet measure is ridiculous.

There is also the broader issue of absentee owners. Again, to identify this as an issue is not xenophobic. I want to again put on the record that I am very supportive of international connections in our economy at the financial level and the personal level. However, it is worth identifying that in some cities that have been magnets for investment there have been social consequences in some targeted areas with very high proportions of absentee owners. This has been identified in cities like Vancouver, for example. The point is that a measure such as this is a balanced, appropriate response to this issue. Without trying to stop a source of investment that is, on balance, positive for the economy, a measure such as this is appropriate.

I also want to identify the infrastructure context, because it is very relevant to this measure. I have identified on a number of occasions in this place, including in my inaugural address and in my response to the budget, that I see population growth as a real challenge for this society and this economy. This state's population growth is at rates far higher than that of just about any other advanced economy. This is creating huge requirements for infrastructure growth, particularly in new suburbs and in highly dense suburbs, such as the CBD and surrounding areas, where very expensive infrastructure is required to cope with that density.

It is worth identifying that the way in which people contribute to those infrastructure costs over their life cycle is a complex one. It is partly idiosyncratic, and it varies by person, but we can look at different phases of the life cycle, such as when people are single and professional, when people are part of young families, when people are more mature and in high-wage or saving families and when people are retirees. At different parts of the life cycle people may contribute more in net terms to the tax base or less.

The point that has been identified by the government in this measure is that a foreign purchaser entering the economy in an arbitrary or very late part of their life cycle without having contributed to the infrastructure base may be highly inappropriate and may make it very difficult for a society such as ours to provide the quality infrastructure it needs. This is something that the Treasurer has identified on a number of occasions: it is a very small, modest or additional contribution from people who are often purchasing properties at a point in time when they are coming into our society and economy without having made what one might call a fair contribution.

I want to reiterate that there are many benefits from capital inflows and from foreign purchases of

residential property. Capital inflows lead to connections with the international economy and support the undertaking of many projects that may not have otherwise been possible. The rates that are being suggested — a 3 per cent increase in stamp duty and a 0.5 per cent increase in the land tax — will not materially impede those international connections. The reason I argue that these are not going to materially impede foreign inflows is that when one looks at the reasons why those inflows are occurring, one sees that these increases are very small.

These rates versus the rates in many of the countries that compete with us are low. Secondly, many of the other factors that make us very appealing — our liveability, our security and the fact that we are a stable, advanced economy — far outweigh the imposts that we are talking about today. A 3 per cent increase in stamp duty and a 0.5 per cent increase in land tax are very small relative to what continue to be significant comparative advantages that we hold. Our livability, security and stability are things that are rare in this world, and that is why we will continue to be a magnet for this kind of investment. The revenue that is raised by these measures will go to much-needed infrastructure and social development, and it will come from sources that should appropriately contribute a bit more to those valuable ends.

There are a couple of other measures in this bill that are worth identifying. One is the tax relief for small business. Many in this place have identified that more than 500 000 small businesses in this state employ many highly skilled people and many young people. From 1 July all vehicles classified as mobile plant or plant-based special purpose vehicles will be exempt from motor vehicle duty — an important benefit for small businesses at a time when every marginal benefit in that sector can lead to significant increases in employment. In addition it is worth noting that the bill provides for a number of technical changes which will improve the operation of a range of tax laws and which are also worthy of support. I support this bill.

Mr DAVIS (Southern Metropolitan) — I am pleased to rise to make a contribution to the debate on the State Taxation Acts Amendment Bill 2015. This is one in the regular sequence of bills that relate to the budget. It provides the revenue that is important in this process. However, the bill this year contains a number of unusual aspects that have surprised people.

It is worth recounting for the house the sequence of events that occurred. On budget day the new Treasurer, triumphant and excited, presented to the assembled people in the lockup and told them a porky. He said that

some of the surprising aspects in this bill — which had not been foreseen by many people but had been elucidated well by Mr Rich-Phillips — would not impact on Victorians. In fact in the budget are words to that effect that make it clear that these things would not impact on Victorians. At that briefing of the press and others the Treasurer was quite emphatic that there would be no impact on Victorians.

We now know there is an unintended consequence of his new taxes — the stamp duty surcharge of 3 per cent and the surcharge of 0.5 per cent on land tax — for foreign purchasers. It has an unintended effect on a number of Victorians firms, which are foreign owned in whole or in part — in some cases, wholly owned by foreign groups — and which do significant work in contributing to growth in Victoria, particularly on the edges of the city. They buy broadacre land, subdivide it, build properties, put in services and build the future for Melbourne. Those firms would be caught in this. The Treasurer initially denied this, but then he had to recant.

The property industry went crazy because this would be an input tax that would push up the cost of houses on the edge of the city — whether in Mernda, Wyndham, Casey or Cardinia. In all of those areas property prices would have gone up. Australian families wanting to buy properties would have faced increased property prices, and housing affordability would have been hit. The Treasurer then had to find a way to amend, or in effect amend, this taxing bill that is associated with the appropriation bill.

I asked for some research to be undertaken. I asked staff in the table office when the last time an appropriation or associated taxing bill was amended. In their search backwards they came up with just one time — that was in 1975. For those who want to read that, the *Hansard* reference is volume 325, 19 November 1975, page 8896. It is a long time since we have seen the amendment of a budget bill, such is the scale of the error by and the incompetence and arrogance of this Treasurer, thinking he could apply this tax and get away with the impacts that would be visited directly on Victorian families.

Mr Barber interjected.

Mr DAVIS — On Victorian families is my point, Mr Barber. The Treasurer said the budget was not going to impact on Victorian families — but of course it was going to impact on Victorian families, and the Treasurer has had to backtrack. Mr Morris's committee, the Standing Committee on the Economy and Infrastructure, has looked into this, and evidence that has been provided to that committee by the Law

Institute of Victoria, the Property Council of Australia, the Urban Development Institute of Australia (UDIA) and other groups has been important in flushing the Treasurer out and making sure he fesses up to what has occurred. A number of concerns remain.

Mr Rich-Phillips has circulated some amendments, and I support those. They will make a significant difference. The transparency they will provide in relation to decision-making on exemptions from the tax is important. Let us face it: this Treasurer is an interesting Treasurer. He would have sought to make these decisions himself without any transparency, and frankly that could have opened the way to corruption. The opposition hopes that the government sees that these amendments are appropriate and that Mr Rich-Phillips's point about transparency is right: at least the exemptions that are provided and the revenue that is foregone can be seen.

There is a legitimate question here, which is a point that was made by other members in the chamber just a moment ago — that is, there will be revenue foregone if the changes the Treasurer has indicated are made. You would think we would see some adjustment in the budget, and I hope the Treasurer will come forward with some clarity about what adjustments will need to be made in the budget so we can understand the size of these exemptions.

I pay tribute in particular to the work of the Law Institute of Victoria in this matter. I understand that the Property Council of Australia and the UDIA had to move quickly to make it clear to the Treasurer that this measure would have a direct effect on housing affordability on the edge of Melbourne and would directly impact on firms that develop houses for young Australians on the edge of the city. That is what was going to happen. The law institute in particular has made a number of points. I am thankful to Katie Miller, the president, and the relevant sections, including the tax committees, of the law institute for the work they have done.

In a letter to me dated 1 June the institute laid out the issues: the lack of consultation — a point which again goes to the arrogance of the Treasurer and his failure to consult in a thoughtful way; he would not have got himself into this problem if he had not been so arrogant and refused to consult — and the revenue rulings that would sit alongside existing tax guidelines. The letter to me states:

Currently the SRO produces its own guidelines in the form of revenue rulings.

Revenue ruling GEN.001 provides guidance on the status of rulings while noting a number of limitations.

It further states:

The current procedure of the SRO issuing rulings is not without its drawbacks —

but it is clearly a more preferable method than the particular steps the Treasurer had in mind.

The Law Institute of Victoria submits in its letter to me, in a similar vein to Mr Morris's committee:

... the bill should be amended to provide that any discretionary powers created under the DA and LTA should be exercisable by the commissioner instead of the Treasurer.

Legitimate points can be raised about these points. Mr Barber has made a number of these points as well, and there are some legitimate points to be made.

There are also issues around transitional arrangements for the duty surcharge — the law institute makes a number of points there — and transitional arrangements around the land tax surcharge. The idea that you would give these exemptions as Treasurer, as a member of the executive, and then not even report to the Parliament or to the community on the exemptions that have been given is quite extraordinary. I welcome Mr Rich-Phillips's amendments, because they will see much greater transparency. They will provide a significant brake on the risk that corruption could occur. If these things are published and open and transparent, it is much less likely that a Treasurer — this one or a future one — would be able to undertake corrupt acts. That is important for us into the future.

Opening the way to corruption is a mistake, and that is a strong reason to support Mr Rich-Phillips's amendments. I urge crossbenchers to support them. The Greens have indicated that they see the value in them, and I would urge the Labor Party to see the merit of those points. Why is there a failure to provide this information? What is the fear of transparency? Why would you oppose publishing the revenue forgone and the details of that in that way? Mr Rich-Phillips's amendments are right.

The mishandling of this has been extraordinary. I pay tribute to the Urban Development Institute of Australia and the Property Council of Australia for their swift action, but that swift action directly pointed to the failure of the Treasurer to consult at an early point and his failure to point to the issues. I pay tribute to the law institute for its detailed and forensic work on this matter.

Mr Morris's committee has done some very good work here in ensuring that this comes to public light, that the transcripts are available to the community and that it can see the matters that are involved. I am also surprised that the Real Estate Institute of Victoria did not provide a submission on this matter; it is of direct relevance to its industry. The community and the Parliament would have welcomed input from that quarter, because that industry is an important industry.

The point that has been made by some people is that we do not want to send an unfortunate signal to the many people in our broad multicultural community, and I agree with that point. We also need to have an economy that is sensibly open to foreign investment within the rules and within the law. We want a sensible regime. This will provide additional revenue and do it in a sensible way. The sneaky way the Treasurer sought to do this — the underhanded approach, the failure to consult and the failure to put in place a transparent and sensible regime — will be remedied, at least to a significant measure, by Mr Rich-Phillips's amendments, and I urge the house to support them.

Mr EIDEH (Western Metropolitan) — I rise to speak briefly on the State Taxation Acts Amendment Bill 2015. The bill supports the government's commitment to responsible economic management by implementing budget measures to deliver investment in infrastructure and services. In addition, there are other measures to improve the operation of various taxation laws. Most importantly, this bill encapsulates an opportunity for all Victorians, an opportunity to reach something I am certain most Victorians would aim for all their lives — to own a family home.

Housing affordability is an increasing problem for homebuyers, in particular first home buyers. For some segments of the market, prices have moved out of reasonable reach, which poses a serious concern for Victorian families. The Victorian government recognises this problem, which is why it is committed to improving housing affordability for families in Victoria and placing Victorians in a competitive position in the housing market as a result, which is very important when you consider the high prevalence of foreign buyers purchasing property in Victoria.

Data indicates that between 10 to 20 per cent of new properties are bought by foreign buyers. I have spoken with many of my constituents, including many young families who have attended auctions with the hope of purchasing their first family home. They are being outbid within minutes, and that is because the buyers are foreign buyers. At the same time the Victorian property market has experienced an increase in

non-resident ownership of Victorian real estate, which results in distortion to the housing market. This adds a further dimension to the Victorian property market pressure cooker.

What this highlights is a serious problem. Victorian families have contributed a significant amount of funding to government services and infrastructure by paying their fair share of state and commonwealth taxes. Foreign investors and absentee landowners do not equally contribute through taxation as do Australians living and working here. Foreign purchasers and absentee landowners, who are mostly investors, enjoy capital growth from their investments, adding to their own personal wealth. However, it is the very services and infrastructure paid for by working Victorian families over the years which support the capital growth for these foreign investors.

To overcome this problem, the Victorian government is introducing a 3 per cent stamp duty surcharge on the purchase or acquisition of residential property in Victoria, either directly or indirectly, by a foreign purchaser from 1 July 2015.

At the same time the government is introducing a 0.5 per cent land tax surcharge on land owned by absentees, to apply from 1 January 2016. This surcharge will address the distortions created by increasing foreign ownership and non-resident ownership of Victorian real estate and be applied to all, including corporations, trusts and natural persons. Also, appropriate exemptions will apply to ensure that relevant Australian-based corporations and trusts are not unintentionally paying this tax.

In addition to this, the bill also introduces an exemption from motor vehicle duty upon the registration or transfer of registration of mobile plant and plant-based special purpose vehicles.

These measures are very important as they will improve Victorian taxation laws and ensure that the opportunity to purchase a home in Victoria is something that all families can realistically attain. I wish this bill a speedy passage.

Mr ONDARCHIE (Northern Metropolitan) — I rise to speak on the State Taxation Acts Amendment Bill 2015. On behalf of my constituents in Northern Metropolitan Region I have one clear message for the government: you lied, you lied, you lied. Labor went to the election saying there would be no new taxes or charges. I quote the current Treasurer, who on 27 November told 774 ABC radio:

We will introduce no new taxes.

The Premier said exactly the same thing.

The Deputy Premier, who was on Neil Mitchell's *3AW Mornings* on 14 November 2015, had this transaction:

Mitchell: No new taxes?

Merlino: Correct.

Mitchell: No new fees?

Merlino: Yep.

Mitchell: No new bills, nothing going to sneak in on us?

Merlino: Nope.

Mitchell: Okay, promise?

Merlino: Yes.

An honourable member — Not this one — or was it?

Mr ONDARCHIE — Mr Merlino — the Deputy Premier — not this Mr Mulino. Tragically Mr Mulino has been held to account for Mr Merlino today, but on Mr Mulino's behalf and on behalf of the government Mr Merlino lied to the people of Victoria. No new taxes, no new charges — a clear broken promise from a Treasurer who said in his budget, 'We will deliver on all of our commitments'. He did not tell us about this. This is a typical underhanded strategy from this Treasurer. We have new taxes, we have broken promises, and the government hates being reminded of what it said to Victorians, but I predicted this. I predicted during the election campaign that the Labor Party would say and do anything to get elected, and it did. The Labor Party talked about no compensation for east-west link — it paid compensation. Of course this government is going to deliver to Victoria another \$1.1 billion in new taxes this financial year, and it has driven Victoria's budget into deficit in just six months.

Let us remind Victorians about what the coalition did in government in terms of stimulating the market. It provided 50 per cent discounts for first home owners. In addition to that the coalition government created a \$10 000 grant for those buying a newly constructed first home. That is how you go about improving affordability in housing — not through new taxes on property. In fact when it comes to financial management in this state, the Labor Party has only one answer: put the price up and create new taxes — that is all Labor knows.

This is also a bill that reflects poorly on Victoria's multiculturalism. Last night, with many colleagues, I attended a Ramadan Iftar dinner co-hosted by

Mrs Peulich. We reflected on how multiculturalism brings us together as a state and on the beauty of multiculturalism. I am of a Sri Lankan background and my wife is of an Italian background, so we celebrate multiculturalism in our own home every single day. As you can tell by my very thin athletic frame, I get to enjoy spaghetti and curry. But this bill goes against multiculturalism, because it says to foreign investors, 'We don't want you here. We want to charge you extra'. I commend Mr Morris for chairing in his first term the Legislative Council Standing Committee on the Economy and Infrastructure inquiry into the State Taxation Acts Amendment Bill 2015. In his first term he has shown extraordinary leadership to provide this house with some of the answers. In the inquiry, as the report that Mr Morris tabled today says:

Witnesses were unable to advise how this surcharge —

this new tax, this new penalty on multiculturalism by the Treasurer, Mr Pallas —

would impact on foreign investment ...

They are unable to say. However, Pitcher Partners did say:

... if this proposal were implemented, the impacts may not be realised for several years.

This is typical of the Labor Party.

Mr Dalidakis — Who?

Mr ONDARCHIE — This is typical of the Labor Party — policy on the run: 'Let's implement something and see how it goes, and hang the cost to Victorians. We don't care'. Desalination, port of Melbourne, north-south pipeline, myki — Labor members should all be held account for this. Mr Dalidakis, as the government's self-appointed apologist, sits here today trying to make excuses for the financial mismanagement that we have seen time after time, decade after decade, by Labor governments. The problem is that Labor members are in denial. They are in denial that they cannot manage money, that they cannot manage projects and that they cannot manage investment.

Mr Dalidakis interjected.

Mr ONDARCHIE — Mr Dalidakis sits here today as an apologist for the Premier, Daniel Andrews, and says, 'To hell with it, let's tax the foreigners'.

The ACTING PRESIDENT (Mr Ramsay) — Order! Mr Dalidakis will address his remarks through the Chair.

Mr ONDARCHIE — Let us make no mistake about this. This bill introduces two new taxes in clear breach of Labor's pre-election commitment. Labor said in its pre-election commitment, 'No new taxes, no new charges, no new fees, and we will stick to every one of our election commitments'. You lied, you lied, you lied! This is a classic example of policy on the run, with a roll of the dice in the Labor Party caucus room each morning to see what comes up. Who is going to be a minister? Who is not going to be a minister? Who is going to be chief whip? Who is not going to be chief whip? Will they answer a question? Will they take it on notice? Who would know, because it is policy on the run by a government that has no clue about how to manage money, how to manage investments, how to manage projects and how to manage relationships in our multicultural community.

Mr DALIDAKIS (Southern Metropolitan) — It is a great delight to follow Mr Ondarchie, because his contribution to the debate was made with such flair, flamboyance and with such little regard for the facts or the truth. However, that does not stop him. He does it with just as much colour as is in his tie today. For those reading this in *Hansard* in years to come, let me just paint a picture of Mr Ondarchie's bright, fuchsia pink, beautiful tie. His presentation was passionate and devoid of any factual information whatsoever, but that is okay because outside the chamber he is a good guy. It was a pleasure to sit with Mr Ondarchie on the committee, although I did miss him greatly when we — —

Mr Ondarchie — On a point of order, Acting President, as much as I regard Mr Dalidakis's sense of fashion on the colour of my ties and his comments on the style of my contribution, at some point could you remind him to get back to the bill?

The ACTING PRESIDENT (Mr Ramsay) — Order! I do not think that was a point of order, but I sympathise with Mr Ondarchie in that Mr Dalidakis was reflecting on the member's dress code. I ask Mr Dalidakis to keep his contribution to the bill at hand.

Mr DALIDAKIS — What I was saying about Mr Ondarchie was that it was a pleasure to sit with him on my first parliamentary committee. Unfortunately he was not present at the committee hearings, when people made presentations to the committee. Mr Ondarchie was not there for the hearings.

The ACTING PRESIDENT (Mr Ramsay) — Order! Mr Dalidakis has already made that point. I ask

him to keep his contribution to the bill and to stop referring to Mr Ondarchie.

Mr DALIDAKIS — I am happy to be called back to the bill before us. A range of people testified and gave evidence to the committee. Unfortunately none of them were able to do so in a way that attacked or questioned the validity of the legislation that is before the chamber.

I notice that Mr Ondarchie has left the chamber, but Mr Rich-Phillips will no doubt be able to interject on his behalf. The Property Council of Victoria, which is the peak industry association, gave testimony to the effect that it was okay with this legislation. Some companies that gave evidence to the committee are, for the purposes of the legislation, regarded as non-residents. In particular Australand and AVJennings said — as recorded in the Hansard transcript in evidence that will stand the test of time — that this was okay legislation and that they had no problems with it. I will get to the quote in a moment, but they described the negotiations and discussion with the Treasurer, the Honourable Tim Pallas, as excellent.

The reason they said that is because they had a very fair hearing. They understood the nature of the legislation that is before the chamber, which is something that apparently those opposite do not understand. This is not an attack on people in the state of Victoria. This does not increase taxes for people in the state of Victoria.

Mr Morris interjected.

Mr DALIDAKIS — Mr Morris may not realise this, but this is about non-residents. This is not about residents of Victoria, this is not about citizens of Victoria, this is about providing a 3 per cent surcharge on non-residents. The reason that was provided, from the very eloquent testimony given by officials of the Department of Treasury and Finance in particular, was so that those non-residents are able to contribute a greater sum of money — their fair share — into the infrastructure, services and range of other activities that the Victorian government provides. It is nothing more, nothing less — —

Mr Ondarchie interjected.

Mr DALIDAKIS — Mr Ondarchie can scream across the chamber, but unfortunately *Hansard* will not record the ridiculous nature of his interjections. Let me put on the record that they are ridiculous and baseless. Mr Ondarchie would never leave his personal tax affairs to the second-tier, third-rate advice from Pitcher Partners, according to the testimony that it gave on the

day. It refused to provide advice about what its clients would do; it refused to provide advice — —

Mr Morris — On a point of order, Acting President, Mr Dalidakis's contribution reflected upon somebody who came before the inquiry and made a submission to it, and I ask you, Acting President, to require Mr Dalidakis to retract that comment.

Mr DALIDAKIS — On the point of order, Acting President, I did no such thing. In fact what I did was reflect on the organisation Pitcher Partners. I did not name anybody specifically. There is no point of order.

The ACTING PRESIDENT (Mr Ramsay) — Order! I do not uphold the point of order from Mr Morris. In response to Mr Dalidakis's point of order, he is treading on very dangerous ground in his contribution to the debate. He continues to refer to Mr Ondarchie. I have ruled that he not refer to Mr Ondarchie in his contribution and that he keep it within the context of the bill at hand. I again ask Mr Dalidakis to do that in the short time he has left for his contribution.

Mr DALIDAKIS — Let us call the facts what they are. The testimony from one of the tax partners from Pitcher Partners came from a gentleman who is a naturalised Australian. I commend him on making the choice to become an Australian, the greatest country in the world; I applaud him for doing that. This gentleman came from New Zealand. Guess where he came to? He came to Melbourne; he settled in Victoria. Guess what else? When he chose to do that, he did so because that is where his commercial interests lay. He gave this testimony; it is in the Hansard transcript for all to read.

Guess what else? After the initial commercial relationship which brought him to this great state and this great city was finished, he stayed here. He acknowledged, under questioning by me, which is in the transcript, that there were different reasons and different costs of living, depending on where you go. If you want to go and live in Adelaide, the cost of living is lower. If you want to go and live in Tasmania, the cost of living is lower. He openly acknowledged that a 3 per cent surcharge would be only one element that people would consider when deciding whether to come to Melbourne. It would only be one element in their decision-making about whether or not they made this great state and this great city their place of residence.

To be very clear, when stamp duty for average house pricing in Sydney is significantly greater than it is in Melbourne — when you consider that the costs in Queensland and Perth are also at a very different price

point to Melbourne — people will choose to make Melbourne their home for a variety of reasons. Let me tell members — because apparently Mr Ondarchie does not understand this point — when you go to an auction, you have a certain amount of money to purchase a property. So you include any stamp duty, transaction costs, mortgage fees and brokerage fees — whether it is a real estate broker or otherwise. You include all those fees, and that is your gross figure. Your net figure is the figure that you can purchase the property for. Your gross figure is the total amount of money for everything else in that bucket of expenditure.

Sometimes I wonder about the commerciality of those opposite, because I really wonder how they ran their businesses so successfully — in their own minds at least. When you undertake a commercial transaction you look at the total cost of that transaction. That is what you do. Apparently Mr Ondarchie has forgotten this, which I am staggered to believe. I think he is only getting up to attack this legislation for the sheer fun of it, because this is very good legislation.

Let me remind everybody here that this legislation provides for a 3 per cent surcharge on purchases by non-residents. It does not increase taxes and charges — levies or otherwise — for residents or citizens of Australia, including those who reside here in the state of Victoria. That is the first thing. The second thing is that a range of consultations was undertaken with the Treasurer and his office, and they were described as excellent. The third point I want to make is that the testimony before the committee at all stages was that the legislation itself is in keeping with other state taxation legislation in terms of its parameters and how it is to be implemented — for example, in allowing for the State Revenue Office to undertake the collection of the fees accordingly.

I commend this legislation to the house. It is very safe legislation; it is very sound legislation. It is grandstanding by those opposite to attack the legislation. Let us see how they vote, because it is grandstanding by those opposite to attack this legislation when what it does is deliver a win for people who reside in Victoria. It delivers a win for the constituents of Victoria. It delivers a win for citizens. It delivers a win for residents — they do not even need to be citizens as long as they are residents. It delivers a win for everybody. It increases the cost of a \$500 000 purchase by about \$15 000. That is all it does.

Those sitting opposite suggest that somehow this is going to affect housing affordability, when in fact it has the potential to drive down prices and make housing more affordable. The opposition has relied on the

advice of Pitcher Partners in its testimony to the committee. Go and read the Hansard transcript — I had one of the partners of Pitcher Partners tell me that according to the supply curve if demand drops, somehow prices go up. I defy anybody to find anyone who knows anything about a supply curve in the history of supply curves to give me the same testimony Pitcher Partners gave me. That is the level of credibility that those opposite are relying on, and that is why they are in opposition. I commend this legislation to the house.

Mr MORRIS (Western Victoria) — I rise to make a contribution to the debate on the State Taxation Acts Amendment Bill 2015. I thought I might begin my contribution by speaking about some of the comments that Mr Dalidakis has just made in regard to the truth. I have regard for the truth and Mr Ondarchie has regard for the truth, but I am not sure that some of those opposite have the same regard for the truth. I recall comments by those opposite about there being no new taxes and no tax rises, which is astounding considering that I am standing here speaking on the State Taxation Acts Amendment Bill 2015.

Mr Dalidakis took part in and was very active in the inquiry; however, I am not sure we were participants in the same inquiry because at the inquiry I was at I very clearly heard both the Property Council of Victoria and the Urban Development Institute of Australia (UDIA) explicitly say they wanted exemptions from this particular tax to be published. However, the government has not seen fit to do this. The peak developer bodies in the state are advocating for exemptions from this tax to be published. They understand that sunlight is the best disinfectant. They understand that transparency is important. However, this government does not seem to understand how important transparency is.

The UDIA and the property council understand that when you are doing business it is important that if these tax exemptions are granted, it is good practice to have them published so as to remove all question of any impropriety, any possibility of corruption and any possibility of inappropriate actions. I would have thought that those opposite would understand how critically important it is to remove the opportunity for any of these actions to occur, particularly when we think about recent events. I would have thought those opposite would have learnt from recent events, but obviously that has not occurred.

What we see with this tax is a 3 per cent surcharge on stamp duty and a 0.5 per cent additional land tax surcharge on purchases of residential property by non-residents. One of the main reasons for the upper

house Standing Committee on the Economy and Infrastructure holding the inquiry was to understand the consequences of this tax and the impact of what the government was proposing to do. The government proposed that this was going to help housing affordability; however, at the inquiry everybody who came spoke about housing affordability, but nobody had a clue. No-one from the Department of Treasury and Finance or the Law Institute of Victoria — nobody — could say definitively what impact this was going to have. It is a shot in the dark about what this legislation will do to housing affordability.

However, there was an issue raised that is going to help with housing affordability, and that is the issue of land supply. Rather than addressing the real cause of the issues in terms of housing affordability and rather than addressing what is going to impact on housing affordability for Victorians, the government has seen fit to slug non-residents with an additional tax.

I certainly listened intently to Mr Ondarchie's contribution on what impact this will have on our multicultural community. What does this legislation say? From what I can see it says, 'If you don't get to vote, we'll tax you'. I do not believe this is something we in this great state of Victoria should be promoting. We should welcome foreign investment in Victoria, as Mr Mulino mentioned. However, we are seeing a government that wants to slug those who do not have the opportunity to vote here. I also note that the Scrutiny of Acts and Regulations Committee (SARC) raised some of these issues in terms of this tax only applying to non-residents. I encourage members to read SARC's report.

The issue of exemptions to be made by the Treasurer is greatly concerning. I am concerned for the honour of the Treasurer. Who will receive these exemptions? How are we going to find out, and who is going to find out? Under this legislation nobody is going to find out. The Law Institute of Victoria, which Mr Davis has made mention of this evening, spoke about the separation of powers. In this legislation the Treasurer has the capacity to unilaterally decide whether or not this tax will be applied. That is of great concern. How will that process be undertaken? Where is the open and transparent process that will apply to whether or not one has to pay this tax?

As I mentioned, the Property Council of Australia and the UDIA are very keen to see the publication of exempted developers, because they understand the importance of best practice in terms of doing business. I fear the current government does not share that view.

This is the clearest example of a broken promise by this government. We have seen members opposite tell us they will keep every single one of their election promises. The Premier said there would be no new taxes and no rises in taxes or surcharges — then, despite this, we see this new tax. But apparently it does not count, because it is non-residents who will be charged this additional tax — and non-residents do not count as far as this government is concerned.

The State Revenue Office Victoria (SRO) is likely to do much of the legwork in terms of how this tax will be applied. Will it be adequately resourced to do this? Concerns were raised in the inquiry about the importance for developers of timely taxation decisions. Will the SRO be able to make timely taxation decisions?

I have grave concerns about where the funds from this tax will go. Will the funds be quarantined to be spent within a particular area to support services, or will the situation be similar to the proposed lease of the port of Melbourne, where the government plans to rip money out of rural and regional Victoria and put it into inner city rail crossings in Melbourne?

I cannot support this bill in its current form. As I have outlined, I have grave concerns.

The ACTING PRESIDENT (Mr Ramsay) — Order! It is an appropriate time to suspend for dinner, but I have some concerns in relation to the contribution that Mr Dalidakis made. I am accepting and supportive of robust and passionate debate, but the contribution of Mr Dalidakis was at risk of reflecting on a member. The continual dialogue between Mr Ondarchie and Mr Dalidakis — and I know Mr Ondarchie was encouraging Mr Dalidakis to have that dialogue — potentially allowed for reflection on a member and an unproductive debate in the chamber. I flag with Mr Dalidakis that I had concerns, even though I do not believe he trespassed beyond the line. However, it was very close to the line, and I would have pulled him up if that had been an ongoing theme in his contribution. I encourage Mr Dalidakis to keep the passion and the robustness but not to reflect directly on a member in his contributions.

Sitting suspended 6.32 p.m. until 8.10 p.m.

Debate adjourned on motion of Ms SYMES (Northern Victoria).

Debate adjourned until later this day.

APPROPRIATION (2015–2016) BILL 2015 and BUDGET PAPERS 2015–16

Second reading

Debate resumed from earlier this day; motion of Mr HERBERT (Minister for Training and Skills) and motion of Ms MIKAKOS (Minister for Families and Children):

That the Council take note of the budget papers 2015–16.

Ms LOVELL (Northern Victoria) — I rise to speak on the budget papers, and in doing so I record that this is a city-centric budget. There is not much in the budget for regional Victoria; in fact it is absolutely disastrous for regional Victoria. We saw the agricultural output in the budget cut by 12 per cent, the regional development output in the budget cut by 24 per cent and the trade output cut by 61.5 per cent. The regional expo has been completely cut from the budget, the road assistance management budget has been cut by 10 per cent and the country roads and bridges program has gone completely. Something that local government really valued and that was doing some great work in country Victoria has been cut by the Labor government. The wild dog bounty has also been cut, which is disastrous for my area. In the north-east of the state, not one school north of Wallan, which is on the border of metropolitan Melbourne, received funding. Labor said that the budget was about delivering its election commitments, but it has fallen well short of doing that.

Northern Victoria Region includes four Legislative Assembly Labor-held seats and one Independent seat. Five other lower house seats covered by my electorate did not receive any election commitments from Labor. I would like to go through what was not in the budget for the four Labor-held seats and the Independent seat. In the seat of Yan Yean the government fell well short of delivering on its major election promises, including the Mernda rail extension and the Yan Yean Road duplication. According to the Labor Party the Mernda rail extension, or the South Morang train line, was to cost between \$400 million and \$600 million, but the budget reveals that it has put just \$9 million into the project. That is just \$9 million when the project could cost up to \$600 million. That will not deliver the rail line.

Funding for the duplication of Yan Yean Road is similarly miles short of what it was costed at by the Labor and Liberal parties. Both parties put a price tag on it of \$95 million, yet just \$865 000 has been set aside for the road, with \$480 000 of it to be spent in the coming year. The funds will be spent on planning and

on a business case, but there is nothing for the construction of the road.

Hazel Glen College was promised \$10 million, but it received only \$7.8 million. Wallan Secondary College was promised \$5 million, but it received only \$902 000 this year. Ashley Park children's centre, which was promised \$1.6 million, was not mentioned at all in the budget.

The lower house seats of Bendigo East and Bendigo West fared a little better, but there are still election commitments with question marks over them. In Bendigo East Labor promised \$1 million for the installation of a roundabout at the intersection of Strathfieldsaye Road, Tannery Lane and Club Court, but there is only \$150 000 in the budget for planning works. In Bendigo West the Liberals promised \$4.8 million to rebuild the Kalianna School; Labor promised \$1 million for planning, but the school has been lumped into a \$2.15 million package for planning with five other schools. Will one school get \$1 million from the \$2.15 million that has been allocated to five schools?

The Bendigo Discovery Science & Technology Centre is another story. It is a fantastic centre similar to Scienceworks here in Melbourne, and it has just been abandoned by Labor. Our government was giving that centre \$50 000 a year, which kept the doors open. This government, however, has walked away from the Discovery Science & Technology Centre, and the centre is talking about closing in the middle of July unless the government comes in to save it. I urge the Minister for Education and the Minister for Regional Development to get their act together and provide funding to that wonderful centre.

In Macedon \$200 000 was promised for an investigation of the intersection of Barry Street and the Melbourne-Lancefield Road. That is not in the budget. I hope it is funded by an internal department fund or is grouped in another section of the budget, because we cannot see anything there for that election commitment.

The Assembly electorate of Shepparton is a very sad story, because it was won by an Independent on the back of a campaign of envy about what other seats received from previous Labor and coalition governments. Even though the coalition had delivered quite strongly for the seat — \$73 million for the courthouse, \$22 million to save SPC, \$15 million for a youth foyer, \$7.5 million for the Doyles Road intersection, a new Toolamba kindergarten and upgrades to four other kindergartens, significant investment to grow jobs at Pactum Dairy and other

food processors, CBD revitalisation in Maude Street and \$5 million for the Goulburn Valley Industry and Infrastructure Fund, just to name a few — the campaign of envy resonated with the people, and they changed their allegiances to an Independent. It has not done them any good, however, because there is nothing in this budget. Labor made not one election commitment to the seat of Shepparton, and they delivered nothing in the budget for the seat of Shepparton.

By contrast, if the coalition had won, there would have been \$75 million in this budget for stage 1 of Goulburn Valley Health, \$2.5 million to further the CBD revitalisation, \$1 million for planning of the bypass, an extra \$5 million for the Goulburn Valley Industry and Infrastructure Fund, and additional train services — a Melbourne to Shepparton service Monday to Friday and return services on Saturday and Sunday. As I said, Labor made no election commitment, so Shepparton did not get anything. In fact it was not even included on the map on pages 2 and 3 of Labor's rural and regional budget information paper. The fourth-largest regional city in this state was not included on the map of Victoria.

What was in the budget was some stalling money — \$1 million for further planning for Goulburn Valley Health. The vast majority of that will be spent on the Rushworth planning. There is \$500 000 coming during this financial year and \$500 000 during the following financial year. Of the \$120 billion in those two budgets there is \$1 million for further planning for the hospital, which pushes the hospital project out to 2017. If the Liberal Party had been elected, there would have been \$75 million in this year's budget.

We know the master plan for the hospital is complete. We know the service plan is complete. It was launched last Friday. There is only a feasibility and business case study to go. With political will they could be delivered in a number of weeks, but this government has pushed them out for two years. For all we know they could be pushed out even further. Other hospitals, like Bendigo, were funded without these things being completed, but Shepparton has to wait once again.

In response to a constituency question I asked on 14 April the minister said the government acknowledged that Goulburn Valley Health needed to improve its facility. It is well known — even the government knows it — so why was the \$75 million which we had locked into the forward estimates not delivered to Goulburn Valley Health?

This government said the budget was about election commitments, but one hospital received funding that

was not part of an election commitment. That hospital just happened to be the Werribee Mercy Hospital. An \$85 million commitment was made to that hospital. Perhaps that is where Goulburn Valley Health's \$75 million went. The Werribee Mercy Hospital is located right on the border of the Werribee electorate, which is held by the Treasurer, and the Altona electorate, which is held by the health minister. I will leave it to other members or readers of *Hansard* to draw their own conclusions as to why that hospital may have been funded and the Shepparton hospital was not funded.

The hospital services report which came out last week shows that 3269, or 43 per cent, of all patients who presented at the emergency department of the Shepparton hospital in the last quarter were not seen in time. This was the worst result in the state. In category 2 surgery there was a 33 per cent increase in those who were overdue for surgery, and their wait increased from 36 days to 60 days. Shepparton has been looked at by the Australian Institute of Health and Welfare and named one of the sickest communities in the country. It is also the subject of a recent obesity report. We know there is significant disadvantage in Shepparton. We know this hospital needs to be built, and I urge the government to get on with building it.

The Shepparton area needs a lot of attention, and not only in the areas I have outlined. One in five families in Shepparton is unemployed. At 25.3 per cent Shepparton's youth unemployment figures are a disgrace. They are the worst in this state, and they are the third worst in the country behind outback South Australia and northern Tasmania. There are significant drug, alcohol and domestic violence issues in the town, and there are large numbers of Indigenous and new settlers, including refugees. Shepparton is putting in place local solutions to these things, but it needs the support of the government to help it make sure that it does not tip over the edge and that it comes out of this as the strong community it once was.

This government, however, has chosen in this budget to ignore entirely the fourth-largest regional city in the state, and the Independent member for Shepparton in the Assembly has accepted this result. In its front-page story of Wednesday, 6 May, the *Shepparton News* reported the Independent member as saying she was not surprised because:

... the government said they would be delivering on their election promises ...

Shepparton did not receive one pre-election promise. I am not prepared to roll over and accept this result. This year's budget is a slap in the face for the people of the

Shepparton electorate, and I will continue to fight until Shepparton gets the attention, services and infrastructure it deserves. In education we need better schools. Our schools need maintenance money desperately. We also need investment in our 'Better together' schools alliance, which is an alliance between secondary schools to make sure that all students are studying the courses they want in the right surroundings. Kids are being bussed between the schools, but about \$130 000 is needed just to fund a coordinator. Not even that was included in this budget.

The schools on the outskirts of Shepparton have outgrown their sites. Orrvale and Grahamvale primary schools need additional land to be purchased. The land is there at the moment — there are orchards and farms around them — but there is no money to help them. There is no money to help the three local primary schools, or neighbourhood schools as they call themselves, which are dealing with significant disadvantage. With refugee students, new settlers and also Indigenous students, there is a concentration of disadvantage in these schools, and they need money to assist them to continue to do their great work.

We need additional train services. The former government conducted a review of the Shepparton line last year — that is complete — but now Shepparton has been lumped in with a review of the whole of the state and will have to compete with other areas. The work has been done on Shepparton. I say to the Minister for Public Transport, 'Come on! Just get on with delivering better public transport services for us'.

The Shepparton bypass has been on the agenda since the 1990s, yet this government has not even allocated any money to planning for the bypass.

In the couple of minutes I have left I will touch on some of my old portfolio areas. In early childhood development, the output summary on page 171 of budget paper 3 shows a 6 per cent decrease in funding. This is really disappointing, and it leaves a large question mark over future funding levels for early childhood. It indicates that parents will probably be asked to pay more, as there is no additional funding in this year's budget.

There is \$50 million over four years for the children's facilities capital program. That is an \$85 million cut on what the former government committed over our four years. It was \$135 million under the former government; it is \$50 million under this government — yet only \$5 million of that \$50 million is in this year's budget. That will not even cover Labor's election commitments. It promised \$8.1 million worth of grants

to kindergartens, and this \$5 million will not even cover that. The minister put out a terribly misleading press release, which said to 'apply for a share of \$50 million'. I guess on a broader scale that is true, but there is only \$5 million to apply for, so why say \$50 million?

In the housing portfolio there was no new money and there were the lowest ever acquisition numbers for new housing. The Minister for Housing, Disability and Ageing claims the projects that I put in place — the innovation action projects for homelessness and the work and learning centres — as his own. Members should read his Public Accounts and Estimates Committee transcript; it is a disgrace how he claims the work of the Liberal government in putting good policy in place — my work — as his own. At least he has acknowledged good policy and continues to fund the policies I put in place.

Mr HERBERT (Minister for Training and Skills) — It is a pleasure to speak on the Appropriation (2015–2016) Bill 2015 — an absolute delight — because it is a great budget. Before I speak on it, I will comment on some of the contributions we have heard from those opposite. The government has been in office for about 205 days, but suddenly we are responsible for the four years of absolute zero, zilch and nothingness we saw from the previous government. It is hard to believe.

We have heard of all the things that need to be done — things that were never done under the previous government. We saw soaring unemployment, we saw a lockdown by industry and we saw the state grind to a halt, giving our strategic advantage to New South Wales in the finance sector and in so many other sectors. We saw our industrial base fall apart, health and hospitals drop off and education funding slashed, but apparently now — 205 days later — everything is the Labor government's fault. Everything we saw under the coalition government — those dismal, black four years — seems to be everybody's fault but the coalition's.

It is unusual for a government member to say, 'Yes, I would like to see more money, just like everyone across the chamber'. We would like to fund Gonski right through, straight off. We would like to fund every hospital. We would like to fund the entire Melbourne Metro rail project in this budget. We would like to fund everything under the sun we have heard mentioned by those opposite, who could not do a thing when they were in government. But there is a tad of reality we have to have in this place. Unfortunately there is no money fairy up there in the sky sprinkling down money for the pet projects of those opposite — all the money

they could not get — saying, ‘Here’s some money for this; here’s some money for that’. It is incredible.

We have just heard contributions from those opposite opposing the development tax. They oppose getting extra revenue in, but they want money for everything. I hate to tell them this, but there is no money fairy in the sky. They seem to know this when they are in government, but now — 205 days later — they have gone back to Alice in Wonderland with their money fairy and they think it is all going to appear in front of them. Of course it will not. What they could do is have a clear agenda, put it to the people of Victoria and stick with it. They could say, ‘This is what we will do if you elect us’, and stick with it. That is exactly what this government is doing.

We have implemented 96 per cent of our promises; another 4 per cent will come — they are on the way. Some of them require not money but changes to the governance arrangements in universities — in my own portfolio — or a range of other measures, but we are firmly committed to fulfilling these promises. If we can do more, we will. But you can only do more not by relying on the money fairy out there but by structuring industry, increasing economic activity, improving productivity and increasing growth. To that point, much is always said about the economic situation, and I will start by addressing that.

This budget has a \$1.2 billion operating surplus in the next financial year: not the \$100 million that the entire Brumby and Bracks governments promised but a hell of a lot more. The operating surplus will be \$1.2 billion and will grow to \$1.8 billion in 2018–19. Some might ask why we need that, why we want to save that money, that surely it should go to people. That money will go back into services, back into the transport system, back into the health system and back into the hospital system, and that is what makes it responsible. This government is not relying on a wish list out there; the government is building a reserve of funding for future government infrastructure projects. Our forecast is achievable. By restricting expenditure to 2.5 per cent on average per year, which is more than reasonable given the growth rate of Victoria, we will take into account inflation, population growth et cetera and the services that people need.

Many people find debt confusing. Those opposite seem to think that the state has a high level of debt, but of course that is not the case. This budget reduces debt from an absolute peak of 6 per cent of gross state product last year down to 4.4 per cent by 2019, which is a significant reduction. These are big dollars. The percentage figures underlie huge numbers of dollars,

and the reduction has to be managed responsibly so that we do not have to scrap services in order to achieve it.

This government is not going to scrap building or scrap the things it needs to build this state. Capital expenditure in this budget is very simple: \$5.2 billion this year and \$6.5 billion next year.

Ms Crozier interjected.

Mr HERBERT — Ms Crozier is talking about it. Even with their absolutely dud tunnel, those opposite averaged \$4.9 billion capital expenditure over their term, far less than what this government has in this budget. These are not just dollar amounts; these are projects that stack up and deliver jobs and economic growth. When we look at economic growth, we can see that Melbourne, as we all know, has grown by about a million people in the last seven or eight years and is projected to continue to grow. One of the crucial aspects of growth is building roads and public transport and not one big silly tunnel, where we blow it all off on a project that has a benefit-cost ratio of less than one in terms of economic benefit. This government has \$17 billion worth of projects which will reduce congestion, improve safety, improve public transport and deliver roads. It is a real capital budget in terms of roads and investment.

We have all heard about the biggest problem facing this state. I notice that Mr Purcell is here. He has spoken with me, and I have been to his electorate of Western Victoria Region. Unemployment is central to what has happened in this state over the last few years. This government inherited an unemployment rate of 6.8 per cent. Anyone who has gone around and had a look at what is happening with youth unemployment, particularly in regional Victoria, will know that it is shameful, absolutely shameful. It is an indictment of everyone in this place that we have let youth unemployment rise to the level it is at, because with that unemployment rate disillusionment, crime and wasted lives.

Members of this government say that is nowhere near good enough. We say that Victoria should not be up at a 20-year high but building jobs for people. In terms of our *Back to Work* plan, that is why members of this government plan to create 100 000 jobs. We are committed to hitting that target. We will create those jobs, and this budget starts that process off very well by providing \$100 million for the *Back to Work* plan and payroll tax exemption for those businesses which give jobs to the long-term unemployed, particularly unemployed young people.

In my area some apprentices are out of work through no fault of their own. An economic downturn can mean that the employers of those apprentices cannot keep them. Through this budget those businesses will be eligible for the bonus to get young apprentices back into jobs and back into apprenticeships. It really is a simple equation when we talk about unemployment. We have got to grow jobs, grow productivity and grow economic activity. This is the formula for growing jobs. We also need a skilled workforce. It is not about the numbers of people who go through apprenticeships and traineeships but about the quality of those apprenticeships and traineeships and how many of them lead to jobs. Quality training leads to real jobs, which leads to business and enterprise productivity, which leads to economic increase, economic development and further economic increase. They all lead to more jobs, which lead to more training and more opportunities for people. That is the agenda of members of this government.

This government has inherited a situation in my portfolio area where the entire TAFE system was absolutely gutted. Everyone knows about this; I am not talking about something new. Unless they went through the last four years with blinkers on like a racehorse that could not steer a straight path, everyone would know that the TAFE system had been gutted. What that has meant for so many young people, particularly those in rural and regional Victoria, is that the opportunities they have had to get the training they need to get a decent job and to stay in their communities simply has not been there.

But it is worse than that; it is not just about the gutting and decimation of TAFE in this state. It is about a funding system and an unstable training system that has allowed roting to flourish. Those opposite cut \$1.2 billion from TAFEs, which is a lot of money.

Honourable members interjecting.

Mr HERBERT — I agree with those across the chamber that that is what we have seen, but how much of it has gone to the most appalling non-training that does not lead to any jobs? How much of it went to improving productivity for business? How many tens of thousands of people lost faith in our training system or blew their entitlements to government-funded training? People in industry and business enterprises say that the pain is not worth the gain and that the system is so confusing that they cannot guarantee that if they employ someone with a credential to do a job, they will be able to do it, because roting has gone mad in this state.

No-one likes to do what we have had to do, and I certainly do not like to do it. This government has had to withdraw about 10 000 certificates and restore the entitlements of the people who did the courses. Even by modest auditing standards and by what we have had to do in terms of the resources that were left to us, 10 000 is a significant number. I surmised that if we had ramped the figure up 10 times, then we would find 10 times that amount. Some 10 000 people should have been in work after training, but they never were. They never got jobs because no-one trusted their credentials. Some 10 000 people have to be retrained because they had appalling training. The whole system is in a mess.

In this budget the government's agenda is that it has funded all of its election commitments plus more. We said that we would rescue TAFE, so there is \$300 million in the budget plus the \$20 million that we brought forward at the start of the year so that those TAFEs that are struggling would not have to sack staff at the beginning of the year and could start the year positively. There is funding of \$300 million to restore community services benefits, \$300 million to give more confidence to TAFEs to help them get over and above the devastation they have experienced and to support the 25 per cent market share they currently have.

Of course the budget is about more than that; it is about making sure that we spend the money wisely. There is \$8 million in the budget for a skills commissioner, who will advise on where future jobs are so that people can get training to get those jobs.

Mr Finn interjected.

Mr HERBERT — I am amazed that anyone from the western suburbs of Melbourne would be critical of spending money on training and job creation. It is just astounding that Mr Finn could do that — absolutely astounding, given the appalling unemployment rates that his government presided over.

We have \$32 million to keep our local learning and employment networks (LLENs) going, funding that was withdrawn by the previous government from LLENs that have to work with training providers, schools and young people to get initiatives going and help create jobs for young people. At a time of massive youth unemployment, how appalling it was that those opposite were going to scrap that funding. Members of this government do not think that is good enough.

Over and above those and other election commitments in the portfolio that I oversee, there is funding of \$50 million in the budget for the TAFE Back to Work Fund. Members of this government realised that TAFEs

should be more than just competitive training providers. TAFEs have obligations to people — to unemployed youth, to industries and to the communities they serve. There is funding for \$50 million worth of projects in the budget for TAFEs. TAFEs have applied for that funding and talked to their local industries and local communities, and then said that these are the projects they think will make a difference. Those projects all have targets; they will all need to meet a targeted number of apprenticeships and traineeships. They all have key industries that link to our *Back to Work* plan and real outcomes for the communities they serve.

There are 40 projects, and I have already announced a number of them. They are fabulous projects, and I could announce another 40, but this is all part of reshaping our training system to the industries we need to create opportunities and jobs for people. It is about real skills, real jobs, real productivity and a cycle that leads to economic prosperity.

Obviously TAFE and training are my areas, but if members look across the entire education spend, they will see that this is a fabulous budget. There is \$4 billion worth of education initiatives, which is the biggest allocation of school funding this state has ever seen. Gonski has been funded despite the massive funding black hole we inherited. The Liberal Party said it was committed to Gonski, but there was not a cent of funding allocated to it in the last budget. When we opened the books, we saw nothing. Zip, zero, zilch. Not a cracker for the commitment members opposite made to Gonski — —

Mr Finn interjected.

Mr HERBERT — Not a cracker for all those disadvantaged students in the western suburbs whom Mr Finn represents. In particular this funding gives those disadvantaged students the same education opportunities as every other person in the state. The kids in the west should have the same opportunities as the kids living in the leafy eastern suburbs, so we have found the money to fund Gonski through to 2017. It is a great achievement, and it is part of the biggest education budget we have ever seen. We have linked that with a doubling of the funding for capital works to rebuild our schools. We have a whole heap of other programs, particularly for disadvantaged young people, whether they be in the country or the city, and the camps program is just one of them. There are numerous programs in this budget to start rebuilding our school system.

The ACTING PRESIDENT (Ms Patten) — Order! The member's time has expired.

Ms CROZIER (Southern Metropolitan) — I am pleased to rise this evening and contribute to the debate after listening to Mr Herbert, who spent his first 2 minutes talking about fairies at the bottom of the garden and money that is not in the budget. I was pleased to hear some of his contribution because some of it was quite sensible, but the majority of it was completely contrary to Victoria's needs. As the weeks have passed since the Treasurer brought down the state budget, more Victorians have become increasingly concerned about the direction of this government. The Treasurer's budget speech was full of one-liners and platitudes, but as we have learnt in the meanwhile, this budget will not be able to deliver what is needed to fulfil the potential of this great state.

Since 5 May we have seen a completely chaotic government rocked by internal crises. Only 10 minutes ago *The Killing Season* started on ABC TV, a program which is highlighting those internal ructions plaguing the Labor Party. We are seeing that play out in our state government today, which I know will not go down well with Victorians. Speaking of crises, it is extraordinary that one of our most important sectors, the small business sector, has been left swinging in the breeze by this government. The minister has been stood aside while an investigation takes place. Even the minister's own faction has sidelined him, and the Premier, who is assuming responsibility for this very important portfolio, is too busy dealing with these internal factional issues. Victorians have very real reason to be concerned about the direction of this government.

It is not a bright future that is being portrayed in this year's budget. Any government needs a strong fiscal position if it is going to deliver on the services needed to maintain a growing economy, but what is most alarming about this government is the speed with which the state's finances have deteriorated. In November, just seven months ago, Treasury forecast a budget surplus of \$2.3 billion for 2015–16. The Treasurer now says that the surplus is somewhere around \$1.2 billion. That is a lot of money that has disappeared over a short period of time. It is being spent on election commitments that have not even started and on payback union wage claims. All Victorians will find that very concerning — and believe you me, Victorians are onto it.

I cannot continue this contribution without making reference to the disgraceful conduct of this government when it comes to the east–west link. Labor supported the project when it was last in government, but it objected to it when it was in opposition, purely for political purposes. We just heard Mr Herbert describe the east–west link as a dud tunnel. He also said in his

contribution that we need roads and public transport, which I agree with. The east–west link was a vitally important piece of infrastructure that would have not only delivered thousands of jobs but also contributed to the productivity of our state. The government’s decision is a reckless one that has reverberated right around the world. Forget Victoria’s ‘education state’ numberplate; now it might as well read ‘Victoria: the state of sovereign risk’. Our reputation for doing business has been trashed.

Our compensation bill is currently sitting at \$640 million, which is an extraordinary amount of money wasted purely on ideological and idiotic decision-making. It is really shameful. How many schools, police officers, child protection workers, nurses, doctors, early childhood educators or other public servants could have been paid for with the money that has just gone up in smoke? That is without mentioning the jobs that have been wasted by ripping up the contract and not following through on this necessary piece of infrastructure.

Meanwhile other projects that were funded by the previous government have stalled. Why has work on the level crossing at North Road in Ormond not started? I was out there last week with Matthew Guy, the Leader of the Opposition in the Assembly, and we saw that not a piece of work has yet been done. It was budgeted for and funded by our government.

Mr Dalidakis interjected.

Ms CROZIER — Seriously, we are 205 days into this Labor government, and it has done nothing. That project was identified to relieve considerable road congestion. I say to Mr Dalidakis that we did not pork-barrel seats like the Labor Party did. We were implementing an appropriately systematic level crossing funding regime. Members opposite went to their electorates and promised the removal of 50 level crossings in their first term, but now they have changed plans and are promising to do it over eight years. They were deceitful.

Mr Finn — They were dishonest.

Ms CROZIER — They were dishonest and deceitful, I would say, and now we have seen legislation, which will come into the house tomorrow, to lease the port of Melbourne, which is another disastrous decision made by this government. Daniel Andrews’s solution is to sell out Victoria.

Mr Finn — That would be Dodgy Dan.

Ms CROZIER — Dodgy Dan, says Mr Finn. That proposal in itself is disastrous for this state — and Mr Dalidakis should hang his head in shame because he knows that is true. He also went to his electorate saying that Labor would build a second port. Bay West was the one that Mr Dalidakis thought would be great. I will go back to look at what has been said in relation to the ports issue. When Labor was last in government in 2009 Tim Pallas, the now Treasurer, said:

In planning for future economic growth, and consistent with the Victorian ports strategic framework, the government has confirmed that Hastings is the preferred site for a second container port to supplement the port of Melbourne when it reaches capacity in around 2030.

The port of Hastings is well positioned to serve as Melbourne’s second container port ...

Yet just last year on radio Neil Mitchell asked Daniel Andrews, then the Leader of the Opposition, about the development of the port of Hastings. He said:

And you’re not going to develop Hastings, you’re going the other way?

Daniel Andrews said:

We think Bay West is a much better option ...

In another interview he said that it will bring jobs and it is a better option:

... better for Geelong, better for the west of Melbourne, makes more sense and indeed would be cheaper, significantly cheaper, than the Hastings option.

Labor’s leader says one thing prior to an election, gets elected and does completely the opposite. It is absolutely disgraceful.

Mr Finn — That’s the Labor way.

Ms CROZIER — It is disgraceful. At least the opposition can stand very firm on what it did in government. We were addressing the removal of level crossings in an entirely appropriate and fiscally responsible manner, and at the same time providing a transport network that would cater for a 21st-century city including a rail line to Melbourne Airport. Instead we now will have a tunnel that has been described as going from Melbourne University to Melbourne Grammar. It does not even cater, I say to Mr Dalidakis, in the electorate that he and I represent, for the very busy demands of South Yarra station. How ridiculous that he has no plans — —

Mr Dalidakis interjected.

Ms CROZIER — You have no plans for catering for the growing population of South Yarra and

surrounding areas. It beggars belief that South Yarra station was not included in this rail tunnel. If he reckons we had a dud tunnel, I suggest that going from Melbourne University to Melbourne Grammar does not cater to a lot of Victorians. I wonder why the Labor government has not catered for South Yarra station. Is it because it has run out of money? Is that it? In the budget papers the government said Metro rail would cost around \$11 billion, with only \$1.5 billion allocated in the budget — that is, for 80 per cent of the project they have no idea how it will be paid for. How on earth can they make these claims in this budget without having proper costings and analyses for how it will be funded into the future? What they have done in this budget is a sham, and Victorians are waking up to what Labor is about.

What the Minister for Training and Skills said in his contribution about public debt was extraordinary. The now Treasurer said in 2013:

... Labor does not have a problem with public debt per se ...

I think anyone who reads those comments should be very concerned about the commitment of this government, because it is clear that it has no commitment to reducing debt. In fact it just wants to spend taxpayers money.

The Premier himself promised no new taxes. On 28 November 2014, just two days before the election, he was quoted as saying, 'Absolutely not, we're not going to have any more taxes'. Yet we have, as was highlighted by the shadow Treasurer, two enormous new taxes. We have just been discussing the State Taxation Acts Amendment Bill 2015, and the new taxes brought in with this budget equate to around \$1.1 billion. The government says one thing but does another thing. We have clear evidence of that. To go back to Mr Finn's words, it is dishonest, it is disrespectful to the electorate —

Mr Finn — It's dodgy.

Ms CROZIER — It is probably all of that and above, Mr Finn. I have to say that for the then Labor opposition to release its financial statement just two days before the election really did not allow the electorate to have proper scrutiny of its costings. We are now considering what its priorities are through this budget.

I will go to the areas for which I have responsibility. Whilst we all support the Royal Commission into Family Violence, and on a number of occasions the coalition has said that the commission has bipartisan support, when we were in government we did much to

address this issue. In fact we invested over \$140 million per annum. I think there has been a greater awareness right across the community about this very devastating issue. The Australian of the Year, Rosie Batty, has done an extraordinary job in highlighting it to not only the Victorian community but to all Australians.

I am aware that culturally and linguistically diverse communities are raising awareness within their own communities, and that the federal government is making family violence a priority of the Council of Australian Governments. However, programs have been cut while the royal commission takes place. I suggest that if the government thinks there is a problem, it should not wait until the conclusion of the royal commission. It should just get on and deal with the issue at hand.

The \$81.3 million allocated over four years to family violence includes \$36 million for the royal commission. An amount of \$4 million has been allocated to help services to meet the demands, and only \$2 million has been allocated in the last few weeks. That will run out on 30 June and then another \$2 million will roll over. That was announced in February. As you would naturally expect, these services have a greater demand. The overall net investment is somewhat negligible in real terms compared with the investment put in by the former government.

In the short time that I have remaining I will refer to the other areas for which I have responsibility. As for youth justice, certainly the government has dropped the ball. The investment from the previous government is potentially at risk because of this government's lack of further investment. We know that Victoria has a real problem with ice, and there are ice initiatives and youth diversion programs that need to be undertaken to assist youth in the justice system to get back on track. The Malmsbury Youth Justice Centre was due to be open in May; it still has not opened. I commend the education system and the Parkville centre, and I hope the education and rehabilitation services will also apply at Malmsbury.

In relation to child protection workers, recently the minister was at RMIT saying that the best and the brightest would be recruited. These are very difficult jobs and I commend all child protection workers who work in some of the most demanding situations. I do hope those people who are recruited from whatever sector get the necessary support to conduct the very necessary work. When we were in government that sector was in complete crisis. The Ombudsman report of 2009 talked about the total mess the sector was in

and the churning over of staff and the grave concerns for the entire sector.

I have much more to say about this budget, but unfortunately time will beat me. However, I want to mention the early childhood sector. I listened to Ms Lovell's contribution in which she clearly highlighted the reduction in investment by this government. Only two weeks ago I raised the issue of ratios, and yesterday the government came up with \$83.7 million over four years. We will see with the implementation of ratios in the new year whether the kindergarten sector has the support.

There is much to be concerned about with this budget. It demonstrates the government is bereft of a long-term plan for our state. It also demonstrates yet again that Labor cannot manage money or major projects. The last few weeks have demonstrated to Victorians that this government is self-indulgent and more interested in a political survival strategy rather than what is in the best interest for Victorians. This budget is like the Daniel Andrews government. It will not advance Victoria or provide the necessary jobs into the future.

Mr DAVIS (Southern Metropolitan) — I am pleased to rise to make a contribution to debate on the budget. It has been a very disappointing budget in so many regards. As the State Taxation Acts Amendment Bill 2015 has moved its way through Parliament, we have seen the errors the Treasurer made with respect to that. We also know there are other areas of government activity where he and this government under Daniel Andrews have not delivered and not lived up to their promises.

In the time allocated to me I want to say something about the portfolios I represent as a shadow minister. The planning portfolio is an important one. It is an important economic portfolio. It is a portfolio in which the significant regulatory role of government is important, not least because of the impact it has on employment, job creation and the affordability of housing for those across our community.

It is very clear that the last Minister for Planning, Matthew Guy, now the Leader of the Opposition in the Assembly, left a very strong planning sector and strong growth in economic activity. The *Plan Melbourne — Metropolitan Planning Scheme* that was in put place, the first of its type, was a very significant planning framework and a framework which I welcome the new planning minister giving broad commitment to. He has indicated that he wants to make some changes but he also indicated that he wants to provide some stability and predictability and a level of bipartisanship in the

future. That is important, and time will tell whether the reconvened Hansen committee is able to make further useful additions or whether the minister is determined to overturn many of the major frameworks that are part of *Plan Melbourne*.

It is important to note the new taxes that have come through the State Taxation Acts Amendment Bill 2015 and the impact they will potentially have on housing affordability and the viability of the construction sector in particular. It is also important to note the changes the government has made with respect to wind farms. I want to place on the record our concern about the Andrews government's decision to remove local control in this important area of activity.

Mr Barber — Really? Councils were begging them to take it off them.

Mr DAVIS — Councils, I understand, face some challenges, but at the same time it is fundamentally undemocratic and unbalanced to up-end all control and give it back to level 20, 1 Spring Street — the office of Richard Wynne, Minister for Planning. Local democracy will take a king hit, and I would argue that on many occasions local communities would be able to make more balanced decisions than the minister sitting in his office in Spring Street can. Obviously there is a balance to be struck here, and I am happy to concede that, but I also note that this will by necessity reduce local democracy and local decision-making. The reduction in distance from 2 kilometres to 1 kilometre is also potentially significant.

I note too that, importantly, in the planning portfolio the decision to reduce funding to the planning flying squad is something that is very much bemoaned by many smaller country councils, which needed the expertise and support of the planning flying squad. There was money for the planning flying squad over the forward estimates period, for the next three years, but from all I hear it appears that the government has reprioritised that money. I will be seeking from Mr Jennings at a later point some indication about the reprioritisation of funds. The flying squad made a big difference to what could be achieved.

It is important to note in my other portfolio of equality that I am glad the government has increased funding to the gender dysphoria clinic at the Royal Children's Hospital, and I welcome that increased funding. That funding is needed. The previous government increased funding to the Royal Children's very significantly over its period in government, but this specific funding will be welcome. I thank those who advocated for it.

Importantly too in the equality portfolio, I note the lack of outcome and output measures. It is important that those output measures that are in all other areas are in place for the equality portfolio. A very legitimate question for Minister Foley is for him to explain how he seeks to be measured in the equality portfolio. By what outcome measures is his performance to be examined? As I look in the budget, I see no substantial measures in terms of the equality portfolio. I welcome the creation of that portfolio, but it is important that its activities be directed to targets and to outcomes that are important for our community.

In the local government portfolio, which is a very important one, I note the decision of the Andrews government in its very first budget to cut funding to local government. There has obviously been a considerable war of words between me and the Minister for Local Government on this matter, but the facts are very simple. I invite people to look at table B.1 in budget paper 3. They will see that grants and transfers to local government have fallen from \$912.336 million to \$873.863 million, and this in an environment where rate capping is a very significant issue and a significant challenge for local government.

The fact is that local government is feeling this from every angle. We have a federal government which has frozen the federal assistance grants, and let us be quite clear about this, it is not a cut, it is a freeze. Victoria's federal assistance grant will increase by, I think, \$8 million this year on the basis of population changes alone. That is very different from what a state government is doing, which is slicing money out, with a net fall in funding to local government under Natalie Hutchins, the Minister for Local Government. Her first year and first budget have seen a fall in funding to local government, and that fall is largely due to the cuts in the country roads and bridges program, which was a very significant program for many of our country communities.

It is very clear that the \$40 million that was put into that program made a significant impact on our councils, and the lack of that funding from 1 July will mean that country councils will face significant additional pressures. Those pressures will be felt quite quickly, especially in a rate-capped environment.

I want to make some points about rate capping too. The current government promised in May last year that it would cap rates at the CPI. That is what it said. This was not the policy of the coalition at the time. We had a different policy, which was about transparency. Jeanette Powell, the then Minister for Local Government, put a bill through Parliament which

increased transparency and accountability for local government. The benefits of that will be felt in the very short term, as I know Local Government Victoria is about to begin implementing many of those transparency measures. That is a welcome addition. What is not welcome for local government is the heavy-handed intervention of the state government.

I understand why communities are concerned about costs, and I understand why householders looking at their budgets are concerned about costs, because there are cost pressures on families. There are cost pressures on businesses too. I understand that there is a need to manage cost increases. It is true that not every council has been responsible in the way that it has managed its budget. It is true that some of them have spent on unsuccessful and outlandish things. I think that is a matter of public record.

We do not say local government is perfect, but at the same time this is a heavy-handed policy, and the community was not told prior to the election, 'You're going to get rate capping at the CPI, but you are also going to get cuts to services and infrastructure, and at the same time Minister Hutchins and the Treasurer, Tim Pallas, will be scooping money out of local government, wrenching money away from local government and cutting funding to local government in a way that leaves it exposed to further pressures'.

Mr Herbert — That's absolute rubbish.

Mr DAVIS — It is not rubbish; it is a fact. The government has cut funding to local government, and it is disgraceful. That is the fact. In Mr Herbert's area it has cut funding to local governments right across Victoria.

Mr Dalidakis interjected.

The ACTING PRESIDENT (Mr Finn) — Order! Mr Dalidakis will contain himself.

Mr DAVIS — The Premier promised when he was opposition leader that he would cap rates at the CPI. That was his solemn promise to the Victorian community. The Victorian community heard that promise; make no mistake. Was it a wise policy? We can debate that. I know the local government sector has extremely strong views on this matter, and legitimate points are made by many throughout the local government sector — local councils, local councillors and the peak bodies in the sector. However, there was a policy, and the policy was accepted by the Victorian people. Our policy did not prevail at the election, but the policy of the Labor Party did on this matter.

I accept the will of the people on these matters, but let me be quite clear: we now see that the Premier has failed in this policy to cap rates at the CPI. We know that the rates are now going to go up across the state by more than the CPI. That will be a direct breach of his promise to Victorian people. He will have breached his election promise to cap rates at the CPI. We can see that already in number of council areas. I understand the pressures that councils are under, and I accept many of the points they make. I also very much understand the importance of household budgets and the need to make sure that budgets are not unnecessarily pressured by costs that in some cases can be managed.

The task is there for local government. I welcome the inquiry that the Standing Committee on the Environment and Planning will conduct, and I think we will discover very useful information as we attempt to understand how these challenges for local government can be better managed. In country Victoria it is clear that there are real pressures, and the community has real concerns.

I also want to draw the community's attention particularly to the government's decision to introduce a brand-new tax in the form of a dividend from the Victorian Managed Insurance Authority (VMIA), which is also a breach of its election promise. It is worth looking at these dividends, which are outlined in budget paper 5. The table headed 'Dividends by entity' shows that the Victorian Managed Insurance Authority will be required to pay \$145 million this year, \$145 million next year, \$87 million the year after and \$43 million in 2018–19. This is a brand-new tax on the VMIA. The biggest contributor to the VMIA is the public hospital and healthcare system. About 49 per cent of the VMIA's premium income comes from our public health sector.

Therefore this bizarre tax is a direct attack on our public hospitals. It will add up to hundreds of millions of dollars over the next four years — around \$220 million, if you look at the pro rata contribution by revenue to the VMIA. It is also clear that about \$50 million of that contribution will come from building insurance, so that will be a direct hit on the construction industry, raising costs for builders and ultimately for home purchasers who are purchasing these services but are also required to pay the insurance that is required.

I received a bizarre answer from one of the ministers on this matter, but unless you believe in the tooth fairy or the magic pudding, you cannot take \$420 million from the Victorian Managed Insurance Authority and expect it to grow somewhere or to come from this magic pudding in some way. If the answer is that you did not

need to increase premiums, the response is very much that you could have lowered premiums and there would have been less costs in the public hospital sector or less costs in insurance. The fact is that these are a direct hit to those who have their insurance through VMIA. It is a disgraceful new approach by this government. I do not remember when our public hospital system last had a tax put on it beyond the imposition of the carbon tax, which was imposed on our public hospitals, and that has now been removed.

The ACTING PRESIDENT (Mr Finn) — Order! The member's time has expired.

Debate adjourned on motion of Mr JENNINGS (Special Minister of State).

Debate adjourned until later this day.

STATE TAXATION ACTS AMENDMENT BILL 2015

Second reading

Debate resumed from earlier this day; motion of Mr HERBERT (Minister for Training and Skills).

Motion agreed to.

Read second time.

Committed.

Committee

Mr JENNINGS (Special Minister of State) — I indicate that Mr Mulino is joining me at the table.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I request that my amendments be circulated and advise the committee that the amendments which were circulated in the course of the second-reading debate have been revised and replaced with the amendments now being circulated. I also advise the committee at this time that my amendment 2 contains a quotation mark and a full stop at the end of the last line which should not be there. Likewise, there is a quotation mark and a full stop on the last line of amendment 4 which should not be there.

The ACTING PRESIDENT (Mr Elasmr) — Order! It is my understanding that there are three sets of suggested amendments for the house to consider. Mr Jennings has government amendments to clauses 15 and 26 relating to the delegation of exemption powers. Mr Rich-Phillips and Mr Barber have amendments to the same clauses.

Mr BARBER (Northern Metropolitan) — I would also ask that my amendments be circulated. I just need to make a short explanation. I stated during the second-reading debate that the Greens would be voting against the clause. However, we will be voting against one of the subclauses within the same two clauses that we will be dealing with. I apologise that we are now having to bring in an amendment that shows exactly what I meant, which is now being circulated, and I think I did inform the crossbenchers that I would be voting against the clause. In fact it is the subclause. I certainly do not mean any disrespect to the house by now coming in with a written amendment. Members will have noticed that I have now taken to wearing the glasses that have been in my bottom drawer for a couple of years. It is for that reason that I have in fact drafted an amendment, the broad intention of which is to remove new section 3E from clause 15 and also a new section which is to be inserted by clause 26.

Mr JENNINGS (Special Minister of State) — I congratulate Mr Barber on the maturity he is demonstrating in his appearance in the chamber this evening and his attitude towards the committee stage. I congratulate him on the consideration that we all must bring to bear in relation to our concentration power and, most importantly, our ability to focus.

I have a number of amendments that I would seek to have circulated in my name. They have been subject to consideration across the Parliament today and may expedite the consideration of the interlocking sets of amendments before the committee on clauses 15 and clause 26.

Clauses 1 to 14 agreed to.

Heading to clause 15

The ACTING PRESIDENT (Mr Elasmr) — Order! Mr Jennings's suggested amendment 1 is a test and consequential amendment for his further amendments 2 and 3 to clause 15.

Mr JENNINGS (Special Minister of State) — I move:

1. **Suggested amendment to the Legislative Assembly**

Heading to clause 15, omit "3E" and insert "3F".

For the sake of the committee and those who will be following this debate or who wish to know the intent of the original clause and the intent of the amendments to be proposed in the committee, it is important for us to appreciate that clause 15 deals with the way new taxing provisions and duties will be undertaken and defines

who would fall within the scope of the provisions of the new taxation regime being introduced. Within those provisions there are possibilities for exemptions to be created subject to guidelines being implemented by the government and enforced by the Treasurer.

The exemptions provide for an appreciation of the different corporate structures that occur within the development industry, where a corporation or an entity may have controlling interests that straddle both domestic and international companies. The original provision of the bill allowed for the Treasurer to exempt entities that may have a significant domestic component where they might be adversely impacted in a domestic market with adverse consequences for the development industry.

The original provision allowed for the Treasurer to exempt those entities based upon guidelines published by the minister on the appropriate State Revenue Office (SRO) website and which had been circulated for some time. Notwithstanding that, the government held ongoing concerns about a perception of the rigour of that decision-making and compliance with those guidelines, so the government is quite willing to move the amendments to clause 15. They provide that the Treasurer may delegate power to the State Revenue Office to enable administration of this scheme in a transparent fashion that allows for the proper considerations of the State Revenue Office, rather than the perception that decisions may be made arbitrarily by the Treasurer. The nature of the amendment moved by the government is to allow for that delegated authority.

When we consider the suggested amendments from Mr Rich-Phillips and Mr Barber, in the case of Mr Rich-Phillips's amendments, interlocking provisions in relation to the disclosure regime may apply as to whether the residual power of the Treasurer to exercise that power would be subject to a reporting requirement and a less rigorous regime in relation to the requirement of the SRO if in fact it is the delegated body that makes that decision. I am sure that Mr Rich-Phillips will speak to those amendments. Mr Barber's amendment is a more blunt instrument to remove the opportunity for exemptions altogether. That is the nature of the divide between us.

The government seeks to maintain the exemptions. It wants to allow for a delegated responsibility, and when that delegated responsibility is exercised by the State Revenue Office, the government believes that will acquit a proper process. In the case of a residual circumstance where the Treasurer uses the ability to grant exemptions, the government accepts that there

would be an enhanced reporting requirement which would demonstrate transparency in any such decision. The government accepts the logic of the amendment suggested by Mr Rich-Phillips and would support it. The government's preferred position at this point in time is not to agree to the amendments put by Mr Barber. I do not want to short-change the committee, but that is the outline of the issue before us.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I seek your guidance, Acting President, as to whether you would like me to address my amendment to clause 15 as well, or only the Leader of the Government's at this point in time?

The ACTING PRESIDENT (Mr Elasmr) — Order! We will deal with the amendment from Mr Jennings first, unless Mr Rich-Phillips wishes to speak to his amendment now.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — They are interrelated. The coalition will support the amendment moved by Mr Jennings, which is to create the capacity for the Treasurer to delegate the power of exemption to the commissioner of state revenue. It has been a concern of the coalition that the bill submitted to the house would have given the Treasurer the capacity to exercise this exemption without any effective oversight or any effective disclosure or reporting, so the coalition supports delegating that power to the commissioner. The amendment Mr Jennings is moving gives the Treasurer the power to delegate, but a fundamental question is whether the Treasurer will make that delegation, which the committee may address in due course. The amendment is certainly a step in the right direction in terms of getting the decision-making process around exemptions out of the direct political regime.

The opposition's subsequent amendments to clause 15 address residual concerns with respect to the exemption powers. My amendment 2 seeks to insert a requirement that the Treasurer disclose on a six-monthly basis any instance where he has exercised the exemption power himself and that he provide details of the number of exemptions, the entities to whom the exemptions were given and the value of the exemptions given. With respect to instances where the commissioner exercises the exemption by virtue of the delegation, we seek similar information but in an aggregated form and without disclosure of the individual exemptions given.

The proposed clause also inserts in the bill a requirement for the Treasurer to issue the guidelines that the Leader of the Government referred to before and requires that the Treasurer publish those guidelines

in the *Government Gazette* so that there is transparency around the guidelines that are produced, which presumably the commissioner of state revenue will be required to adhere to, and transparency in what exemptions will be given by virtue of this provision. Given my understanding that the government will support these amendments and that we will support the government's amendment, we will not at this time support Mr Barber's amendment to remove the exemption clause altogether.

Mr BARBER (Northern Metropolitan) — I have a question for the minister. With respect to the guidelines the minister referred to that are now the subject of Mr Rich-Phillips's amendments, is it not the case that these guidelines carry no legal weight?

Mr JENNINGS (Special Minister of State) — To provide Mr Barber with some degree of satisfaction straight off the bat, I say that after the committee stage of this bill, if those provisions are passed, by the nature of the gazetting arrangement that will be required and set by statute the answer will be: yes.

Ms PATTEN (Northern Metropolitan) — We have a situation where the Treasurer is able to grant an exemption or the commissioner can grant an exemption. Can the minister clarify when the Treasurer would not grant the exemption and pass it down to the commissioner or vice versa?

Mr JENNINGS (Special Minister of State) — I do not want to prejudge the determination of the Treasurer, but I tend to think that the nature and effect of these provisions would be that the delegation would be exercised under normal circumstances, and I would envisage comprehensively, but I am not excluding the possibility of the reserve residual power the Treasurer may have under the bill. I would not want to prejudge what circumstances they may be, but I think once the delegation is made it would continue to have an effect.

Mr BARBER (Northern Metropolitan) — I presume what the minister's answer means — to just tease it out a little bit more — is that under the way the bill before us is currently presented the guidelines would have no legal weight, but if his amendment was to be successful, then the guidelines would have legal weight?

Mr JENNINGS (Special Minister of State) — Unfortunately a series of distractions occurred around me, Mr Barber, so I am not quite sure what your question was, and I do not feel as if I have satisfied Ms Patten's question, given her body language. So I

will answer that and then invite you to ask your question again, with the Chair's indulgence.

I think in practice we would expect the Treasurer to delegate that responsibility.

Mr Davis — It is the intention to do so — is that what you are saying?

Mr JENNINGS — Yes.

Mr BARBER (Northern Metropolitan) — The minister said that they would carry weight of law. My question is: is that the case under the current bill and/or is that the case if Mr Jennings's amendment is successful? Two possible different circumstances.

Mr JENNINGS (Special Minister of State) — I thought by jumping to the end of what was anticipated will happen with this committee stage, Mr Barber would actually derive some satisfaction that in fact they will have a standing under the law, because in fact they will be gazetted under a requirement in the law.

In practice, in many instances already within the taxation regime across the country there are guidelines that are issued from time to time by the State Revenue Office or the Australian Taxation Office. They have the effect of being administrative guidelines in the operation in those taxation regimes, and they are often used. Certainly they are used to make determinations to have compliance with taxation regimes, and they are often tested in effect as law within challenges that occur within the court system.

Regardless of whether you recognise their standing in law, that is how guidelines are issued in many circumstances. They are tested by law, and the provisions that are intended to be passed in this committee stage by the government and the opposition at this point in time mean they will have standing by being gazetted in accordance with the amended act.

Mr BARBER (Northern Metropolitan) — Thank you for that answer. This also relates to proposed section 3E, which is the one I will be trying to remove through my amendment 1, so I would just like to ask a question about the operation of section 3E as it relates to sections 3A, 3B, 3C and 3D. Proposed section 3E says that despite sections 3A, 3B, 3C and 3D, the Treasurer can still make a finding that a person does not have a controlling interest in a foreign corporation or trust estate, and that then leads to tax exemption. Also in section 3E the Treasurer is given some further guidance as to the criteria under which they might form that view; for example, at proposed subsection (2)(a)(i) the Treasurer may consider, in the case of a person who

has a controlling interest in a foreign corporation, the nature and degree of ownership and control the person has in the corporation.

The Treasurer would be looking at that consideration, but at the same time in earlier sections — for example, in new section 3A(1)(a) there is the criterion that says:

is in a position to control more than 50% of the voting power in the corporation ...

So the Treasurer is given one consideration, which is that the person is in a position to control more than 50 per cent of the voting power in the corporation but then is given a second — and, I would argue, contradictory — decision to make, which is:

the nature and degree of ownership and control the person has in the corporation ...

which must inevitably be with reference to the earlier 50 per cent criterion. Alternatively the 50 per cent criterion is not worth anything because the Treasurer is able to simply make up some other number that measures the nature and degree of ownership and control a person has in the corporation. That makes new sections 3A, 3B, 3C and 3D — or at least certain parts of them — irrelevant, redundant and possibly contradictory, and the guidelines will not be any help because they can only be based within the statute itself. Under these circumstances can the minister explain which of the two criteria — that is, either new section 3E(2)(a)(i) or new section 3A(1)(a) — will dominate?

Mr JENNINGS (Special Minister of State) — I think we are going to have a literature analysis for some time unless we accept the fundamental proposition, which is that for corporate structures and income streams there are issues of determination around the way in which those structures may or may not be accurately reflected in 50 per cent of shares or votes within a corporation. There are a number of ways in which entities can be created that may have significant, not dominant, commercial activity taking place with a varying degree of the percentage of ownership of a corporation. That is basically what this boils down to.

On that basis those two provisions are required as catch-all provisions to deal with either a straight, clear transaction in relation to shareholdings, controlling votes within an entity or an appreciation of the commercial realities that apply to it. Whilst Mr Barber may argue that they are inconsistent, they are consistent in the fact that they cover the real-world appreciation of what those corporate structures may be. The government is of the view that these provisions are

required to be able to give a proper appreciation of the market in the development community that accounts for a collaborative partnership arrangement that may occur between domestic developers and foreign investors.

Mr BARBER (Northern Metropolitan) — Yes, I am well aware that not all these structures will consist of simply a voting of ordinary shares. I hope the minister is not distracted. There could be non-voting shares, and there could be other sorts of hybrid instruments that do or do not attract voting rights. Whether that relates to control is another matter. But my simple point is that effectively the Treasurer gets to choose which definition the Treasurer likes. It can either be:

is in a position to control more than 50% of the voting power in the corporation ...

or it can be some other criterion that the Treasurer decides in the latter section — the one I am trying to get rid of — goes to:

the nature and degree of ownership and control the person has in the corporation ...

I think the minister's last answer basically said that, from the two definitions, the Treasurer gets to choose the one that suits his purpose.

Mr JENNINGS (Special Minister of State) — Let us go back to basics. This bill is designed to increase state revenue. In fact it is designed to provide a basis by which the state taxation scheme can be enhanced to ensure that when foreign investment is undertaken within the Victorian land development community there is an opportunity to derive an enhanced return to consolidated revenue to support social and economic infrastructure provided by the state. It is the intention of the provision to add to state revenue. That is its purpose, and the first provision in this instance, proposed section 3A, relates to roping in those entities that may be obliged to pay tax.

The exemption is a realisation of the corporate structures of entities but also an appreciation of the domestic contribution of the partnership arrangements that may underpin that corporate entity to see whether it is fair and reasonable to make an exemption on the basis of the residual economic and other returns to the state from that domestic contribution. That is why it has been structured in that way.

Mr BARBER (Northern Metropolitan) — I do not think that is really an answer to the original point I was driving at, which is: does the Treasurer get to choose which of the two definitions he likes? I will just say that when the minister introduced the government amendments he said that this was about, in his words,

'perception', and he later said that the reason for giving the possibility of delegation to the tax commissioner was to avoid any suggestion that the Treasurer might act arbitrarily. The minister introduced the word 'arbitrarily' into the debate — —

Mr Jennings — Generously introduced.

Mr BARBER — He generously introduced it into the debate, and he now regrets his generosity. It is that arbitrary nature that I am trying to tease out here. It seems that there are in fact two definitions of 'control', one of which is 50 per cent and the other one is whatever the Treasurer thinks it is — the nature and degree of ownership and control the person has in the corporation. There is the 50 per cent and then there is the not 50 per cent. There is some other percentage, some other nature or some other degree. Then there is the Treasurer, who says, 'Hang on. I've had enough of this. I'm out of here. I going to hand the whole problem over to the commissioner'.

With the developments we have seen here tonight, the government has been a little bit caught out. It has realised that Mr Rich-Phillips's amendment, which the Greens are going to support, will require the Treasurer to report on all these decisions. So the government has come in here and said, 'Having thought about it, there are some decisions we would rather not be seen to be making, so we will give ourselves the option' — the ability but not the requirement — 'to delegate this to the commissioner'.

Names like Mirvac and Australand were brought in during the — —

Mr DAVIS — AV Jennings.

Mr BARBER — AV Jennings was also mentioned. Names like those were brought in during Mr Morris's inquiry, which is now proving most valuable to the chamber in terms of our consideration. I am starting to wonder whether the government already knows which one of those corporations is going to want an exemption or which one it thinks should be granted an exemption. In the past the government has received donations from property developers, and we do not yet know the donations that were made in the run-up to the last election because they have not yet been disclosed.

The government is aware that if Mr Rich-Phillips's amendment passes, there will be a very simple connect-the-dots exercise between the property developers that have supported this government and the exemptions worth many millions of dollars they will receive under this act — that is, if the amendments in this bill enter the act. It is for that reason that the Greens

intend to persist with our amendment, the aim of which is to take out the Treasurer's exemption and to remove any perception — which is the word the minister used — that arbitrary decisions will be made by a politician.

Mr JENNINGS (Special Minister of State) — Mr Barber has just suggested that I might have introduced a concept that indicated that this matter is arbitrary. I said there was a perception that it may be by some ill-informed members of the community. Because of that perception, the government was happy to move the delegated responsibility and accept the reporting requirement that was moved by the opposition. But given what has just been put on the record, for the sake of the committee I am going to show my confidence in why those matters are not at all arbitrary.

Clause 15, which inserts new sections 3A to 3E, states at new section 3E(2):

The Treasurer, for the purposes of subsection (1), may, in writing, exempt a person who has a controlling interest in a foreign corporation, or a substantial interest in the trust estate of a foreign trust, if the Treasurer is satisfied that, having regard to any one or more of the following matters, the person should not be taken to have that interest —

- (a) in the case of a person who has a controlling interest in a foreign corporation —
 - (i) the nature and degree of ownership and control the person has in the corporation;
 - (ii) the practical influence the person exerts or any rights the person enforces to determine or influence, directly or indirectly, the outcome of decisions about the corporation's financial and operating policies;
 - (iii) any practice or behaviour of the person affecting the corporation's financial or operating policies;
 - (iv) any other relevant circumstances;
- (b) in the case of a person who has a substantial interest in the trust estate of a foreign trust —
 - (i) the nature and degree of the person's beneficial interest in the capital of the estate of the trust;
 - (ii) the practical influence the person exerts or any rights the person enforces to determine or influence, directly or indirectly, the outcome of decisions about the administration and conduct of the trust;
 - (iii) any practice or behaviour of the person affecting the trustee's administration and conduct of the trust;
 - (iv) any other relevant circumstances.

In relation to any other matters, I have already indicated to the committee today that the guidelines associated with the provisions of this clause have been augmented by the guidelines that have been published by the government. Those guidelines say:

Transitional arrangements are in place to ensure that the surcharge will not apply retrospectively. Therefore, non-resident purchasers who enter into a dutiable transaction (for example, enters into a contract of sale) or a relevant acquisition of an interest in a landholder that holds residential property (for example, enters an agreement or an arrangement for the relevant acquisition) before 1 July 2015, will not be subject to the surcharge.

A 'foreign purchaser' is defined as a foreign natural person, foreign corporation or a trustee of a foreign trust. In order for a corporation to be a foreign corporation, it must be either incorporated outside Australia, or have its controlling interest held by a foreign natural person, another foreign corporation or a trustee of a foreign trust. A trust is a foreign trust if the substantial interest in the capital of the trust estate is held by a foreign natural person, foreign corporation or the trustee of another foreign trust.

The Treasurer may exempt a person who has a controlling interest in a foreign corporation or a substantial interest in the capital of a trust estate of a foreign trust. A person who has an exemption is taken not to have the controlling interest or substantial interest. The effect of this is that the foreign corporation or foreign trust will be exempt from the non-resident duty surcharge.

The persons that are intended to be exempted from the non-resident duty surcharge from 1 July 2015 are those whose commercial activities add to the supply of housing stock in Victoria (either through new developments or through redevelopment, where such development is primarily residential). All other duties that are usually imposed will remain in place. The intention to exempt from the non-resident duty surcharge remains at the discretion of the Treasurer.

The Treasurer will have regard to any one or more of the following general principles and circumstances for the exemption to apply:

(1) The nature and degree of interest or ownership and control

The degree of day-to-day control or input into the decisions of the corporation or trust a foreign person may have.

Whether the foreign person's interest in the corporation or trust only grant to them limited rights.

The remoteness of the foreign person's investment in the corporation or trust. For example, is it direct ownership or more remote through a series of other entities or investment platforms?

(2) Practical influence to determine, directly or indirectly, the outcome of decisions of the entity

Whether the foreign person acquired its controlling interest or substantial interest as part of an investment strategy solely for the purposes of obtaining an income stream.

The level of involvement of the foreign person in the investment decisions of the corporation or trust.

(3) The ability to influence the outcome of financial, operating and management decisions of the corporation or trust

Whether the directors of the corporation or trustee of the trust controlled or required to follow the directions of the foreign person.

The relationship between the persons responsible for the day-to-day operation of the corporation or trust and the foreign person.

4) Any other relevant circumstances

In assessing other circumstances which would be relevant, the Treasurer may consider the following:

Impact on the economy

Whether the corporation with a foreign controlling interest or trust with a foreign substantial interest is actively investing in adding to the supply of housing stock in Victoria or purchasing existing property for redevelopment for the sale or use for primarily residential purposes.

Where land is acquired for development purposes, the extent and nature of that development.

The level of investment that is undertaken for development purposes and any relevant planning processes necessary to obtain approval for such development.

Competition

Whether the foreign corporation or foreign trust is able to compete fairly in the Victorian marketplace and whether there are wider consequences for Victoria.

Whether entities that are Australian based but foreign controlled will be at a competitive disadvantage in providing an equivalent service or product in Victoria compared to locally domiciled entities.

For example, in purchasing residential property for the purpose of adding to new residential supply, the Treasurer may consider the competitive advantage/disadvantage that a wholly owned Australian company may have compared to an Australian-based company with a controlling interest held by a foreign person/entity.

Impact on the community

The entity in question supplies residential stock to the Victorian market.

The level of Australian participation in the corporation that conducts its activities in Victoria with a foreign controlling interest or trust with a foreign substantial interest.

The level of use of Australian building contractors and other employees of the entity that conducts residential activities in Victoria.

Satisfaction of Foreign Investment Review Board requirements

Whether the Australian-based corporation with a foreign controlling interest or trust with a foreign substantial interest has notified the Foreign Investment Review Board for the purposes of purchasing residential property for development either as part of its 'annual program' or otherwise.

The nature of the approval that has been provided by the Foreign Investment Review Board for the purposes of purchasing residential property for development.

Whether the Foreign Investment Review Board has imposed any conditions on the entity.

Character of the controlling interest or substantial interest

The extent to which the corporation or trust operates in a transparent manner and the extent to which it is subject to adequate and transparent regulation and supervision.

The corporate governance practices of the entity.

Independence of management

The location of the entity's central management and the ability for the management to make decisions independent of the foreign person that holds the controlling interest in the corporation or substantial interest in the trust estate.

I totally reject the suggestion that the guidelines did not exist and the provisions in the clause did not exist and constitute an arbitrary decision.

Mr BARBER (Northern Metropolitan) — I thank the minister for taking the time to read that screed into *Hansard* because it is an absolutely extraordinary list of considerations that the Treasurer may or may not take into account.

Let us go back to the beginning. According to the government the purpose of this bill is to tax foreigners because foreigners are not paying enough tax. But amongst the many criteria that I just heard from the minister was whether or not these foreigners have good corporate governance practices or not, and this is to be one of many extra matters that a Treasurer may or may not consider in deciding whether or not those foreigners should pay tax.

It is no longer just about taxing foreigners because foreigners are not paying enough tax. Apparently there are different classes, good foreigners and bad foreigners, some of whom have good corporate governance practices, some of whom do not, some of whom are building a lot of houses — to paraphrase one of the criteria — and some of whom are not. All of that is to be loaded on top of this decision as to whether they should pay tax at the time of a stamp duty transaction.

I do not know what to make of all the extra matters that have been loaded on top, but when we listened to those specific guidelines that relate directly to provisions in the bill, particularly proposed subparagraphs (i), (ii),

(iii) and (iv) in proposed section 3E(2)(a), they did not provide any further yardsticks. It is all to do with the degree of control, which the Treasurer is still left to make a call on. It is all about different degrees, but there is no yardstick for them. In earlier sections of the bill which I am not seeking to change, there are very clear degrees of ownership, like 50 per cent. I think I am even more concerned now than when I started, and for that reason I maintain the intention to move my amendments.

Mr DAVIS (Southern Metropolitan) — First of all, I congratulate the government on taking this step. There have obviously been many discussions today, and the amendment moved by Mr Rich-Phillips has a significant effect. These discussions and these two interlocking sets of amendments are welcome. I begin with that point. I also begin with the point that one of my other colleagues in this chamber, Ms Patten, asked whether the Treasurer intended to exercise these delegations. I welcome the minister's answer of yes.

In essence this is one of those occasions where the Treasurer has got us all into a bit of a difficult zone. We would not be in this zone if this had been handled much more smoothly. It is worth reiterating that this is the first time that I or the table office can find an example of an appropriation or an associated tax bill being amended since 1975, and that was simply a correction of an error in a title. This, however, is a substantive set of changes.

These substantive changes — the power to exempt, the guidelines and the arrangements — must have some impact on the government's revenue projections from this tax because the tax was calculated originally by looking at the figures in the budget in such a way that it was said it would bring in a certain level of revenue. It seems that in this case the exemptions, which are set to remove some of the consequences the Treasurer says he did not intend, will have some effect on how much the tax gathers. I wonder whether the minister may give the house some indication of the scale.

Progress reported.

Business interrupted pursuant to standing orders.

Sitting extended pursuant to standing orders.

STATE TAXATION ACTS AMENDMENT BILL 2015

Committee

Resumed; further discussion of heading to clause 15.

Mr JENNINGS (Special Minister of State) — I have no advice in relation to Mr Davis's question about what the impact upon the revenue projections may be. The government has conservatively assessed what it believes the revenue projections may be that are embedded in the budget, and there has been no alteration subject to these provisions.

Mr DAVIS (Southern Metropolitan) — I first make the point that it is 1 minute past 10.00 p.m., and we have extended the sitting, a matter that was once upon a time regarded as an evil outcome, but I make that comment on the way through.

An honourable member interjected.

Mr DAVIS — It is; that is right. But let me be quite clear here: essentially what the minister has told us is that the government does not have the figure work on this, and that is an extraordinary admission. The intent of the Treasurer may well have been not to impact on a number of those developers who do the broadacre developments that were going to impact on families, and this set of provisions that flow from the exemption approach and the improvements that come through these amendments may well lead to an outcome he intended. It is clear that he has made some serious blunders here, and one would have thought he could have been clear at least in terms of the financial impact.

Suggested amendment agreed to; heading to clause 15 postponed.

Clause 15

Mr JENNINGS (Special Minister of State) — I move:

2. **Suggested amendment to the Legislative Assembly** —

Clause 15, page 23, line 9, omit "circumstances." and insert "circumstances."

3. **Suggested amendment to the Legislative Assembly** —

Clause 15, page 23, after line 9 insert —

"3F Delegation of exemption power

- (1) The Treasurer may delegate, by instrument, to the Commissioner —

- (a) the power of the Treasurer to exempt a person under section 3E(2);
- (b) the power to delegate the power delegated under paragraph (a).
- (2) If power has been delegated under subsection (1)(b), the Commissioner may, subject to the terms of the instrument of delegation, sub-delegate, by instrument, to a member of staff of the State Revenue Office the power that is the subject of the delegation, other than the power of sub-delegation.
- (3) Subject to subsection (4), sections 42 and 42A of the **Interpretation of Legislation Act 1984** apply in relation to a sub-delegation in the same manner as they apply in relation to a delegation.
- (4) Despite section 42A(1)(a) of the **Interpretation of Legislation Act 1984**, the Treasurer cannot exercise the power to exempt a person under section 3E(2) while a delegation under subsection (1)(a) is in effect.
- (5) In this section —
- member of staff of the State Revenue Office* means —
- (a) an employee referred to in section 67 of the **Taxation Administration Act 1997**; or
- (b) a consultant or contractor engaged under section 68 of that Act.”.”
- (a) in respect of the exemptions (if any) granted by the Treasurer under subsection (2) during the period covered by the report —
- (i) the number of exemptions; and
- (ii) the name of each foreign corporation or foreign trust in relation to which an exemption was granted; and
- (iii) the value of each exemption, being the amount of duty foregone, or likely to be foregone, by the State because of the exemption; and
- (b) in respect of the exemptions (if any) granted by the Commissioner or a member of staff of the State Revenue Office during the period covered by the report under a delegation under section 3F —
- (i) the number of exemptions; and
- (ii) the total value of the exemptions, being the total amount of duty foregone, or likely to be foregone, by the State because of the exemptions.
- (4) The Treasurer must issue guidelines for the exercise of the power of exemption under subsection (2).
- (5) The Treasurer must cause guidelines issued under subsection (4) to be published in the Government Gazette.
- (6) Guidelines issued under subsection (4) are not a legislative instrument within the meaning of the **Subordinate Legislation Act 1994**.”.”

I have outlined to the committee in my introductory comments that the intention of the government in moving these amendments is to allow for the Treasurer to exercise the delegated authority under the act and under the guidelines to the State Revenue Office. It is the intention of the Treasurer to do that, and it is the basis of an understanding that I believe will be supported by the government and at the very least by the opposition to give effect to that amendment and to understandings that have been reached that further amendments may be made in relation to the reporting requirements and the publication of guidelines.

Suggested amendments agreed to.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I move:

2. **Suggested amendment to the Legislative Assembly** —

Clause 15, page, 23, after line 9 insert —

- “(3) At least once every 6 months the Treasurer must cause to be laid before each House of Parliament, and publish on an appropriate government website, a report setting out —

Suggested amendment agreed to.

Mr BARBER (Northern Metropolitan) — I move:

2. **Suggested amendment to the Legislative Assembly** —

Clause 15, page 21, line 24, omit “estate.” and insert “estate.”.”.

3. **Suggested amendment to the Legislative Assembly** —

Clause 15, page 21, lines 25 to 34, page 22, lines 1 to 36 and page 23, lines 1 to 9, omit all words and expressions on these lines.

Committee divided on suggested amendments:*Ayes, 5*

Barber, Mr
Dunn, Ms
Hartland, Ms (*Teller*)

Pennicuik, Ms (*Teller*)
Springle, Ms

Noes, 34

Atkinson, Mr
Bath, Ms
Bourman, Mr
Carling-Jenkins, Dr
Crozier, Ms
Dalidakis, Mr
Dalla-Riva, Mr
Davis, Mr
Drum, Mr
Eideh, Mr
Elasmar, Mr
Finn, Mr
Fitzherbert, Ms
Herbert, Mr
Jennings, Mr
Leane, Mr (*Teller*)
Lovell, Ms

Melhem, Mr
Mikakos, Ms
Morris, Mr
Mulino, Mr
O'Donohue, Mr
Ondarchie, Mr
Patten, Ms
Peulich, Mrs
Pulford, Ms
Purcell, Mr (*Teller*)
Ramsay, Mr
Rich-Phillips, Mr
Shing, Ms
Somyurek, Mr
Symes, Ms
Wooldridge, Ms
Young, Mr

Suggested amendments negated.**Clause postponed; clauses 16 to 25 agreed to.****Heading to clause 26**

The ACTING PRESIDENT (Mr Elasmar) — Order! Mr Jennings's suggested amendment 4 is a test and a consequential amendment for his further suggested amendments 5 and 6.

Mr JENNINGS (Special Minister of State) — I move:

4. **Suggested amendment to the Legislative Assembly** —

Heading to clause 26, omit "**and 3B**" and insert "**to 3C**".

The effect of the suggested amendments to clause 26 has exactly the same effect on the delegated responsibility that is exercised under clause 15 and would enable the Treasurer to make the appropriate delegation to the State Revenue Office. Just as had been the case with the previous provisions in clause 15, the government would hope this would receive the support of the committee. I foreshadow that the government would be intending to support the equivalent provisions relating to clause 15 moved by Mr Rich-Phillips to give interlocking effect to clause 26 in the same way that we have suggested amendments to clause 15.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I can advise that the coalition will support Mr Jennings's suggested amendment 6 for the reasons he has outlined, and likewise at this point I will

speak to my suggested amendment 4. This suggested amendment duplicates with respect to the land tax provisions the sections we have suggested be inserted with respect to stamp duty in relation to reporting and publication of guidelines. This provision mirrors the earlier provision, and we will be supporting the government's suggested amendment.

Mr BARBER (Northern Metropolitan) — I presume my suggested amendment 4 is a test. Although this section is constructed slightly differently and now relates to land tax rather than stamp duty, the issues are fundamentally the same. They go to the issue of the Treasurer's discretion, and therefore I have moved another suggested amendment aiming to do the same thing as occurred with the earlier clause.

Suggested amendment agreed to; heading to clause 26 postponed.**Clause 26**

Mr JENNINGS (Special Minister of State) — I move:

5. **Suggested amendment to the Legislative Assembly** —

Clause 26, page 31, line 13, omit "circumstances." and insert "circumstances."

6. **Suggested amendment to the Legislative Assembly** —

Clause 26, page 31, after line 13, insert —

"3C Delegation of exemption power

(1) The Treasurer may delegate, by instrument, to the Commissioner —

(a) the power of the Treasurer to exempt an absentee person under section 3B(2);

(b) the power to delegate the power delegated under paragraph (a).

(2) If power has been delegated under subsection (1)(b), the Commissioner may, subject to the terms of the instrument of delegation, sub-delegate, by instrument, to a member of staff of the State Revenue Office the power that is the subject of the delegation, other than the power of sub-delegation.

(3) Subject to subsection (4), sections 42 and 42A of the **Interpretation of Legislation Act 1984** apply in relation to a sub-delegation in the same manner as they apply in relation to a delegation.

(4) Despite section 42A(1)(a) of the **Interpretation of Legislation Act 1984**, the Treasurer cannot exercise the power to

exempt an absentee person under section 3B(2) while a delegation under subsection (1)(a) is in effect.

(5) In this section —

member of staff of the State Revenue Office means —

- (a) an employee referred to in section 67 of the **Taxation Administration Act 1997**; or
- (b) a consultant or contractor engaged under section 68 of that Act.”.”.

Suggested amendments agreed to.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I move:

4. **Suggested amendment to the Legislative Assembly** —

Clause 26, page, 31, after line 13 insert —

- “(3) At least once every 6 months the Treasurer must cause to be laid before each House of Parliament, and publish on an appropriate government website, a report setting out —
- (a) in respect of the exemptions (if any) granted by the Treasurer under subsection (2) during the period covered by the report —
 - (i) the number of exemptions; and
 - (ii) the name of each corporation in relation to which an exemption was granted; and
 - (iii) the value of each exemption, being the amount of land tax foregone, or likely to be foregone, by the State because of the exemption; and
 - (b) in respect of the exemptions (if any) granted by the Commissioner or a member of staff of the State Revenue Office during the period covered by the report under a delegation under section 3C —
 - (i) the number of exemptions; and
 - (ii) the total value of the exemptions, being the total amount of land tax foregone, or likely to be foregone, by the State because of the exemptions.
- (4) The Treasurer must issue guidelines for the exercise of the power of exemption under subsection (2).

(5) The Treasurer must cause guidelines issued under subsection (4) to be published in the Government Gazette.

(6) Guidelines issued under subsection (4) are not a legislative instrument within the meaning of the **Subordinate Legislation Act 1994**.”.”.

Suggested amendment agreed to.

Mr BARBER (Northern Metropolitan) — I move:

5. **Suggested amendment to the Legislative Assembly** —

Clause 26, page 30, line 16, omit “corporation.” And insert “corporation.”.”.

6. **Suggested amendment to the Legislative Assembly** —

Clause 26, page 30, lines 17 to 35 and page 31, lines 1 to 13, omit all words and expressions on these lines.

Committee divided on suggested amendments:

Ayes, 5

Barber, Mr (*Teller*)
Dunn, Ms
Hartland, Ms

Pennicuik, Ms
Springle, Ms (*Teller*)

Noes, 34

Atkinson, Mr
Bath, Ms
Bourman, Mr
Carling-Jenkins, Dr
Crozier, Ms
Dalidakis, Mr
Dalla-Riva, Mr
Davis, Mr
Drum, Mr (*Teller*)
Eideh, Mr
Elasmar, Mr
Finn, Mr (*Teller*)
Fitzherbert, Ms
Herbert, Mr
Jennings, Mr
Leane, Mr
Lovell, Ms

Melhem, Mr
Mikakos, Ms
Morris, Mr
Mulino, Mr
O’Donohue, Mr
Ondarchie, Mr
Patten, Ms
Peulich, Mrs
Pulford, Ms
Purcell, Mr
Ramsay, Mr
Rich-Phillips, Mr
Shing, Ms
Somyurek, Mr
Symes, Ms
Wooldridge, Ms
Young, Mr

Suggested amendments negatived.

Clause postponed; clauses 27 to 46 agreed to.

Progress reported.

Suggested amendments reported to house.

Report adopted.

Ordered to be returned to Assembly with message informing them of decision of house.

PRODUCTION OF DOCUMENTS

The Deputy Clerk — The Acting Clerk has received the following letter from the Attorney-General relating to the resolution of the Council on 10 June 2015 relating to the Advanced Lignite Demonstration Program.

I refer to the Legislative Council’s resolution of 10 June 2015 seeking the production of:

any agreements in relation to the Advanced Lignite Demonstration Program between the state of Victoria and —

- (1) Coal Energy Australia;
- (2) Ignite Energy Resources; and
- (3) Shanghai Electric Australia Power & Energy Development Pty Limited (SEAPED).

The Council’s deadline of 22 June 2015 does not allow sufficient time for the government to respond to the Council’s resolution. The government will endeavour to respond as soon as possible.

I lay on the table 14 documents received in response to the resolution of the Council of 25 February 2015 relating to the West Gate distributor.

PRODUCTION OF DOCUMENTS

The Deputy Clerk — The Acting Clerk has also received the following letter from the Attorney-General:

I refer to the Legislative Council’s resolution of 25 February 2015 seeking the production of:

a copy of all documents in relation to the West Gate distributor including, but not limited to —

- (1) the business case;
- (2) interim and final traffic and traffic management studies, reports or briefings;
- (3) environmental studies, reports or briefings including historical studies, reports or briefings relating to Stony Creek;
- (4) Aboriginal cultural heritage studies, reports or briefings;
- (5) advice on compliance with the Hobsons Bay planning scheme and Maribyrnong planning scheme and proposed consultation on required planning approvals;
- (6) departmental advice and briefing documents; and
- (7) evidence of consultation on the above.

The government has conducted a thorough and diligent search to identify the documents that may be relevant to the Council’s resolution. The use of the phrase ‘all documents’ means the resolution has an especially wide scope. It is apparent from the search that producing all documents within the scope of the resolution would require assessing approximately 23 000 documents. This would take many months to complete and would significantly divert the resources of departments. To provide the Council with a prompt response, however, departments have collated and assessed documents identified in paragraphs (1) to (7) of the resolution. I trust that the Council will not insist on the government responding further.

I enclose with this letter certain of the identified documents. Some of the enclosed documents contain personal information, such as the names and contact details of individuals. In the interest of personal privacy, and in accordance with normal practice, these details have been excluded. I respectfully request that the Council not insist on the production of this information.

Certain of the relevant documents identified by the government have been withheld on the basis that releasing them would be prejudicial to the public interest. This is because the release of those documents would: reveal, directly or indirectly, the deliberative processes of cabinet; reveal high-level confidential deliberative processes of the executive government, or otherwise jeopardise the necessary relationship of confidence between a minister and the public service; or otherwise jeopardise the public interest, in particular where disclosure would materially damage the state’s financial or commercial interests. I respectfully request that the Council not insist on the production of those documents.

PRODUCTION OF DOCUMENTS

The Deputy Clerk — The Acting Clerk has received the following letter from the Attorney-General headed ‘Production of KPMG scoping study for the privatisation of the port of Melbourne’:

I refer to the Legislative Council’s resolution of 11 February 2015 seeking the production of:

a copy of the scoping study for the privatisation of the port of Melbourne prepared by KPMG in 2014.

I also refer to my previous correspondence in relation to this matter (16 March 2015 and 10 June 2015) and to my letter to you of 14 April 2015, in which I noted the limits on the Council’s power to call for documents. Those limits centre on the protection of the public interest. In that letter I set out factors which the government would consider in assessing whether the release of documents would be prejudicial to the public interest.

The government has now assessed the scoping study against the factors listed in my letter of 14 April 2015, and has produced it in the Council today. The government has determined that the release of some material in the scoping study would be prejudicial to the public interest on the basis that its disclosure would materially damage the state’s financial or commercial interests, or would reveal information obtained by the government on the basis that it would be kept confidential. Accordingly, the government, on behalf of the

Crown, makes a claim of executive privilege in relation to the redacted material in the study.

The scoping study produced by the government contains the names of individuals. In the interests of personal privacy, those names have been excluded.

ADJOURNMENT

Mr JENNINGS (Special Minister of State) — I move:

That the house do now adjourn.

Refugees and asylum seekers

Dr CARLING-JENKINS (Western Metropolitan) — In light of the celebration of Refugee Week last week, my adjournment matter is for the Minister for Multicultural Affairs, Robin Scott, and it concerns the provision of services to refugees and asylum seekers. Refugees and asylum seekers are highly vulnerable members of the Victorian community. They often arrive in Victoria with chronic health conditions and carrying the scars of many different kinds of traumatic experiences.

I have listened to the stories of many refugees and asylum seekers. They are stories of violence and torture, loss and separation from family, friends and livelihoods, stories of dire poverty, stories of cultural and religious marginalisation and oftentimes persecution, as well as anxiety about the future — their own futures and the safety of their loved ones.

They have complex needs of which those of us who are born into a safe and secure community have little comprehension. They require committed, meaningful and sensitive responses. Improving access to services in health care, housing, education and counselling is essential. The inability to access such services leads to high levels of disadvantage and disengagement. We are talking here about groups of people living within our community who are ‘othered’, separated, confused and lonely.

They need better access to emergency housing to alleviate the increasing numbers of people who are falling into homelessness. They need better access to translation services — especially for people living outside the boundaries of our cities — and better access to information services. Someone I recently spoke to did not know, for example, how to access a GP and did not know this service is provided free to asylum seekers. I understand that there are restraints placed on the state by commonwealth immigration and asylum seeker policies. However, the people living in our communities require and deserve better services and

facilitated access to services to make things a little bit easier.

One critical step in making improvements in this area lies in improving the collaboration between the Victorian government departments and agencies that work to meet the needs of the same group of people in the community. The Minister for Multicultural Affairs has the opportunity to provide leadership here, with the ultimate aim of restoring a greater sense of dignity where it has been lacking for refugees and asylum seekers who are living in our community. I am aware that the 2014 Victorian Auditor-General’s report titled *Access to Services for Migrants, Refugees and Asylum Seekers* makes some very important recommendations that can provide some guidance in this area. I urge the minister to take the steps necessary to improve access to services for refugees and asylum seekers within the Victorian community and to do so as a matter of high priority.

Teacher travel policy

Ms FITZHERBERT (Southern Metropolitan) — My adjournment matter is for the Minister for Education, and it concerns recent changes to travel rules for teachers. The action I seek is clarification of any changes to the Department of Education and Training’s 2006 international and domestic travel policy and advice on how long recently imposed restrictions on travel will remain in effect. This issue has been raised with me by principals from two schools in my electorate in the last week.

By way of background, a few weeks ago the department emailed principals, school council presidents and business managers and advised that travel is only to be granted in exceptional circumstances. This is explained in these terms:

This restriction on international and interstate travel undertaken by department and school staff takes effect immediately for all travel which has not already been approved.

The travel freeze is in place while the travel policy is being reviewed and is a response to revelations at IBAC of fraud and fake invoicing at the education department.

The two principals who raised this issue with me lead exemplary schools. Representatives of the two schools are travelling in the immediate future and are unaffected by this travel freeze because their requests were put in prior to it being introduced. They are travelling because they have been invited to share their considerable expertise with people at conferences overseas, and no doubt they will also learn during this

process. They made the not unreasonable point to me that principals and teachers who have done the right thing are being penalised and inconvenienced because of the fraudulent actions of a few.

I ask the minister to clarify how long the freeze on travel will continue and when the teacher travel policy will be finalised. I also ask him to explain why hardworking teachers who do the right thing should be inconvenienced because of the fraudulent actions of a few.

Homesafe

Mr MORRIS (Western Victoria) — My adjournment matter is for the Minister for Public Transport. It relates to the supposed Homesafe shuttle service that was announced by Labor in January of last year. This service will apparently provide a bus service from Southern Cross station, departing at 2.00 a.m., to Bendigo, Ballarat, Geelong and Traralgon. It sounds like a good idea and a good way to get home after an event in the city, whether that be the football, a concert, a family event or even a nice dinner and show with one's significant other. There is but one issue with this Homesafe shuttle service, and that is it has not happened.

It has not started, yet the announcement by Labor well over a year ago was made with much fanfare. Now I have residents asking me, 'When is this going to happen? When will Labor keep its election commitment?'. I am afraid I do not hold out much hope for this happening anytime soon. Despite Labor committing to having this service up and running by New Year's Eve 2015, it has not happened.

Currently on a Saturday night the last train from Melbourne to Ballarat leaves at 11.55 p.m., and the last train from Melbourne to Geelong leaves at 11.10 p.m. — a far cry from Labor's failed election commitment of 2.00 a.m. It is another Labor lie; another broken promise. When will the government belatedly attempt to keep its election commitment and deliver a late-night service to Bendigo, Ballarat, Geelong and Traralgon?

Swinburne University of Technology former Lilydale campus

Mr LEANE (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Training and Skills, Steve Herbert. It is in line with his announcement during the week at Lilydale calling for expressions of interest from providers to supply higher education and TAFE courses back at the Swinburne

Lilydale TAFE campus, which was unfortunately closed due to funding being stripped by the previous government. It was indicated that the expression of interest process would be open for approximately six weeks and that a contract would be awarded.

The action I seek from the minister is that he inform me, so I can inform the community out there, of the process that will take place between the contract being awarded and the point where young people will again be able to attend TAFE and higher education courses at the facility at the start of next year.

Sunbury municipality

Mr FINN (Western Metropolitan) — I raise a matter for the attention of the Minister for Local Government. As I am sure the minister is aware, next Wednesday, 1 July, was due to be Sunbury liberation day — the day that Sunbury would at long last have its own municipal council and the wishes of the people of Sunbury and all the people of the city of Hume would be respected by the establishment of the Sunbury city council.

Ms Fitzherbert — Finally.

Mr FINN — Finally, indeed. Sadly, as a result of the actions of this government, that is not happening. Despite the promise prior to the election that it would follow through with the previous government's commitment to establish the Sunbury council on 1 July 2015, the current government has backtracked and appointed transition auditors to review the process yet again. I do not know how many reviews we need on this. I have to say that I have a concern with one of those transition auditors. He has had a long and distinguished career in local government, having been a former CEO of the City of Hume and the Shire of Bulla and also a chief administrator for the City of Brimbank, which I must say he is doing an extraordinarily good job at. I have the highest regard for this particular gentleman and quite like him as a person —

An honourable member — John Watson.

Mr FINN — John Watson is exactly who I am talking about. The trouble is that John Watson has made it very clear to a number of people that he does not support the establishment of a Sunbury city council. As a resident of Sunbury, he is entitled to his opinion. As a former high-ranking bureaucrat in Victoria, he is most certainly entitled to his opinion. But as a transition auditor, he is not entitled to go into that position with a pre-established view, particularly in a situation where I

understand we are looking at a review of the decision-making process.

Despite my respect and regard for John Watson, and it pains me to say this, I ask the minister to remove Mr Watson as a transition auditor in this process. I believe that as long as Mr Watson is involved the whole process is under a cloud and can be open to a whole range of concerns by the Sunbury community.

O'Herns Road, Epping

Mr ONDARCHIE (Northern Metropolitan) — My adjournment matter tonight is for the Minister for Roads and Road Safety, Luke Donnellan, and it is in regard to the O'Herns Road interchange in Epping. This is an interchange about which the then opposition leader, now Premier, came out during the election campaign, side by side with the Assembly members for Yan Yean, Thomastown and Mill Park, and said Labor would commit to building because it was fully funded and fully costed.

Imagine the surprise of the City of Whittlesea mayor, Ricky Kirkham, and others when last week they visited the Deputy Prime Minister and federal Minister for Infrastructure and Regional Development, the Honourable Warren Truss, and were told that the federal government would not commit money to the O'Herns Road interchange because the state government had not yet forwarded a business case for it. Delegates were in shock when they met with the federal minister's office because, understandably, the Victorian government was claiming that it was going to build this interchange but was waiting on the feds. The feds were saying, rightly so, 'We're not going to commit a dime until you show us the business case', and the Victorian government has not yet done that.

The people of Epping and the outer northern metropolitan area have been conned again by this government. Quite frankly, they are sick of it. These are the same people who bought into the Aurora housing estate in Epping north during the time of the last Labor government and were told they were going to get a train, bus services and community facilities, but they got zip from Labor last time. To some degree I would say to them, 'This is more of the same', because this mob has form on making promises and delivering nothing.

My adjournment request is for Minister Donnellan to provide me and the good people of Epping and the city of Whittlesea the date on which he is going to submit the business case to the federal government.

Western Metropolitan Region schools

Mr EIDEH (Western Metropolitan) — My adjournment matter today is for the Minister for Education, the Honourable James Merlino. The first Victorian budget under the Labor government was testament to this government's commitment to invest in Victoria and put families first. It was evident in the way we put health care high on the priority list and in the numerous rail and transport projects we committed to, but perhaps the most obvious was our biggest investment in education in Victoria's history. We understand that people of all ages need access to education to unlock their dreams of tomorrow.

Our investment in education saw a multifaceted approach to all levels of education to ensure that students in Victoria have access to the necessary resources to better their opportunities and, ultimately, their learning outcomes. The 2015–16 budget invests almost \$3.3 billion in Victoria's education system for its 900 000 students. For the first time the much-needed funding required to meet the Gonski reforms will be met for 2015, 2016 and 2017, and despite the federal government's reluctance and refusal to commit the funds required for 2018 and 2019, we will keep fighting to ensure that this is made possible for our schools in Victoria. I sincerely hope that Prime Minister Tony Abbott puts politics aside and commits to the very important Gonski plan.

In every capacity we have ensured that our commitment will make Victoria the education state, and this is something that the Premier, his cabinet and our government should be very proud of. Families across the state confront financial challenges every day in all areas, which is why the budget has been designed to alleviate one extra burden — their children's education. With the significant investment by the government in education in Victoria, can the minister indicate which schools within my electorate will benefit from the 2015–16 budget and in what capacity these schools will benefit?

Geelong Region Innovation and Investment Fund

Mr RAMSAY (Western Victoria) — My adjournment matter tonight is for the Minister for Industry, and it is a matter that requires some immediate clarification and action. After making a written inquiry to the minister seeking confirmation on the Andrews government's election commitment of \$7.5 million to the Geelong Region Innovation and Investment Fund (GRIIF), I received a return letter from the minister dated 18 June which indicated that

while \$7.5 million would be committed, helping local workers, the Andrews government would walk away from the GRIIF partnership between the federal government, Ford, Alcoa and the state government, which have collectively provided \$29.5 million in the past, investing in innovative job-creating infrastructure projects that provided over 700 new jobs.

The state's contribution was always unconditional in this partnership, but now the Andrews government is walking away from this arrangement. This is reprehensible behaviour, reminiscent of its behaviour of the tearing up of the east-west link contracts, forsaking 7000 jobs there. We also have a piece of legislation coming to the house this week whereby a long-term lease of the port of Melbourne will deny the Geelong community a second container port and all the jobs that the construction and operation of that port would provide.

I cannot believe the minister would be party to breaching an agreement between the industry, the federal government and the state government when that agreement provides job opportunities to a city reeling from job losses. Australian Bureau of Statistics figures indicate that in the last six months of the Andrews government 6100 full-time jobs have been lost in Geelong. This is not a good track record of job creation. The lack of incentives for defence procurement contracts for the city, no move to fulfil an election commitment of providing a manufacturing hub and now a petulant attitude of, 'We'll decide where to spend our money, and everyone else can get a canoe', is seeping the confidence of jobseekers across the Geelong community. If it were not for the passion and purpose of the mayor, Darryn Lyons, all of us in Geelong would be up the proverbial creek in a canoe without a paddle.

Before any more damage is done by this irresponsible action I strongly encourage the minister to seek a meeting with her federal colleague, Ian Macfarlane, the federal Minister for Industry and Science, the CEO of Ford Australia, Bob Graziano, and Alcoa chair, Alan Cransberg, to discuss and agree on a set of guidelines for the fund to operate in the spirit of the past agreements.

Mr Leane interjected.

The PRESIDENT — Order! Mr Leane interjected to the effect that that was a set speech. I must admit that there were aspects of that contribution that concerned me in that an adjournment matter is to request an action of a minister, which is fine — that was there — but the supporting remarks need to be apposite to the action

required, not an editorial commentary on other matters. There were at least two other matters. One of them might have been oblique enough, but there was a bit too much commentary. To that extent, it had some of the characteristics of a set speech.

Greater Shepparton Work and Learning Centre

Ms LOVELL (Northern Victoria) — My adjournment matter is for the Minister for Housing, Disability and Ageing, and it is regarding the future of the Greater Shepparton Work and Learning Centre's community meals program. The Greater Shepparton Work and Learning Centre is one of five centres established by the former Liberal government to assist disadvantaged community members by providing pathways to employment through education and training. I do not have to tell the minister how good these centres are and how they work, because he recognised the good policy I put in place during my term as minister by continuing funding for those centres in this year's budget.

In addition to providing the work and learning centre's services, the Greater Shepparton centre also provides a community meal twice a week to about 120 disadvantaged people in our community. These community meals have provided an opportunity for the Salvation Army to engage with people and encourage them to participate in the work and learning centre. To date the community meals program has been funded through the federal government's Better Futures, Local Solutions program, but this was time-limited funding which has now finished.

The work and learning centre now requires \$70 000 a year to continue the community meals program. Without this funding the service will cease at the end of this month. That money is required not to provide the meals but to provide a coordinator. As I said, the \$70 000 is needed for the employment of a project officer to coordinate events and catering, including the provision of the meals — but not the cost of the meals — twice a week for around 120 community members who rely on this service.

My request of the minister is that he provide the Greater Shepparton Work and Learning Centre with the \$70 000 in funding that is required to allow the continuation of this important and successful community meals program.

Crime prevention

Mr O'DONOHUE (Eastern Victoria) — I raise a matter this evening for the attention of the Minister for Police. It relates to funding for the very successful Dob in a Dealer program. By way of background for you, President, and for the minister at the table, Ms Pulford, I had the pleasure last week of visiting numerous police stations in my electorate of Eastern Victoria Region, particularly in Gippsland. One was the Moe police station, where I was joined by Ms Bath and the member for Narracan in the other place, Mr Blackwood.

The Dob in a Dealer campaign was funded by the coalition government, with \$150 000 made available in October 2014. The program has run in many communities throughout Victoria. With Crime Stoppers extensive network and strong brand in the community, it has led to a significant increase in reports of potential illegal behaviour, particularly in relation to drugs. Feedback I had from the Moe police — I thank them for their time — was that the Dob in a Dealer bus had seen a 300 per cent increase in drug reports over the period it had been in Moe and that that information had been very useful in assisting in further investigation of other pieces of information which the police had in their possession. This is a very successful program and an example of what a sum of money that is relatively modest in the scheme of a state budget can achieve in helping Victoria Police with their task of catching criminals, catching people who are doing the wrong thing, and finding new sources of information to help drive new leads and put information together.

I note that prior to the election the then government, the now opposition, had a commitment to provide \$1 million for the Neighbourhood Watch and Crime Stoppers programs. Unfortunately the then opposition and now government of Daniel Andrews, the Premier, did not match that commitment then, nor did it do so in the budget that has been handed down. There is no commitment to Neighbourhood Watch or Crime Stoppers, or to Step Back. Think of other community-focused crime prevention organisations. The action I seek from the Minister for Police is that he find resources to ensure that these community-led grassroots campaigns such as Dob in a Dealer, which have been so successful, can continue into the future.

Westwood Drive, Burnside

Mr MELHEM (Western Metropolitan) — My adjournment matter is directed to the Minister for Planning, the Honourable Richard Wynne. I refer to a matter concerning local residents and commuters in my electorate. The area around the Palmers Road corridor

near Kororoit Creek at Westwood Drive, Burnside, has become increasingly congested. In late 2012 the City of Melton awarded a contract to build a bridge over the creek. However, members of the local Wurundjeri people identified the area as a site of cultural significance, and in March 2013 Aboriginal Affairs Victoria issued a stop-work notice. In addition, there was no approved cultural heritage management plan (CHMP) at the time. Melton City Council and Aboriginal Affairs Victoria then spent some time trying to develop a CHMP. By late 2013 the project and its assessment were merged into the Palmers Road corridor environment effects statement (EES).

Melton City Council has concluded its contract. However, the EES process must be finalised before construction can begin. VicRoads had been preparing the Palmers Road corridor EES concurrently through 2013. Unfortunately the advice about the council work being included in the EES came as VicRoads completed its draft EES. As a result, VicRoads needed to revisit its entire assessment. As part of the EES a draft CHMP will be put on exhibition and approved after the Minister for Planning has assessed the project.

VicRoads requested that the Minister for Planning authorise preparation of the proposed planning scheme amendment in late 2014. Authorisation will allow the planning scheme amendment and EES to be put on exhibition. VicRoads is still awaiting authorisation from the minister, and the exhibition will occur immediately once authorisation is provided. I ask the minister if he would provide an update on this matter, as I am sure the concerns of local Indigenous residents and commuters can be resolved satisfactorily.

Bhangra Down Under

Mrs PEULICH (South Eastern Metropolitan) — My adjournment matter is for the attention of the Minister for Multicultural Affairs. One of the reasons for the successful multicultural affairs policy in the state of Victoria is the commitment of relatively modest funds from the multicultural affairs budget, which are disbursed to community organisations for various activities that support multicultural communities, promote the pride of individuals in their culture and allow others to participate in and celebrate that culture.

Since the election of the government there has been a great deal of uncertainty in terms of those grants programs as a result of a review that is being undertaken, in part to eliminate duplication in response to criticisms of the Victorian Auditor-General but also in part because the machinery of government changes, as does the minister's vision for the portfolio. Further

uncertainty is created by the fact that we now have an acting chair of the Victorian Multicultural Commission (VMC). He is very able, but nonetheless he is acting.

Mr Ondarchie — A good man.

Mrs PEULICH — I agree with Mr Ondarchie that Mr Ross Alatsas is a very good man. There is also the expiration of a number of VMC positions later this month. This is causing a high degree of angst in multicultural communities that are trying to access funds but are not able to. The most recent example is one that was raised with me last night — Bhangra Down Under (BDU). Bhangra Down Under is apparently Australia's biggest Punjabi dance festival. It will be held this year on 26 September at the Palais Theatre in St Kilda. Organisers have sought funding but have not been successful. The festival will allow more than 600 Australian citizens to actively participate in and practise their traditional dance.

At BDU 2015 there will be 10 teams formed from around 200 people participating in the main event. It will feature a guest appearance by UK-based artist Malkit Singh, MBE, the only Punjabi singer to have an MBE awarded by the Queen. The entire event will be recorded and broadcast on Gabroo TV and Channel 31 to reach a worldwide audience. It will be hosted by L-Fresh the Lion and Preetinder Grewal from SBS Punjabi radio. So far it has received interest from 21 Australian bhangra teams, local artists, dance troupes and singers. BDU 2015 will attract more than 2000 spectators on the main event day and will reach millions of homes globally. As well as bhangra performances, BDU will showcase various special community acts from other cultures.

It seems extraordinary to me that an event of this magnitude and potential has not been successful in its application for funds. I ask the minister to take action to make sure that these types of events are supported adequately — BDU in particular.

Chisholm Institute

Mr MULINO (Eastern Victoria) — My adjournment matter is for the Minister for Training and Skills. The action I seek is the minister's consideration and support of Chisholm Institute's application through the \$50 million TAFE Back to Work Fund. Chisholm Institute has a number of campuses, one of them being in Rosebud on the Mornington Peninsula, in my electorate of Eastern Victoria Region. The Mornington campus provides vital training for members of the community in the areas of hospitality and hair and

beauty therapy and is also equipped with turf management training. I think it is important — —

Honourable members interjecting.

Mr MULINO — I was going to highlight that as a classic example of a growing area of the economy. It is a classic example of part of the services economy — people in the economy providing services to each other. We will find that services like hair and beauty require increasing amounts of training, like health and education. It is something we should be supporting and not belittling, as some of those opposite might be doing. But I will not be acknowledging their interjections, so they will be not be on the record.

It is also very important that the Mornington Peninsula has strong educational and training facilities, given the rapid population growth it is experiencing and given the longstanding transport challenges that many of the communities there face. I highlight the Back to Work Fund as a critical part of the government's agenda in supporting a large number of new jobs throughout the economy. I ask the minister in his roadshow across Victoria announcing successful grants to consider supporting Chisholm's application to the Back to Work Fund.

Responses

Ms PULFORD (Minister for Agriculture) — I have an adjournment matter from Dr Carling-Jenkins for the Minister for Multicultural Affairs, Mr Scott, in relation to matters concerning refugees and asylum seekers. I will refer that matter to Minister Scott.

Ms Fitzherbert raised a matter for the attention of the Minister for Education, Mr Merlino, in relation to student travel.

Mr Morris raised a matter for the Minister for Public Transport, Ms Allan, and was seeking from the minister the date by which Labor's election commitment for the Homesafe shuttle service will be operational. I am sure that Minister Allan will look forward to the opportunity to provide that information to Mr Morris.

Mr Leane raised a matter for the attention of the Minister for Training and Skills, Mr Herbert, seeking an update on when Lilydale TAFE will open its doors again to students. Mr Leane's continued interest and advocacy for this most important facility in his electorate is to be commended.

Mr Finn raised a matter for the Minister for Local Government seeking the removal of Mr John Watson

from his role as transition auditor, and that matter will also be referred to the minister for a response.

Mr Ondarchie raised a matter for the attention of the Minister for Roads and Road Safety in relation to O'Herns Road in Epping North. He is seeking information around the date of the conclusion of the business case.

Mr Eideh raised a matter for the attention of the Minister for Education and was seeking some detailed information around which schools would benefit from budget funding to improve education in Victoria, and I will pass that matter on to the minister.

Mr Ramsay raised a matter for the Minister for Industry, Ms D'Ambrosio, in relation to the Geelong Region Innovation and Investment Fund, and I will pass that matter to Minister D'Ambrosio for a response.

Ms Lovell raised a matter for the attention of the Minister for Housing, Disability and Ageing, Mr Foley, about the Greater Shepparton Work and Learning Centre's community meals program, and I will seek for Ms Lovell a response from Minister Foley.

Mr O'Donohue raised a matter for the Minister for Police, and his matter related to the Dob in a Dealer program.

Mr Melhem raised a matter for the Minister for Planning. He is seeking an update on a planning matter in Melton, which he described in some detail in the course of his contribution.

Mrs Peulich also raised a matter for the attention of the Minister for Multicultural Affairs. She is specifically seeking advice from the minister around grants and support for Bhangra Down Under 2015, which, judging by Mrs Peulich's description, sounds like a very exciting and colourful community event involving a great many people.

Mr Mulino raised a matter for the attention of the Minister for Training and Skills, Mr Herbert, again on the very important matter of TAFE funding and support. His matter was in relation to Chisholm TAFE.

I will seek formal responses from the appropriate ministers for members in relation to all of those matters.

I have written responses to adjournment debate matters raised by Mr Mulino and Ms Tierney on 24 February; Ms Shing on 16 April; Dr Carling-Jenkins, Ms Lovell and Mr Purcell on 5 May; Ms Dunn, Ms Fitzherbert and Ms Pennicuik on 7 May; Mr Eideh, Mr Finn, Mr Purcell, Mr Ramsay and Ms Tierney on 26 May;

Mr Drum, Mr O'Donohue and Ms Tierney on 27 May; and Mr O'Donohue on 28 May.

The PRESIDENT — Order! The house stands adjourned.

House adjourned 11.06 p.m.

WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

Responses have been incorporated in the form supplied to Hansard.

Registered training organisations

Question asked by: Mrs Peulich
Directed to: Minister for Training and Skills
Asked on: 11 June 2015

RESPONSE:

The Department of Education and Training undertakes audits of contracted registered training organisations (RTOs) in accordance with the Victorian Training Guarantee Contract Compliance and Audit Strategy and the Victorian Training Guarantee Compliance Framework. These documents set out a risk-based auditing strategy that applies to all RTOs in Victoria.

The Andrews Government at the last election committed to crack down on dodgy providers that flourished under the former Liberal government and dangerously undermined the confidence in our training system.

We are meeting our commitments to crack down on low quality training by completing Quality Assurance Review. I will shortly announce our response to this Review. However, I can assure the Member that under this government, any RTO that delivers phantom activities will be dealt with strongly – regardless of their affiliation with unions or other associations.

The Victorian Auditor-General is an independent officer of the Victorian Parliament, appointed to examine the management of resources within the public sector on behalf of Parliament and Victorians.

VAGO undertakes financial and performance audits of Victorian Government entities, including the Department of Education and Training. Further information about VAGO's strategic plan, including its audit work plan is available on the VAGO website.

Registered training organisations

Question asked by: Mr Drum
Directed to: Minister for Training and Skills
Asked on: 11 June 2015

RESPONSE:

The Department of Education and Training (DET) is open and transparent in relation to organisations that receive funding through the Victorian Training Guarantee (VTG). This information is publicly available at:

<http://www.education.vic.gov.au/training/learners/courses/pages/rtolist.aspx>

I am advised by my Department that only a small number of contracts have been offered since the Andrews Labor Government came to office in December 2014, which all relate to finalisation of the 2015 entry-to-market process initiated by the former government. All other contracts were in place under the former Liberal Government.

The current entry to market process has been in place since the commencement of the Victorian Training Guarantee, and has never required the Department to collect information regarding affiliation with businesses, associations or trade unions. These are a matter for the individual RTO.

The Andrews Government at the last election committed to crack down on dodgy providers accessing government-funds for training, which flourished under the former Liberal government and dangerously undermined the confidence in our training system.

We are meeting our commitments to crack down on low quality training by completing Quality Assurance Review. I will shortly announce our response to this Review. However, I can assure the Member that under this government, any RTO that delivers phantom activities will be dealt with strongly — regardless of their affiliation with unions or other associations.

Legal costs

Question asked by: Mr Ramsay
Directed to: Special Minister of State
Asked on: 11 June 2015

RESPONSE:

The investigation raised by the member is being managed independently by the Department of Premier and Cabinet. As this investigation is ongoing I would not be in a position to provide the information sought by the member until the matter is concluded.

Scouts Victoria

Question asked by: Mr Young
Directed to: Special Minister of State
Asked on: 11 June 2015

RESPONSE:

On 2 April 2015, the Government removed camping fees at all of the 500-plus basic and very basic camping sites at over 70 campgrounds in 20 parks throughout Victoria. Fees were removed at these sites to help ensure that camping in these parks remains accessible to all Victorians.

Where camping fees continue to apply, concessions are only offered to school groups from primary and secondary schools. School groups are not exempt from camping fees. Concessions are not extended to other 'groups' such as scouts, clubs or community groups.