



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Thursday 3 April 2025

By authority of the Victorian Government Printer

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Bev McArthur (from 18 November 2025)

David Davis (from 27 December 2024)

Georgie Crozier (to 27 December 2024)

Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew ¹	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaelle	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira ²	Western Metropolitan	Lib	Ratnam, Samantha ⁵	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem ⁶	Northern Metropolitan	Ind
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Gray-Barberio, Anasina ³	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David ⁴	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard ⁷	North-Eastern Metropolitan	Lib

¹ Resigned 7 December 2023

² IndLib from 28 March 2023 until 27 December 2024

³ Appointed 14 November 2024

⁴ LDP until 26 July 2023

⁵ Resigned 8 November 2024

⁶ DLP until 25 March 2024

⁷ Appointed 7 February 2024

Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;

Greens – Australian Greens; Ind – independent; IndLib – Independent Liberal; LCV – Legalise Cannabis Victoria;

LDP – Liberal Democratic Party; Lib – Liberal Party of Australia; LP – Libertarian Party;

Nat – National Party of Australia; PHON – Pauline Hanson's One Nation; SFFP – Shooters, Fishers and Farmers Party

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The PRESIDENT (Shaun Leane) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

Committees

Public Accounts and Estimates Committee

Report on the 2023–24 Financial and Performance Outcomes

Michael GALEA (South-Eastern Metropolitan) (09:34): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table a report on the 2023–24 financial and performance outcomes from the Public Accounts and Estimates Committee (PAEC), and I present the transcripts of evidence. I move:

That the transcripts of evidence be tabled and the report be published.

Motion agreed to.

Michael GALEA: I move:

That the Council take note of the report.

Another significant report has been tabled this morning by the Public Accounts and Estimates Committee, one of the very key and important committees of this Parliament. It is a report which I commend for all members of the house to read. As members would be aware, we have two rounds of significant budget hearings each year, the first being the budget estimates hearings around May–June and the second round being these financial and performance outcomes which are typically held through hearings in November, but of course the work extends far beyond that. It is a very interesting committee to be a part of, especially when it comes to those outcomes hearings. I know our deputy chair Mr McGowan always enjoys them, as do other members like Mr Puglielli, and I am sure Mr Welch can look forward to a vigorous round of outcome hearings later in this year as well indeed. We will be certainly missing the presence of Mrs McArthur on the committee now, especially as it comes to estimates this year. I am not sure if the questions will be quite as spicy this year and I am not sure if the arguments between the members will be quite as spicy, but I am sure Mr Welch and Ms Benham will do their absolute best to rise to the challenge and rise to the outrageous standards set by Mrs McArthur. We look forward of course to –

Richard Welch interjected.

Michael GALEA: It is a challenge for us all to rise to that level, I think, Mr Welch. It is –

Melina Bath: Is this what you are making your speech on?

Michael GALEA: It is an important thing to reflect on, Ms Bath, because it is an important committee of the Parliament. I think when it comes to the financial and performance outcomes report in particular it is important because outcome hearings do attract a fair bit less media attention than estimates hearings. There is a bit less of a public profile for them, but they are just as important; they are the end-of-cycle and end-of-financial year process by which the Parliament can go through department by department and really get a sense of not just what has been promised but what is being delivered. Indeed as members will see in this report, this government continues to have a strong track record of delivery across all major portfolios and across all the departments, as outlined in this report.

We had various debates in the hearings process, whether they were about more services on regional V/Line lines down to Warrnambool and to other parts as well. I know, Mrs McArthur, you and I were very excited to debate that. Also of course we had some very interesting hearings with the Department of Health. We saw some very impressive outcomes in terms of the number of planned surgeries undertaken in the last financial year, a Victorian record – a 10 per cent increase on the year before and

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in fact leading the nation on that metric and on a number of health metrics that we saw where Victoria is not just leading out of all the Australian states but in fact, given Australia's standard as one of the best performing countries in this sector, is arguably one of the very best in the developed world. So there is a lot to digest in this report, a lot of very comprehensive analysis of some certain key topics as well as a fairly broad comprehensive overview of some of the key points and some of the key targets that were achieved or not achieved by each department.

It is a very labour-intensive process – a little bit for the committee members, or a fair amount; it is a full week of hearings. But the most work of course gets put into the preparation, whether it be in collating questionnaire responses, supporting and facilitating our work as committee members or the drafting of the report and working with us and with the departments to get the most accurate information at every step of the way. I do want to particularly acknowledge all of the very hardworking staff. I want to acknowledge our lead analyst Charlotte Lever; Dr Kathleen Hurley; Dr Krystle Gatt Rapa; Ryan Kennedy; William Richards – also an analyst; Rowen Germain; Erin O'Neill; and Jacqueline Coleman. I also wish to particularly acknowledge Dr Caroline Williams, who has been our committee secretariat and, very sadly for us, has stepped away and will be taking up a career opportunity interstate. We certainly wish her all the best. It has been a very big privilege to be working alongside Caroline as a member of PAEC just for the last couple of years. I know present members of PAEC but also former members of PAEC will be all too familiar with the incredible amount of work she consistently put in and the way in which she passionately supported this committee. So I would like to take a moment to acknowledge Caroline Williams and wish her all the best for her next move.

Bev McARTHUR (Western Victoria) (09:40): *(By leave)* I would like to make a few remarks. Mr Galea has prompted me into rising to the occasion. I did enjoy my tour of duty on the Public Accounts and Estimates Committee, Mr Galea, but the most interesting thing about PAEC is the level of obfuscation that occurs from ministers and from the bureaucrats representing them, supposedly providing us with information about how you spend our taxpayers money – mostly and often unwisely. The level of obfuscation is a mark of PAEC. It has reached new heights. The other interesting aspect to it is the Dorothy Dix questions that come from the government members on PAEC –

Members interjecting.

Bev McARTHUR: I know. And they do not even look enthusiastic when they are asking them, Minister. You would think a little bit more media training might help so that we get a bit more engaged in the Dorothy Dix questions, because they really are a feature of PAEC, and you would almost need sticks in your eyes to stay awake it is so bad.

The other interesting feature of recent PAEC reports has been this new phenomenon of Treasurer's advances. Nearly every department had some extraordinary level of Treasurer's advances. Can't you people budget properly? Honestly – there are 60 new or increased taxes, but you still need Treasurer's advances. It is a new way of running this state. Obviously you do not want to put in the budget exactly what you are going to rip people off from or not deliver, so that was a real – *(Time expired)*

Aiv PUGLIELLI (North-Eastern Metropolitan) (09:42): I concur with Mr Galea's comments in thanking the secretariat, the staff, for all of the staff work that goes into the Public Accounts and Estimates Committee processes. It is a mountain of work. This is the first time I have been in the seat during the outcomes process. I also would like to specifically wish Caroline well in her future endeavours. We will be sorely missing her presence in PAEC.

But I think a symbol of PAEC itself really is the bus reform implementation plan:

There once was a tale of great woe
In PAEC, as all there did know,
Of a bus plan's mystery plight,
Hidden out of sight,
Where it went nobody could show.

I sought a reform implementation plan,
To move folks as swiftly as we can.
'It's not in this place,'
With a straight, solemn face,
'Look at this one', said a man.
The search for this plan did persist.
A mystery truly it ist.
I chased it in vain,
Again and again,
But the plan is still sorely missed.
'Does the reform plan exist at all?',
I question inside this great hall.
Deliver the plan as you said.
Put this mystery to bed,
Give a true, full report to us all.

Motion agreed to.

Papers

Papers

Tabled by Clerk:

Auditor-General –

Recycling Resources from Waste, April 2025 (*Ordered to be published*).

Results of 2023–24 Audits: Local Government, April 2025 (*Ordered to be published*).

Drugs, Poisons and Controlled Substances Act 1981 – Report, 2024, under section 96 by the Chief Commissioner of Victoria Police.

Judicial Entitlements Act 2015 – Advisory opinion to the Attorney-General, February 2025, under section 33 of the Act.

Parliamentary Committees Act 2003 – Government response to the Public Accounts and Estimates Committee's Report on the 2024–25 Budget Estimates.

Planning and Environment Act 1987 – Notice of approval of the Victoria Planning Provisions – Amendment VC276.

Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule No. 13.

Business of the house

Notices

Notices of motion given.

Adjournment

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (09:52): I move:

That the Council, at its rising, adjourn until Tuesday 13 May 2025.

Motion agreed to.

Members statements

Edna Kilgour

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (09:52): It is all too rare in this place that we celebrate the most lovely things in the people around us. Today, however, I want to pay tribute

to the late, great Edna Kilgour. Edna was a woman whose life was defined by grace, determination, generosity, faith and an unwavering dedication to her family. Edna was a woman who brimmed with pride at her five daughters, Meran, Helen, Janet, Mardi and Ros, and their successes, and she loved watching every single event in the lives of her grandchildren and her great-grandchildren. Her life was defined by an unwavering love for her husband of more than 70 years Alex. Edna had the most extraordinary knowledge and intellect. She was smart, kind, humble and connected to her community in a way that most of us can only ever dream of achieving in our lives. Edna was a phenomenal cook; for her, food was giving, it was generosity. The ripples of her recipes and her care will continue. Having celebrated her centenary surrounded by the love of family and friends, Edna left us on 19 March 2025 to be with her beloved buddy. Rest in peace, Edna – you are so loved.

Ballarat Regional Multicultural Council

Joe McCracken (Western Victoria) (09:54): Last week I was pleased to visit my friends at BRMC, the Ballarat Regional Multicultural Council, for the one-year anniversary of their placing of the peace pole. The peace pole movement started in Japan and has spread across the globe promoting world peace and an end to war and all the awful atrocities that go with it. I thank Suzanne, the wonderful CEO of BRMC, as well as board members and volunteers who made the day such a great success.

St Patrick's Primary School, Ballarat

Joe McCracken (Western Victoria) (09:55): Additionally, I would also like to acknowledge the St Patrick's Primary community in Ballarat. St Pat's Primary have just opened their new multipurpose facility. I congratulate the school principal Ben Shields and also the Catholic education office in Ballarat diocese and the wider St Pat's Primary community on a wonderful achievement. I also congratulate Garry Thompson and the team at Y2 Architecture for the beautiful designs.

Voice FM

Joe McCracken (Western Victoria) (09:55): Lastly, I would like to give a big shout-out to Voice FM in Ballarat. Voice FM is a community radio station that has made a longstanding contribution to the Ballarat community. I have been on there many times, as I know many others have in the Ballarat community, and I just want to acknowledge the great impact that they have. It is all run by volunteers and all run on a very low budget, but they produce a very high quality product and an alternative for people that want to have a different listening experience. Well done to Voice FM, and I hope it has many more years ahead.

Federal election

David Limbrick (South-Eastern Metropolitan) (09:56): Today I rise to commend the Victorian government for their massive contribution to democracy worldwide – but not this government, obviously. The government I am talking about is the one that introduced the world's first secret ballot in 1856. This bill, surely the most significant law ever passed in this place, was introduced in this very chamber; the Libertarians would say it has been all downhill since then. But before secret ballots, bribery and coercion were intrinsic to the process, and elections often ended in riots. In 1843 two men were shot, one in Sydney and another in Melbourne. Very soon all of you can vote in the federal election without the risk of violence, thanks to the foresight of our predecessors. This means in the privacy of your voting booth you will have a moment to reflect on the decisions your party has made – so many bad decisions – and you will realise that not only can you vote Libertarian but no-one needs to know. If you are lucky, you might be able to vote for a Libertarian in the lower house, but you will certainly be able to vote for our outstanding Senate team, including our number one candidate Mr Jordan Dittloff. You can vote for Jordan safe in the knowledge that he will never vote to increase your taxes or reduce your freedom.

Eastbourne Primary School

Tom McINTOSH (Eastern Victoria) (09:57): I rise to give my members statement and update the house about the fantastic Fathering Project event that was held at Eastbourne Primary School recently. I want to thank principal Steve and all the families. There were lots of dads and lots of kids all getting along and a massive paper plane throwing contest. It was sensational. Eastbourne is a brilliant school. I am really proud of the fact that we have got \$10 million to invest in this school. There will be massive upgrades around the school. I have walked around numerous times with Steve and talked to various teachers, kids and families. I am really proud that is all going to be able to happen.

Korumburra Bena Football Netball Club

Tom McINTOSH (Eastern Victoria) (09:58): I also want to update the house that we officially opened the Korumburra Bena Football Netball Club facilities on the weekend – there are beautiful new netball rooms next to the netball court there – and we have had upgrades of the footy clubrooms as well, so first-aid rooms, new umpire rooms, accessible toilets. It really lifts the facilities around the club, with over 500 playing members. It is a really important uplift to the town and sees the sorts of upgrades that we have had for the soccer club and the cricket club up at the rec reserve. Thanks to everyone who turned out. It was great to have my federal colleague Tully Fletcher along for the event as well. It was a great day had by all, so thanks to the Korumburra Bena Football Netball Club.

Malcolm Fraser commemorative service

Trung LUU (Western Metropolitan) (09:59): Recently I attended the 10th anniversary commemorative service of the Honourable Malcolm John Fraser, 22nd Prime Minister of Australia, organised by the Australian Vietnamese Refugees National Council. The service was attended by Mrs Tammy Fraser, the Fraser family, representatives from the RSL, the Vietnam Veterans Association of Australia, bishops of the Catholic Church and members of the various Buddhist sects across Melbourne, among with numerous community and faith leaders. To describe the service in the words of the president of the Australian Vietnamese Refugees National Council:

In Vietnamese culture, respect and gratitude remind us to remember the grower of the food we eat and honour the source of the water we drink.

This important lesson has been passed down through generations and serves as a reminder that we must never forget those who support us in our time of greatest need. How appropriate this is when the Anzac service is coming up. The Fraser legacy is not merely a chapter in the Vietnamese history of Vietnamese refugees. He was a man of great vision, courage and humanity. He stood as a bright light against communism, opened the door to 56,000 Vietnamese refugees, allowing tens of thousands more to benefit from these policies. In short, his legacies and his contribution will be depicted in the new Vietnamese museum being built in Sunshine in the coming years.

Cannabis law reform

Rachel PAYNE (South-Eastern Metropolitan) (10:00): The residents of Berwick have spoken, and what I am referring to there is an article that I read in the *Berwick Star News* where a journalist went out and asked residents what they thought of Legalise Cannabis Victoria's push to reform cannabis laws. Discussion was had around a focus on police resources on real crime. Harry from Harry's Clothing in Berwick was quite supportive of this push and said:

... "why not?"

"I think people should be able to do what they want to do in their own homes ..."

"As long as they're not under the influence when driving and so on ..."

because to him that is the only way we are going to go and stop real crime. On crime reduction, that is what we saw when we went up to the ACT and the ACT experience of decriminalisation – a 90 per cent reduction in arrests for cannabis-related offences. Harry went on to talk about medicinal cannabis and made the point that it is one of the more effective avenues of treating chronic pain and other

illnesses. What we are seeing here is a real change in rhetoric around medicinal cannabis because somebody knows somebody who uses medicinal cannabis these days, particularly in Victoria. More people are using cannabis to treat symptoms, such as pain management, and with an ageing population we are seeing a real change in rhetoric towards that. Cannabis use is therapeutic for many people. Finally, one resident said:

It's legal in a lot of other countries, so why not here?

I appreciate the article.

East Malvern Golf Club

John BERGER (Southern Metropolitan) (10:02): I have three matters today. First, I had the opportunity to attend the East Malvern Golf Club's 90th year celebration. I want to thank the Minister for Community Sport Minister Spence in the other place for the opportunity to represent at this event. Reaching a 90-year milestone is no mean feat. I want to congratulate Ross Alatsis, president of the East Malvern Golf Club, and the rest of the team for their achievement. More than 80,000 rounds of golf are played on the greens and fairways each year at that course. It is safe to say it is a big part of my community.

North Balwyn Community Men's Shed

John BERGER (Southern Metropolitan) (10:02): For my second matter, I had the great opportunity to visit the North Balwyn men's shed with president Peter Elliott and past president David Cheney. They currently have a \$10,000 grant in the pipeline. I look forward to visiting them again when the installation of their exhaust system for their woodworking machines is finished.

Bentleigh East ambulance station

John BERGER (Southern Metropolitan) (10:03): Finally, I joined Mr Batchelor as well as the member for Bentleigh Minister Staikos the other day in his patch in Bentleigh East to visit a brand new opening of an ambulance station there. Thank you to Minister Horne for the invitation. It was great to see firsthand the facilities. Remember that only an Allan Labor government will deliver for our ambos.

Ambulance services

Moira DEEMING (Western Metropolitan) (10:03): We all know that health services in Victoria are in a shambles, and Ambulance Victoria's code 1 response times are just one example. But instead of fixing the root causes of the problem – staffing, rostering, resources – the government and Ambulance Victoria have normalised sending out solo responders. Paramedics in Victoria are being forced to attend 000 call-outs alone, without a partner, without support and without proper training, because this government wants better looking stats. They are being forced to make impossible choices. Do they enter a volatile situation alone and risk their own safety, or do they wait in the van, press the duress button and potentially let someone die? This is not just unsafe, it is exploitation. It takes advantage of the moral integrity of our frontline workers, knowing that they will prioritise patient care, even at their own personal risk. And then if something goes wrong, they are the ones who will be blamed for breaking protocol and not assessing the risk properly. One female paramedic told me that upon arriving alone in a dangerous area at night she was so afraid she rang her husband to be on speakerphone before getting out of the vehicle. Then of course the patient needed to be rushed to hospital. Obviously she could not drive the ambulance and save his life at the same time, so another paramedic was called. Ridiculously, the second paramedic had also been sent out solo, so one ambulance had to be abandoned, fully stocked with narcotics, at the scene. This is ridiculous.

Parliamentary Friends of Rugby League

Anasina GRAY-BARBERIO (Northern Metropolitan) (10:05): It was an absolute privilege to attend this morning's NRL breakfast, hosted by Melbourne Storm through the Parliamentary Friends

of Rugby League, and I would like to extend my thanks to Ms Watt, co-chair of this group, for this successful tripartisan event. I also want to commend the Melbourne Storm and their new Storm Waka program, a program that supports Māori and young Pacific Islands people throughout Melbourne. It was great to see so many of our young people who are graduates of this successful program. What was not discussed was: what does ‘waka’ mean? ‘Waka’ translates to ‘canoe’ in Māori language, and it represents unity, solidarity and the strong bonds that Māori and Pacific Islands people have to the oceans. The spirit of waka is about voyage, spiritually and physically, together, and I want to thank the young people for going on this voyage together that stands up against stereotypes and stigma for them. Sixty-five per cent of rugby league players in the NRL are from Pacific Islands heritage, and it is crucial for them to remain connected to their culture. I also want to thank Orin. Orin was the young person who spoke at this event, who spoke so proudly about his reconnection to culture through this program. Programs like these are so important, because they provide guidance and leadership for our young people, and I look forward to hosting this waka program in the north during the school holidays.

Assyrian New Year

Evan MULHOLLAND (Northern Metropolitan) (10:06): It was an absolute joy to attend the Assyrian New Year of 6775 with the honourable Michael Sukkar and Usman Ghani, the Liberal candidate for Calwell, in Craigieburn this past weekend. I would like to thank the Bishop of the Assyrian Church of the East Mar Benyamin Elya; the organising committee of the Assyrian New Year Festival, Melbourne, including my friend Joseph Haweil; and organisations and many reverend fathers and faith leaders who joined so many – over 4000 across the day – to make it such a success. I have been proud to work with this community proactively, to be their voice in the Victorian Parliament to defend faith, family and culture.

Chaldean Babylonian New Year

Evan MULHOLLAND (Northern Metropolitan) (10:07): It was a joy to attend Akitu 2025, Chaldean Babylonian New Year 7325, to celebrate the rich Chaldean culture and history at St George Chaldean church in Campbellfield. Thank you to Vic.Talk, Ayad Youkhana, the Chaldean League Melbourne, the Upfield football club and the Chaldean Federation of Australia for putting on such an incredible celebration. It was terrific to celebrate with our very own Chaldean Hume councillor Sam Misho, Dr Amer Maloka, Michael Yousif and Wally Hanna and also reverend fathers Fr Paul Minkana, Fr Thair al-Sheikh and Fr Mahir Murad. I would like to thank the Chaldean community for their friendship over the last couple of years. I have been proud to be their voice in the Parliament defending faith, family and culture.

David Cook

Jeff BOURMAN (Eastern Victoria) (10:08): Today I want to pay tribute to David Cook, who passed recently. David was a founding member of the original Shooters Party, which is now the Shooters, Fishers and Farmers Party, as well as the long-time chairman. I met Dave a number of times over the years, but it was whilst I was overseas hunting that I got to spend some real time with Dave. Dave was waiting for the next plane home to attend to the tragedy that befell his grandson Lachlan. We spent quite some time talking and contemplating life and death and so on. I kept in touch. I knew Dave was not well, but it was still a shock when he passed recently. Vale, Dave. You will be missed.

Federal government

Bev McARTHUR (Western Victoria) (10:08): Today I want to highlight the outrageous priorities of the Albanese government when it comes to how they spend hard-earned taxpayers dollars. They are committed to spending \$161 million on the national firearms register to target law-abiding shooters through new surveillance and database tracking. Meanwhile they are actually doing nothing about stopping the real criminals. We have got about 99 per cent of the shooting population, the legal shooting population, who register their guns, paying for 1 per cent of the crooks, who are never going to register their weapon of choice, obviously. But at the same time this Albanese government cannot

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find \$6 million over five years to fund a program at the Royal Children's Hospital to save young babies coming into it this very day and ongoing for the rest of their lives till they are 18 and they move into the adult care situation – not \$6 million for babies, saving their lives and saving their livelihoods and making it better for families. Meanwhile we will spend \$161 million targeting the law-abiding firearm shooters of this state and this country who absolutely do the right thing while the crooks are out on the streets every day.

Parliamentary Friends of Rugby League

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:10): This morning we welcomed the NRL friends of rugby league from the south-east to Parliament for breakfast. They are polite, talented and motivated young men and women. Many come through the I Am program and the Waka program, and they are the ivy league hopefuls for the future of Melbourne Storm. It was wonderful to see so many coming from Māori and Pacific Islands backgrounds and to see their connection to culture. I am so grateful to have them in the south-east.

Masala Dandenong Football Club

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:10): In Dandenong the Aussie Rules football Masala Victorian Amateur Football Association league held a celebration, and it was wonderful to be able to be part of that to see what they are doing in our community. They have two senior clubs, and they are working towards making more and even a women's club in 2026. I wish them all the very best. It was wonderful to be able to be there. I thank Kerri White from the senior football club, the manager of the operations, for the invitation.

Australian–Filipino Community Services

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:11): The fourth annual celebration for the Filipino community gathering happened in Berwick, and I want to thank Corina Dutlow, the CEO, and Gerry Ocampo, the president, of the Australian–Filipino Community Services for all the great work that they do and the wonderful Filipino community that they hold together. I thank the four social workers that work diligently throughout Victoria to help Filipino people in our community.

Endangered Folk Arts of India

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:11): The Indian folk art gallery in Queen's Hall has been wonderful, and I want to thank Senthil Vel and all the Indian community that have put together this wonderful, wonderful gallery to keep Indian art alive. It is an important thing that we can actually support that here.

Business of the house

Notices of motion

Lee TARLAMIS (South-Eastern Metropolitan) (10:12): I move:

That the consideration of notices of motion, government business, 278 to 915, be postponed until later this day.

Motion agreed to.

Bills

Help to Buy (Commonwealth Powers) Bill 2025

Second reading

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

David DAVIS (Southern Metropolitan) (10:12): I am pleased to make a contribution to the Help to Buy (Commonwealth Powers) Bill 2025. This legislation aims to adopt specific provisions from the

Commonwealth's Help to Buy Act 2024 and to facilitate the referral of legislative powers from the state to the Commonwealth for potential amendments. It also includes consequential amendments to several acts that govern housing assistance. The primary objective, though, is the adoption of Commonwealth provisions and the referral of legislative powers enabling the so-called Help to Buy Act at a Commonwealth level to proceed.

I understand that the policy aim is to provide 40,000 homes to scheme participants over four years nationally, and that would be 10,000 in Victoria's share over a four-year period, which has been calculated on a per capita basis. The eligibility directions for the scheme are frankly only still in draft form, but at a high level there seems to be a price cap in Victorian capital and regional centres of \$850,000, a price cap elsewhere of \$650,000, a single income threshold for a financial year of \$90,000 and a joint income threshold for a financial year of \$120,000. The plan under the scheme is that the applicant would provide around 2 per cent of the purchase price, the applicant will reside in the property as a principal place of residence and the applicant does not hold a property interest elsewhere that disqualifies them. So the intention is this would be a first home.

There have been a number of points that have been made in this. The federal Liberal Party have expressed some opposition to the Help to Buy policy – as articulated by Michael Sukkar, the shadow minister for housing – and have indicated they will repeal the Help to Buy scheme if they are elected. The federal opposition's concerns are rooted in several particular criticisms. One is the delay and ineffectiveness. The opposition has criticised the federal government for failing to meet its election commitment to launch Help to Buy by 1 January 2023, so the scheme in true Labor style is late and troubled. On the existing alternatives and lack of demand, the opposition has pointed out that various state governments already offer shared equity schemes, which are not attracting sufficient interest. Michael Sukkar has said the introduction of a new federal scheme is unnecessary, and it represents a duplication or a waste.

There are concerns over eligibility and financial risks. The federal opposition has raised a number of concerns about the lack of clarity in the bill about eligibility criteria, income caps and financial responsibilities of participants in the shared equity arrangement. There has also been from the federal opposition a greater call for transparency and accountability. Michael Sukkar has stated that there are essential questions that are still unclear regarding who is eligible, how property improvements are managed and the property price caps. There is also the comparison to the coalition initiatives, as pointed out by the federal opposition. It has contrasted the Help to Buy scheme with successful initiatives implemented by the previous coalition government, such as the home guarantee scheme and the first home super saver scheme. The federal opposition's perspective on Help to Buy is one of a certain scepticism and opposition, emphasising the need for clarity, accountability and reconsideration of existing housing policies.

On the provisions in this bill, there is an adoption mechanism at clause 4, an amendment reference at clause 6, a termination clause at clause 7 and a repeal clause at clause 17. The opposition here has a number of concerns. We see the divergent federal major party positions as a potential spanner in the works, and it would be better if this bill was held over until we know the result of the federal election. Consequently, we will move a reasoned amendment to that effect. I move:

That all the words after 'That' be omitted and replaced with 'the bill be withdrawn and not reintroduced until the outcome of the federal election is determined, noting the contrasting position of the two major federal political parties on this policy.'

The scheme parameters are still not finalised, and we think that that is a legitimate point. The relatively slow take-up by other states is an important point. As far as I can see, and I stand to be corrected – the minister might want to indicate if there is some update on this – the former Queensland Labor government enacted the referral process in relation to Help to Buy, and that took place in mid-2024. As far as I can see, I am not aware of other states having done the same, but I stand to be corrected on that point. The lack of consultation here is also significant. Industry has not had the opportunity to

provide the feedback. Through James Newbury, the Shadow Treasurer, we have certainly talked to many of the development and planning and property groups, who are in varying ways concerned about parts of this bill. We think it is premature given that we are literally in the midst of a federal election. It is not clear. Whilst we have moved the reasoned amendment, we will not necessarily oppose the bill, but we will put on record those concerns.

If I put it in a broader context, having talked about the machinery and the specifics and the issues of the bill, we do need more housing supply. One of the key issues is taxation. The state government has piled more and more and more and more taxes, charges and levies on home owners and the property sector, to the extent now that somewhere between 40 and 50 per cent of most new home costs are tax. That is the make-up of the payment. Somewhere around 40 per cent is a tax component, levies and charges – layer upon layer upon layer via the various state charges. And the government is wanting to put on more. Later today we will debate a bill on the fire services levy, and that will put another layer of new tax on every property in the state – some greater than others but all of them very significant.

The PRESIDENT: Mr Davis, keep in mind the anticipation rule when talking about a bill that you have stated we will be debating later today. I put that on your radar to not offend the anticipation rule.

David DAVIS: No, I will not. I am making a general comment that it is just one of the many taxes. The fire services levy is currently on homes, but the fire services levy would be changed and increased if this bill were to go through. That would add to the many taxes and charges and levies that are a part of the cost structure of our homes.

There is also a question of supply of land. The state government in Victoria has not brought on sufficient supply. The truth is the government has been in power for almost 11 years now. It is a very long time, and in that time period the supply of new land has dried up. The lack of availability of new land has led to increased prices, so young families, particularly those buying on greenfield sites at the edge of the city, are paying more and more and more for homes, and that makes them less affordable. It makes it more difficult for a young family with the cost-of-living crisis to be able to get into a home. State government would be well advised to bring forward many of these new land releases. There are PSPs, to use the jargon, precinct structure plans, that are sitting there. The shadow cabinet late last year was down in the City of Casey, and we heard about a PSP that has been languishing for more than six years. This PSP would bring on not just significant residential land but industrial land as well and other components. But the state government is slow and cumbersome with its processes, and that means there is less availability, and that means the price climbs.

The state government of course likes to point at councils and say it is councils that are slow. Well, I can tell you on that precinct structure plan in Casey it is not the council that is slow, it is the state government that is the one that is adding the red tape, adding the slowness, adding the delay and thereby adding to the cost of that land. Again, holding costs are significant, and large parcels of this type are being clobbered. The state government has put on new tax after new tax after new tax. We now know there have been almost 60 new and expanded taxes since the government changed almost 11 years ago. That is a huge swathe of new taxes. With some of these massive increases in land tax, the lowering of the threshold and the changing of the rates there has been a huge increase in land tax take. The stamp duty take has gone up. Again, a young couple trying to buy a home is absolutely hit for six with those stamp duty charges – huge, huge, huge charges.

I want to put on the record the layering and layering and layering of taxes and charges under the Labor government over 11 years. The layering and layering of more and more and more taxes is actually absolutely crushing young families. For the federal Labor Party and the state Labor Party to argue that they are in some way fixing the deep structural problems with this bill is missing the point that it is the supply of land and it is the layers and layers of tax and the layers and layers of regulation that are hitting young families so hard. You only need to think of some of the large parcels of government land that lie around our city. I was talking, as I occasionally do, about some of these parcels with a group of people the other day. We were talking about that large Maribyrnong site, the old ammunition site –

Jacinta Ermacora interjected.

David DAVIS: That is my point, Ms Ermacora. I was going to make the point it is federal land. What I would say very strongly is I would call on the federal government of whatever colour to actually clean it up and bring the land forward. I think it was land gifted by the state to the federal government some time shortly after Federation. Then it came back and it is polluted, and it has not been cleaned up properly. You would ask yourself the question: we have got a shortage of land and a shortage of land supply. If it was a private landowner – Ms Ermacora would not disagree with me – who had left land in a degraded condition, people would throw the book at them, and rightly so. The EPA would throw the book at them, and they would demand that they clean it up, and rightly so. But when it is the federal government – and I am not pointing in any colour here, Labor or Liberal. I am making a more general point that that federal government land has not been forward in the way it should have. It should have been cleaned up; it should have been brought forward. It is many, many, many hectares of land, and thousands of young Victorians could live there if someone would clean it up and bring the land forward.

That is just one case, but there are many of these, and others in the chamber could well go on a hunt to spot some of this land that is held by the federal government. Some of it is held by state government, and some of it is held by local governments. There are old industrial sites that can be repurposed and brought forward as well. So there are lots of options. All of these have got to be done with the proper process. We have got to have good structure plans in place for these so that we create good spaces and places for families and communities. That is what we should be doing: bringing forward new land in a constructive, clever way.

We have seen, for example, the state government try to foist high-rise, high-density development on middle and inner suburbs and to do that in a draconian and frankly undemocratic way – that is what the government is doing. You would have to say that is the wrong approach too. In many cases that will also not deliver what is needed for young families. They need prices on these properties that they can afford. So that means state government bringing forward new land at a greater volume. It means them cutting some of the taxes and charges on that land. It means them smoothing the regulatory way forward so that the holding costs are not so great.

As I was saying, the massive layering of taxes and charges is a real problem. The windfall gains tax is a state government tax, a new tax, one of the nearly 60 new and expanded taxes brought in over the last almost 11 years. That windfall gains tax is a stinker, an absolute stinker. It is actually forcing many developers out of the sector. Many properties are now just languishing. They are unable to go forward. There is still a lack of clarity about the application of this tax, but what is clear is if you have had a planning change, you are going to be hammered with new taxes and charges – the windfall gains tax. No-one is saying that a developer who has uplift should pay nothing, but it needs to be kept in check. It needs to be kept at a more modest level where it does not feed through into the final costs and make the final cost of the land so great that it prices out young families. That is what this government is doing. That is what the state Labor government is doing. It is pricing out young families, and it is pretty horrific when you think about it. They try to say, ‘It’s all those councils over there who won’t allow enough planning applications through.’ I thought some of the contributions in the debate yesterday were quite thoughtful about the numbers of planning permits that are issued. This is where a planning permit is issued by the council but not taken up, and a very significant percentage of planning permits are not progressed. That is because of the taxes and charges and the difficulty of getting a project to finally stack up financially. If you have got these projects effectively frozen, or ceased, you are not bringing forward the land supply that is required for those young families.

I think I have made the point here that this bill is likely a pretty weak contribution. We are not going to oppose the bill. We think it would be better if it waited until the federal election, until we know who is in power federally and we know then what is going to happen. But at a deeper level, dealing with the issue of additional housing requires new land supply, it requires better processes and it requires

state government to lower some of the charges and taxes that have been put on layer after layer after layer over the last 11 years.

I should say that there is actually some need for improvement in the performance of the department and the minister too. We know that one source of significant delay is the planning scheme amendments that sit on the minister's desk. I talk to developers not infrequently; you see them around the streets. They give you a download on where the state government is and what they are doing or not doing, and invariably they have a story of woe about a planning scheme amendment that is sitting on the Minister for Planning's desk – some of them for years. One was talking recently to me about a case study where a particular planning scheme amendment had drifted for seven years, so these are very long time periods. No developer can deal with these delays and hold properties and have the uncertainty. If you want investment in these areas, you want clear, transparent and fair processes. No-one is saying that corners should be cut, but they should be done expeditiously. As I say, part of that is actually getting the minister off her tail to actually make decisions at an early point. Sometimes it is better to tell a developer in the first six or 12 months 'No, that project will not proceed' rather than drift along and tell them three or four years down the track that the planning scheme amendment will not be granted. I think there is a lot for the state government to do. They have lost their way. But we will not oppose this particular bill.

Jacinta ERMACORA (Western Victoria) (10:33): I am delighted to speak on this bill, the Help to Buy (Commonwealth Powers) Bill 2025. As usual, we are getting on with doing things in this state, and that is some of the summary that I am going to provide to you in my opportunity to speak here this morning. I am not surprised but pretty sad to hear another proposal not to do something. It is like 'Let's have a policy: let's not do anything. Let's not do the Help to Buy scheme. Let's not do the SRL.' That is all we hear from those opposite, so I am thrilled to use my time this morning to actually talk about what we are doing in this state of Victoria and in particular on housing.

This bill will enable Victorians to participate in the Commonwealth's Help to Buy scheme. It is a scheme modelled on our own Victorian Homebuyer Fund, which this Commonwealth initiative will replace. It is a testament to this government's initiative in setting up our own innovative homebuyer fund. Through that fund homebuyers who have a 5 per cent deposit saved up can apply to have the Victorian government contribute to up to 25 per cent of the purchase price. Aboriginal and Torres Strait Islander participants only require a 3.5 per cent deposit and are eligible for up to a 35 per cent shared equity contribution. Homebuyers buy back the government's share in their property over time through refinancing or using savings or upon the sale of the property, and we do not charge interest on our investment in their home.

Since October 2021 the fund has already supported over 13,500 Victorians to become home owners with another 2300 approved to purchase under the scheme. I would just reiterate: we are actually doing something here about housing in this state, and these numbers are a beautiful example of this program alone. The Commonwealth Help to Buy scheme is expected to support a further 10,000 low- to middle-income Victorians to purchase a home over the next four years. Under the scheme the Commonwealth will pay part of the purchase price of the home. Participants will then have lower repayments from a smaller loan.

It is worth noting some of the key advantages from the Commonwealth scheme. The Commonwealth will provide up to 40 per cent of the purchase price – a higher proportion than the 25 per cent our existing scheme offers. Help to Buy has a lower minimum deposit of 2 per cent compared to 5 per cent for the Victorian scheme. Off the plan and other types of new homes are eligible under the Help to Buy scheme, and this will only help stimulate the supply of new housing. Crucially, participants in the Help to Buy scheme will be able to skip lenders mortgage insurance as the equity contribution and their deposit would decrease the loan–value ratio to 80 per cent or below. Some may worry about the scheme adding to inflation in the property market. However, recent in-depth independent Grattan Institute analysis reiterates the Victorian government's view that the impact on prices of this capped scheme is likely to be very small.

I have to say that housing is a human right; it is not an economic imperative or an economic variable that has no connection to the lives of human beings in this state. I think that there is never an excuse not to provide support for people to house themselves based on any kind of other economic imperative, particularly inflation. While every one of those 10,000 homes will be life-changing for the Victorians who will purchase them, they are a small slice of the overall Victorian housing market.

Supporting Victorians to make housing affordable is an important part of the Allan Labor government's housing strategy. We do not want to see low- to middle-income Victorians locked out of owning their own home. It is why this government has funded the landmark \$6.3 billion Big Housing Build and the Regional Housing Fund, ensuring more social and affordable homes across Victoria. More than 10,000 homes are underway or complete, and more than 5000 Victorians are already moving into their new homes. The \$1 billion Regional Housing Fund is delivering at least 1300 homes across regional Victoria and rural Victoria as quickly and efficiently as possible in areas of greatest demand. We have also committed \$1.3 billion through the Big Housing Build in regional Victoria to date. Across regional Victoria the Big Housing Build and Regional Housing Fund have seen more than 1800 new homes already completed in rural and regional Victoria. Right now a further 1680 are underway, with thousands more to come. This investment will create more than 11,000 jobs across regional Victoria. The Big Housing Build provides a minimum investment guarantee to 18 regional local government areas that have a significant regional town or city or have high population growth.

We know that demand for social and affordable housing reflects the broader housing market and cost-of-living pressures being experienced across our state and nation at the moment. And we know homes need to be built quickly, which is why more than 100 new homes across Victoria have been delivered through modern methods of construction like prefabrication.

The Victorian government has invested \$44 million in Warrnambool under the Big Housing Build. This is my own community in the south-west of Victoria, with a less than 1 per cent rental vacancy rate, so certainly this is a very positive initiative. From that \$44 million under the Big Housing Build 23 new homes have already been completed in Warrnambool and 84 new homes are underway, and this investment has created 398 jobs in our city. In addition to the above, a further 15 new homes have been completed as part of other capital programs – an \$8.5 million investment with 78 jobs created – and 223 homes are being or have been upgraded in Warrnambool with an investment of \$3.5 million.

Through the Big Housing Build the Victorian government committed to a minimum investment guarantee to regional local government areas that have a significant regional town or city or have a high population growth, as I said. This MIG includes Warrnambool, which has a \$25 million contribution under that category, and it has exceeded a current contracted investment in Warrnambool of \$44 million.

In Glenelg shire, in the west of the state – covering Portland, Heywood and the communities and farming communities in that district – the Victorian government has invested \$22.5 million under the Big Housing Build, with 10 new homes completed and 51 new homes underway. This investment has created 201 jobs, so not only is that human right – that important imperative of having home security – being supported by our government in the west of the state, but also it is an absolutely fabulous job creation program.

In addition to the above, a further one new home has been completed and three new homes are underway as part of the capital program, which is a \$2 million investment, with 17 jobs created in that municipality, and 57 homes have been or are being upgraded with an investment of \$500,000. That is without even covering off in detail on the addition of key worker housing in Warrnambool and the south-west as well, which I do not have time to cover in this contribution.

These investments are helping to ease the pressure on housing availability in south-west Victoria. It is probably easy to assume that because houses are less expensive in some regional communities there

is less of a housing crisis, but that is actually not the case. There is significant pressure. Because of the strong economy in this state, the strong job creation in this state and the strong government investment across our state, including in regional Victoria, there are demands for new workers and new jobs in regional Victoria – and in the south-west particularly – and that requires additional housing, kinders, schools et cetera. So all these strategies link together to support our regional communities.

The Help to Buy scheme will make it possible for some of these homes to be purchased by low- to middle-income residents. Under the Commonwealth constitution, Help to Buy cannot operate in a state unless it either refers the relevant state powers or adopts the Commonwealth legislation, and that is why this bill adopts the Commonwealth Help to Buy Act 2024. It means that Help to Buy will be able to operate in Victoria and assist more hardworking Victorians into the housing market. Under the Commonwealth's Help to Buy scheme Housing Australia will make financial contributions to the purchase of residential properties in exchange for an equity share in those properties, and the amendment reference in this bill is a specific and limited referral of power to the Commonwealth Parliament. It is only for the purpose of the maintenance and operation of the Help to Buy scheme, and without this any future amendments would not apply in Victoria, which would obviously be impractical and could potentially prevent Victorians from accessing future benefits under the scheme.

The bill also makes minor amendments to the Duties Act 2000, the First Home Owner Grant and Home Buyer Schemes Act 2000 and the Land Tax Act 2005 to clarify the Commonwealth's Help to Buy scheme. It should be treated in the same way as the Victorian Homebuyer Fund under this legislation.

Just in closing, I want to say, as I said at the start, this is a story, this is an example of the Victorian government doing something, not cutting, not moving to not do something. I think it is extremely important that we get on with dealing with the issues that are being confronted by Victorian communities across the state. If those opposite were in power, none of these issues would be dealt with and none of these challenges being faced would be dealt with. In fact that is why we have got this reasoned amendment this morning, which really is 'Let's not do it; let's just delay.' It is crazy. That is what we saw when there were four years of coalition government in this state. It was 'Let's do nothing.' I was mayor of the City of Warrnambool at the time, and I was called, like all the other mayors across the state, to Melbourne to listen to the coalition Minister for Local Government only a couple of blocks away. The CEO and I travelled 3½ hours from Warrnambool to Melbourne to be told, 'There's no money, and we're not doing anything.' We just wanted our day back. I think this is an example of why it is so important that Victoria has a Labor government and that these investments are being made in communities across our state. I am very, very proud of that and certainly concerned about what those opposite come up with. I will conclude my contribution there.

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (10:48): I am very happy to rise today in support of the Help to Buy (Commonwealth Powers) Bill 2025. At the outset what I want to say about this bill is that it is actually providing a solution to what is a very complex problem right across our housing system in Australia. The thing is you hear a lot of commentary from those opposite, but I have lost count of the number of times that those opposite have sought to block really innovative solutions to what is a pretty complex problem. The housing crisis in our country –

Members interjecting.

Ingrid STITT: Acting President, I am finding it hard to speak above the interjections of Mr Davis.

The ACTING PRESIDENT (Michael Galea): Minister Stitt to continue without assistance.

Ingrid STITT: Thank you, Acting President. I know this is an issue dear to your heart as well. What I want to say from the outset is that the housing crisis in this country requires governments to work together on real solutions and use every available lever to us collectively to find ways to allow more people to have the security of a roof over their head, and that is not a one-size-fits-all solution. I

think sometimes those opposite would just like to let the free market rip, and frankly that is what has got us to where we are now. Not everybody in our society has –

Members interjecting.

Ingrid STITT: Well, 10 years of a conservative government in Canberra certainly did not help the situation. Not everybody is in a position to be able to rely on the bank of mum and dad or the prospect of massive wealth transfer, which will be occurring for those lucky enough to be born into families that have a very large asset base to rely on for future generations in their families and communities. The Commonwealth liked this scheme, the Help to Buy scheme, so much that they have sought to take it up on a national level. The federal government, to their credit, has looked at the Victorian Homebuyer Fund and thought, ‘Yes, this is a solution that we can apply across Australia to help more people become home owners who frankly would not have the capacity to do that without this kind of support.’ It has already supported over 13,500 Victorians to become home owners, and there are another 2300 approved to purchase under this scheme just here in Victoria.

Without getting into a boring explanation of the constitution, there will be the need to refer some powers to the Commonwealth so that they can take up the Help to Buy (Commonwealth Powers) Bill 2025 and take on the Commonwealth Help to Buy Act 2024. It means that Help to Buy will be able to operate in Victoria through that Commonwealth scheme and assist more hardworking Victorians into the housing market. Under the Commonwealth’s Help to Buy scheme Housing Australia will make financial contributions to the purchase of residential properties in exchange for an equity share in those properties. This is really to be commended as a very innovative solution for a particular part of our community. The amendment referenced in the bill is a specific and time-limited referral of power to the Commonwealth Parliament. It is only for the purpose of the maintenance and operation of the Help to Buy scheme.

In terms of the Help to Buy scheme, as I said, it is an exciting opportunity for the rest of Australia to access a shared equity product, as has been available to Victorians under the Victorian Homebuyer Fund. The Commonwealth will offer an equity contribution of up to 40 per cent of the purchase price for new homes and up to 30 per cent for existing homes. Eligible Victorians will only need a 2 per cent deposit to enter the scheme. What a game changer that is for so many working Australians that do not have the means to come up with many, many tens of thousands of dollars in the form of a deposit to break into the housing market.

I just want to make a comment about the rising inequality that we see not just in Australia but globally and the fact that when I was younger and when I was looking to get into the housing market –

David Davis interjected.

Ingrid STITT: Just a few years ago, Mr Davis. It was not beyond my means as a person on an average wage and it was not beyond the means of our family to pull together a deposit, and house prices were much more reasonable back then. I was able to buy my first home in the inner west, and you would just dream about the size of that mortgage these days. Now we have a situation where working Australians who might be in a profession that is reasonably paid but not highly paid are looking down the barrel of mortgages that they probably will not be able to acquit in their lifetimes. It is just so hard for young people now to be able to work out how they will make this work, particularly for lower- and middle-income Victorians. This is why it is so disappointing that every time there is an innovative solution delivered by Victoria or indeed by the federal government we have the naysayers just blocking. They want to complain about the situation and they want to rail against how many constituents in their seats talk to them about the housing crisis, but every time an innovative solution is put up, they want to block it.

Ryan Batchelor interjected.

Ingrid STITT: They have got no solutions of their own, Mr Batchelor. That is exactly right.

The Commonwealth has also increased the caps from \$120,000 to \$160,000 for joint applicants and single parents and from \$90,000 to \$100,000 for individual applicants. On property price caps, the Commonwealth has increased these from \$850,000 to \$950,000 in Melbourne and Geelong, offering Victorian first home buyers much more choice when it comes to finding their dream home. The program directions will sit alongside the Help to Buy Act and will assist Housing Australia with the delivery of the scheme. The intergovernmental agreement establishes procedures relating to the enactment of state legislation, the enactment of the Commonwealth bill and any subsequent amendments to the Commonwealth act. This is a good news story. This is something absolutely tangible. I have actually spoken to a couple of people that I did not even realise had accessed this scheme in Victoria, people that I know from my local community, who absolutely raved about it. One of them was a nurse who had only been nursing for a couple of years but through this scheme was actually able to get into the housing market. It has absolutely changed their life. Why would you want to oppose that kind of outcome for hardworking Victorians?

In terms of just some general comments, the focus of our government is on finding these solutions and pulling every lever available to us to not only increase the availability of housing stock but diversify the availability of that housing stock. It is also thinking outside of the square a little bit about how we can assist particular people in our community who have different needs and different means. We are committed to addressing housing needs right across Victoria. This bill is about buying homes, not necessarily building homes. I would contend that we have all of the different efforts in terms of the different schemes available to Victorians not just to break into the housing market but to have diversified housing stock availability, as well as looking at innovative ways to help assist people who are in the rental market, and of course there is the incredible effort that is going on to increase our social housing stock. You cannot do any of these things in isolation. It is an ecosystem. We have to make that effort right across the housing system.

Of course shared equity schemes are only one way. They are one side of the housing affordability coin. We also need to build more homes and build that supply. The Big Housing Build is such a huge part of that effort. It will deliver a 10 per cent uplift in the total amount of social housing stock in Victoria, delivering 12,000 social housing homes. What a fantastic way to ensure that those that might be struggling in our community have the dignity of a roof over their head. I mean, this is really the most important infrastructure that we can deliver for Victorians: the dignity of a roof over your head. Since the announcement of the big build in November 2020 more than 10,100 homes have been completed or are underway and more than 5500 households have either moved or are getting ready to move into brand new homes, and they deserve nothing less, can I say. There are a lot of people – and we hear it in this chamber day in and day out – who either want to block proposals like this because they think that their free market can deal with everything or want to deride and undermine our efforts to roll out the biggest uplift and the biggest improvement to social housing in a generation. It is quite extraordinary. Well, we are just going to get on with this. We are not going to be swayed by the naysayers, we are going to keep going.

From the start of the Big Housing Build in June 2024 the net number of social houses in Victoria has increased by more than 4390. This goes to that point again of ‘Let’s not let facts get in the way of a good story here.’ We are going to keep going. In that time we have added over 9100 new dwellings through a combination of construction and acquisition in the Big Housing Build as well as other programs. Of course Ms Ermacora noted the \$1 billion Regional Housing Fund in her contribution, and that is delivering at least 1300 homes using a range of methods to deliver new and upgraded homes across regional and rural Victoria. We have also committed over \$1.3 billion through the Big Housing Build in regional Victoria to date, and that is quite an extraordinary figure. Across regional Victoria the Big Housing Build and the Regional Housing Fund have seen more than 1800 new homes already completed in rural and regional Victoria right across the state.

The Big Housing Build is something that we are all on this side of the house incredibly proud of. We are also proud of the fact that we are prepared to think outside of the box and come up with innovative

solutions like the Help to Buy program, and the Victorian Homebuyer Fund really started that conversation and that collaboration. Having a partner in Canberra that we can actually work with to roll out these schemes more broadly across the country can only be a good thing. I would urge everybody to support this bill, but I am not confident they will.

Tom McIntosh (Eastern Victoria) (11:03): I also stand to support the Help to Buy (Commonwealth Powers) Bill 2025, and I will pick up on a number of comments that Minister Stitt made that I think were really, absolutely spot-on about how important it is to have homes for Victorians. Home is a place where every other aspect of Victorians' lives can bear fruit from – having that secure home, an affordable home, a home that is a place that people feel that they can go out from into the workforce, get a job, be able to come home at the end of the day, have a place that is home that is their own, and for our younger Victorians to be able to go through our education system, through early learning, child care, primary, high school and into our TAFE system and to be able to come back to that home, that central place. We know that people need our healthcare system, we know that people need the infrastructure to get from A to B, but it all comes back to home, and I think that is a really important point to start with.

Minister Stitt made some comments about the opposition not seeing housing in that light, and we note that the opposition are not here. They are sitting in their offices, and they might be watching or listening in on their TVs. I would encourage them, although they are not on the speaking list, to stand here and talk about a program that is helping Victorians get into homes and will continue to do so under the Commonwealth government. I would encourage them to come up and talk about housing, because it is about positive policies. As I say often in this place, it is about a set of values that underpin what it is that we come here to do as individuals and collectively as parties – what it is that brings us here, that drives us to get out of bed every day to come in here and make the lives of Victorians better. We know that the Liberal Party have their revolving door of leadership challenges and who is going to get the spoils of a few roles and a driver and this sort of thing; that is not what drives people on this side of the Parliament. What drives us is ensuring the livability, affordability and quality of life of Victorians – of young Victorians and every generation – to have a better quality of life than those before, and that is exactly what programs like this do.

When you think about generational inequality and when you think about the numerous waves of migrants that have come into this country, the ability to get into a home and have that equity for future generations is really, really important. I touched before on the security of a home. It is also really important for families. We know that around the world birthrates are declining and around the Western world housing affordability is an issue. Minister Stitt made a really good point that we all need to work together. There is no silver bullet that fixes housing affordability overnight. It takes everybody working together and varying levels of government coming to this place and coming to other parliaments with ideas to improve housing affordability.

As Minister Stitt said before, those opposite do not come to this place with ideas. When they were all sitting in student politics worshipping Reagan and Thatcher and trickle-down economics and this sort of thing – actually, I think trickle-down economics was raised in an earlier motion by Mr Davis today. There is nothing underpinning and nothing driving that desire to help Victorians from the Liberal Party, because there is no belief in anything other than taking the hands off the wheel and letting everybody sort themselves out. They do not take a central point of view on how we can put in programs like this to assist people to get into houses, so that Victorians, whether it is single women nearing pension age or whether it is young Victorians, can get into a house.

Renting is really important for a lot of people, and a lot of people may rent their whole lives and be very happy to do so. But for others, coming back to the point I was making before about families, having the stability and security of a home so they can get kids into child care, they can get kids into kinder, they can get into a primary school, they can get into a high school, they can create those pathways into TAFEs or university and they have got that point of stability for families to work around is really important. By ensuring that Victorians are able to put their money towards a mortgage and

not put it into rent – those who want to do so – this is such an incredible program. The fact is that Victoria has led the way on a program like this and the federal government is picking it up with the Help to Buy program, and it has been noted that imitation is the sincerest form of flattery. How fantastic.

I will talk through some of the technical aspects in a moment, but I just want to pick up on another point Minister Stitt talked about before. I think she was starting to talk about healthcare workers. I just want to go a bit further on just how important it is for the services that so many of us depend on, whether it is health care, whether it is education or whether it is indeed construction or manufacturing, for their workforces to be able to live near where we as a community need them across our great state. It is really important that they have housing and that they are able to buy houses. Again, this program is just so valuable for getting that rich fabric of our society interwoven so we do not have people travelling one or two hours to get to work because they are not able to get into a home close to where they work. I just think that is another really important thing to keep in mind: it is about so many of our incredibly important service workers and so many other people across our workforce being able to get into a home.

The Help to Buy scheme is the Commonwealth's proposed nationwide shared equity scheme. As I said, it is modelled on our Victorian Homebuyer Fund, which has been highly successful in reducing the capital outlay for Victorians looking to purchase a home. It has already supported over 13,500 Victorians to become home owners, with another 2300 approved to purchase under the scheme. I just want to pick up on the point I was making before that this will go on to assist generations of Victorians whose families now have equity in a home. I think that is just a really important point to note. I know that the Liberals are not here to be part of this conversation, so I do not know what they would have to offer or what they have to offer Victorians when it comes to housing, services and infrastructure, but anyway, we go on.

Under the Commonwealth constitution the Help to Buy scheme cannot operate in a state unless it either refers to the relevant state powers or adopts the Commonwealth's legislation. That is why the Help to Buy (Commonwealth Powers) Bill 2025 adopts the Commonwealth's Help to Buy Act 2024. Without a referral or adoption under section 51 of the Commonwealth constitution, the Commonwealth Parliament does not have the constitutional power to operate Help to Buy in the states. The Commonwealth enacted its Help to Buy Act 2024 in December, meaning it is now ready and waiting to be adopted by us here in Victoria.

It is an exciting opportunity for the rest of Australia to be able to have this program when we have shown how well it works here. The Commonwealth will offer an equity contribution of up to 40 per cent of the purchase price for new homes and up to 30 per cent for existing homes. Eligible Victorians will only need a 2 per cent deposit to enter the scheme. Applicants purchasing in Melbourne or Geelong will be able to purchase a property of up to \$950,000 – up from the \$850,000 initially proposed by the Commonwealth – and in regional Victoria of up to \$650,000.

The Commonwealth has announced it will expand the income and price caps in the Help to Buy scheme, meaning more Victorians are eligible to participate in the program. The income caps have increased from \$120,000 to \$160,000 for joint applicants – and single parents are included in that – and from \$90,000 to \$100,000 for individual applicants. As for the property price caps, the Commonwealth has increased these from \$850,000 to \$950,000 in Melbourne and Geelong. My mum actually coined the term, I think, 'double parents'. I talk about single parents, but I think they are double parents because they do the work that in other homes might be done by two people. To be able to assist them is something really meaningful, and I am really glad that that has been identified in the income caps. It is hard enough for families to do everything they do, let alone when it is one person trying to do so much. Again, just to have that security of a home is really important. Program directions will sit alongside the Help to Buy Act and will assist Housing Australia with the delivery of the scheme. The program directions will contain details of the scheme, including the scheme's eligibility criteria and obligations on participants.

I did just want come to a few points on the Victorian Homebuyer Fund. As I said, it has supported over 13,500 Victorians to be home owners so far. The staggered allocations will ensure the Victorian Homebuyer Fund continues to support Victorian home ownership until Help to Buy is established. The Victorian Homebuyer Fund will close to new applicants on 30 June 2025, and the State Revenue Office will continue to administer the existing Victorian Homebuyer Fund.

Mr Davis was letting a lot of words fly over there earlier, as he does – lots of words without much depth or facts or figures or anything to back them up. We know Mr Davis, particularly at the most important times, forgets to recall facts and figures. I think there was some commentary around the federal side of things. We know that Liberal–National coalitions, as I was talking about before, when there is not an underpinning of values to inform policies, turn up to Parliament and turn up to elections with negativity, looking in the rear-view mirror and generally looking to find segments of our community to scapegoat. It is no surprise that when it comes to housing, Liberal members are not in this chamber making contributions. Poor Mr Mulholland, who spoke so well in his first speech about wanting to see his – our – generation of Victorians being able to get into homes, has been straitjacketed. I feel sorry for Mr Mulholland being put in a straitjacket by his party. He has obviously got political ambition, and he has been put in a straitjacket as a consequence of that.

But I am proud that this side of the chamber is absolutely focused on a range of policies that are ensuring that more Victorians are getting into homes, whether that is metro or regional. The big investments, like the 25 per cent of the Big Housing Build's housing being put into regional Victoria or the additional \$1 billion out of the \$2 billion regional package alongside worker accommodation, are just so important. When I go out and talk to businesses and towns, it is not like when I grew up in the 1990s in regional Victoria where the services and the infrastructure had been ripped out, businesses were leaving, pubs were closing and footy clubs were folding. We have now got a different scenario in regional Victoria where, because the infrastructure and the services have been put in, we actually need more houses in regional Victoria. They are not being left to rot into the ground. The fact that we are putting in social and affordable housing and we are giving people equity in their homes to see our regional towns not only survive but actually thrive, means we need more trades. That is why we have got TAFE and that is why we have got the school and education systems to train up the next generation of workers. We know that lot get rid of those pathways. It is so important to housing across metro but indeed across regional Victoria. I commend this bill to the house.

David LIMBRICK (South-Eastern Metropolitan) (11:18): I also would like to speak on the Help to Buy (Commonwealth Powers) Bill 2025. Before I talk about the bill, I would like to just briefly respond to some of the comments from Minister Stitt around the idea that housing is somehow a free market. Unfortunately, the minister triggered me somewhat by that comment, so I feel compelled to respond. The idea that property in Victoria and in Australia is somehow a free market is quite ludicrous to me. It is difficult to think of markets that are more interfered with by governments – maybe energy, maybe finance and a few other markets – but think about stamp duty, land taxes, planning controls, heritage overlays and land releases. The Victorian government will not even let you put a gas stove in a new house in Victoria. Historically, we have had all these grants from the federal government. We have the federal government controlling immigration. Government interferes in property like you would not believe. In fact as evidence of this, the Victorian government was talking about how wonderful it is that they got this new scheme a while ago where you are allowed to build a granny flat on your own property. That alone is proof of how much the government restricts what you can do with your own property and how it is definitely nothing like a free market.

Back to the bill: this bill effectively facilitates a Commonwealth scheme, a scheme which I do not like, which is around the federal government giving people the option of the federal government taking equity in up to 40 per cent of a property. Although I do not like what the federal government is doing, I acknowledge that this bill today is not creating that scheme; it is effectively putting in the right mechanism so that it can be accessed by Victorians. So despite my concerns about that, I will not be opposing this bill.

But this bill does something – I have not heard much comment on it – that is actually interesting and good because of the fact that the federal government will take part equity in your home. There is a constitutional prohibition on state governments taxing federal property, so one of the things that this bill does which is quite interesting is exempt the part of the home that is owned by the federal government from state duties and land taxes. So effectively this is one of the things that this bill does for you if you are actually participating in this scheme: my understanding is that the 40 per cent equity part of your property will not be subject to land taxes and stamp duties and other state government fees, because it would be prohibited by the constitution. That is an interesting point.

Ryan Batchelor interjected.

David LIMBRICK: Maybe we can take up that interjection in the committee stage. I have got a few questions in committee stage about constitutional issues. I do have some concerns about some of the other state taxes and levies that I am not certain are covered by this bill, and I will be asking questions of the minister in the committee stage about that. But suffice to say that people will inadvertently I think be getting potentially some relief from land tax and stamp duty if they do this.

I do not want to misquote the interjection, but I think Mr Batchelor was interjecting about a principal place of residence exemption for land tax, although as we heard in the last sitting week of Parliament, I asked the Treasurer about people who were actually receiving land tax bills on their principal place of residence because they were operating businesses from home and the new thresholds had changed and now they were liable. I do think that it is a relevant issue. But the bill does address this problem, the constitutional issue for land tax and stamp duty. My concern is about other taxes, so we will see in committee stage what the government's answer is to that.

Nevertheless I listened carefully to Mr Davis's contribution. He did point out one thing which was also a concern of mine, which is the issue around the timing of this bill. As he indicated, the federal opposition have said that they will not go ahead with this scheme. Therefore I am concerned that maybe this is a bit premature considering that the election will be coming soon and that if the government does change then this will have to be redone. I do have that concern, but I will not be opposing this bill, because it is just facilitating a Commonwealth scheme – a Commonwealth scheme that I do not like, by the way. But it does feel rather wrong to deny Victorians access to it, especially when they might be able to get some relief from tax.

Ryan BATCHELOR (Southern Metropolitan) (11:24): I am very pleased to rise to speak on the Help to Buy (Commonwealth Powers) Bill 2025, an incredibly important topic – one of the most important policy challenges that we are dealing with in this state, and that is the question of housing and housing affordability and helping Victorians to be able to afford to buy a new home. I have spoken extensively about why I think housing is an exceptionally important policy issue for Victoria to tackle, and it is very clear that this government, this state Labor government, is doing just that. It is taking a range of measures to address housing and make sure that we have got the housing policy settings that we need to support more Victorians into home ownership, support more Victorians to find an affordable rental of a high quality and a high standard and make sure that Victorians have got a place to live, have got a place to call home. That is the fundamental core of this bill.

One of the things that does interest me as a constitutional nerd is that we rarely get pieces of legislation in here that are required to facilitate policy and take into account some of the constitutional quirks that exist in Australia. We are here using the powers under section 51(XXXVII) of the Commonwealth constitution to refer matters to the Commonwealth so that their laws can have applicability. Obviously the Commonwealth does not have a head of power with respect to housing. What we are doing with this bill is referring to the extent that is required to assist the operation of the Help to Buy scheme from the Commonwealth with those relevant powers here from Victoria. It is something we have done in other policy jurisdictions, and I think it is a sensible action for the state to be taking.

We are doing that because the Victorian Labor government led the way in the nation when it came to supporting those who could not afford a deposit on their home and could not afford to buy a home to get into the housing market through the use of shared equity schemes. The Victorian Homebuyer Fund was set up by this Labor government to support Victorians with a contribution through an equity stake that is taken in a property and enabled more Victorians to get into the housing market. It was a huge success. Victoria led the way and the nation followed. In 2022 when the federal Labor government was elected, they recognised just how good Victoria's policy, the Victorian Homebuyer Fund, was. They copied it, they took it to Canberra and they set up the Help to Buy scheme, which eventually passed the federal Parliament. Mr Davis earlier was asking, 'Why has it taken so long?' Well, one of the reasons that it took so long for the Commonwealth Parliament to pass the Help to Buy laws was because the Liberal Party opposed them and the Greens blocked them. That is why it took so long for these laws to take place, because the Liberal Party opposed them and the Greens blocked them. Only Labor was determined to help more Australians buy a home. Victoria led the way; the nation followed, and all the Liberals want to do is take us back. All the Liberals want to do is take us back, and we have got proof in terms of the reasoned amendment that Mr Davis moved earlier. It is very clear. Let us not make any bones about it –

Ann-Marie Hermans interjected.

Ryan BATCHELOR: Mrs Hermans on the other side is interjecting because she is frustrated that the Liberal Party cannot act fast enough to stop Victorians being able to buy a first home. The core of her frustration is that she wants to be able to enact laws to stop Victorians owning their own home. Well, we will not let them. We are absolutely going to stand up for Victorians who want to buy a home by opposing the reasoned amendment that Mr Davis moved earlier, which seeks to withdraw the bill because the Liberal Party opposes this legislation. They say:

... noting the contrasting position of the two major federal political parties on this policy.

That is code for 'Labor supports helping people to buy a home.' The Liberal Party opposes it. In the text of the amendment moved by Mr Davis is an admission that, if Peter Dutton becomes Prime Minister, laws that seek to help more Victorians buy a home will be repealed and taken off the statute books in the Commonwealth. The reasoned amendment that Mr Davis moved today, which I assume that Mrs Hermans and Mr Mulholland will stand up and support when a division is called, demonstrates the Liberal Party does not support more Victorians getting help to buy a home. That is what this debate is showing us here today. The Liberals are opposed to helping Victorians buy a home, and if we are wrong about that, we will see what they do on the vote on the reasoned amendment on the second reading. We will see what they do. They will be judged by their actions just as they are being judged by their words. Because what we see on this side is that, whether it is a state Labor government or a federal Labor government, we are doing all that we can to help more Victorians buy a new home. The Help to Buy bill facilitates the support under law and under the terms of the Commonwealth constitution for the Commonwealth's Help to Buy scheme to be effective and have a sound constitutional basis. The Victorian Homebuyer Fund, which we set up and is being transitioned across to these Commonwealth arrangements, is expected to support around 10,000 Victorians purchase a home over the next four years. Our homebuyer fund, on which this scheme is based, has helped more than 15,000 Victorians become home owners whilst it has been operating.

This government make no apologies for our support for more housing. We make no apologies for our support for trying to approve more homes being built in this state, for trying to support the industry to build more homes in this state, and our support is working. Last year, 2024, Victoria built more than 61,000 homes, more than any other state and an increase on the year before. It was 15,000 more homes than were built in New South Wales and 28,500 more homes than were built in Queensland. Not only are we building more homes, we are approving more homes to be built. Our planning reforms are facilitating more approvals of new builds than any other state, and we are not going to stop. And although the opposition, the Liberal Party, is trying to stop the Labor government from helping

Victorians to buy a home and from helping industry to build more homes, Labor will not be dissuaded from our task of supporting Victorians into home ownership, despite the opposition of the Liberal Party.

Through this Help to Buy scheme the Commonwealth will offer an equity contribution up to 40 per cent for the purchase price of new homes and up to 30 per cent for existing homes, which would mean that eligible Victorians will only need a 2 per cent deposit to enter the scheme. So applicants purchasing in Melbourne or Geelong are expected to be able to purchase property up to \$850,000 and in regional Victoria \$650,000. The program directions that will sit alongside the Commonwealth's Help to Buy act will assist Housing Australia with the delivery of the scheme and contain details about the scheme's eligibility criteria and the ongoing obligations on participants, and there will be an intergovernmental agreement to support the establishment of the requirements of state legislation in the enactment of a Commonwealth bill to facilitate this ongoing scheme of arrangement. Essentially what is happening through these processes is that we are handing the baton from the Victorian Homebuyer Fund to the Commonwealth's Help to Buy scheme, and therefore the Victorian fund will be wound down and applications transferred across to the new scheme once it is established, and the State Revenue Office will retain its existing roles to administer the participants in the existing scheme.

As I said before, Help to Buy is expected to support another 10,000 low- and middle-income Victorians to purchase a home over the next four years. The beauty of the scheme, the beauty of these shared equity arrangements, is that Help to Buy will reduce the overall mortgage for home owners by the equity stake that the Commonwealth takes in schemes. It will reduce the deposit hurdle, it will avoid the need for expensive lenders mortgage insurance and the size of the mortgage that an individual or a couple need to take out in order to complete their purchase will be lower than a mortgage that takes account of the total purchase price. This differs to schemes that – for example, and by way of alternative – support individuals by providing them with more of a deposit. You can provide someone with assistance on the deposit, but that still requires them to take a mortgage over the entire remaining value of the property. The beauty of shared equity is that the government's equity stake in the property reduces the size of the mortgage that needs to be taken. Therefore, the ongoing payments that home owners face to service that mortgage, if it is only over 60 per cent or 70 per cent of the cost of the property rather than 100 per cent – those mortgage repayments under the terms of that loan – will be lower under a shared equity model than under a model that simply assists people with the up-front costs. It is more beneficial than those schemes that would provide, for example, assistance with merely deposits.

That sharing arrangement for those costs means that participants will have lower requirements in terms of the need to service a lower mortgage, providing them with a more financially beneficial and sustainable set of arrangements into the future. The flip side of that, the commensurate element of that, obviously is that financial risk and benefit will be shared proportionally between the parties who have a stake in the equity – so participants and the Commonwealth. Crucially, the Help to Buy scheme will help to overcome the need to obtain lenders mortgage insurance as the equity contribution and the deposit change the balance in the loan-to-value ratios.

The other important element is that analyses of these sorts of schemes that have been undertaken by independent experts, including by the Grattan Institute, say that the overall impact on the remainder of the housing market in terms of housing prices will be very small and close to zero. In that it stands in stark contrast to the Liberals' approach of forcing young Australians to raid their super to buy a house and supercharging the housing market. Throwing petrol on the housing fire is the Liberal Party's approach. The Liberals plan to allow people to use their superannuation for housing will turbocharge the housing market, will set prices racing and will leave individuals poorer in retirement. It is a lose-lose policy. You could not design a worse policy for supporting individuals entering the housing market than that proposed by the Liberal Party.

It is in stark contrast to Labor's approach, the core of which is outlined in the bill today – helping to buy, smaller deposits and smaller mortgages, which means lower repayments than they would otherwise be. It is an exceptionally sensible approach and an exceptionally sensible bill that is all

designed around bringing a practical benefit – helping more Victorians own their home – and I cannot believe the Liberal Party are opposed to it. I just cannot believe that Liberal Party members are going to stand up today and say that they are opposed to legislation and to schemes that help more Victorians buy a home. They are exceptionally out of touch. Whether it is the state Liberal Party or the federal Liberal Party, they are turning their backs on home owners and Victorians who want to buy a home. Labor stands with Victorian home owners and Victorians seeking to buy a home.

Evan MULHOLLAND (Northern Metropolitan) (11:39): I was not planning on speaking on this bill, but I thought I would give a brief contribution. It is really a pleasure for me to speak on the Help to Buy (Commonwealth Powers) Bill 2025. It is important to run through a bit of the history and I guess the comparisons between the major parties at this level. We know that the federal government has delayed the implementation of this. They could not even get their senators to bother speaking on it and then gagged debate on it for quite a long time. Since then, the implementation of this has been very slow. It is important to contrast this with the quite successful home guarantee scheme of the coalition government. What the federal government is planning on doing is quite similar to the Victorian Homebuyer Fund, where the government will own your home, whereas if you look at what happened under the former coalition government, the home guarantee scheme was a very, very successful program. Over 140,000 people used the home guarantee scheme in just the first few years – enormously, massively popular. I know people that used it. Whereas if you look at the Help to Buy scheme and other proposals at a state level, for example, 94 per cent of places in a virtually identical New South Wales scheme, which was the Shared Equity Home Buyer Helper, are still unused, such is the lack of demand.

I will go through a bit of the history of the Victorian Homebuyer Fund, which was launched by the Andrews government in 2021. It was meant to help homebuyers get into a house and get into the market by offering the state as a co-investor covering up to 25 per cent of a property cost, or 35 per cent for Indigenous buyers. While that would seem appealing, it has been riddled with flaws and left many homebuyers struggling. Unlike the federal home guarantee scheme, where the government only acted as a guarantor, the Victorian Homebuyer Fund meant that the government actually owned a share of your property, so Mr Andrews owned a share of the properties of all the people that took it up. But it obviously came with major downsides. Buyers had to repay the government's share over time on top of their mortgage. If the home increased in value, the cut also grew, meaning buyers eventually had to pay even more to reclaim their full home ownership over a longer period of time, and many participants found it quite difficult to refinance. It actually created more financial hardship instead of financial relief, and this is what the Albanese government wants to turbocharge. While offering hope, it actually left people on low and middle and incomes worse off. I am not sure if people like Mr McIntosh and Mr Batchelor know the history of this and what their policies actually did and what their initiative that they are wanting to send to Canberra will actually do. They say they are for low- and middle-income people, but it actually left a lot of them worse off and in a worse financial position for going into a joint investment with the government.

The home guarantee scheme was a much better solution. The government guarantees the purchase of your property and gets you over that lenders mortgage insurance hurdle that many people have been through. Rising property values meant repayments on the government's share became unaffordable. House prices fell in some areas; that actually left buyers with negative equity whilst owing the government its fixed percentage. Under Mr Andrews and Ms Allan's solution, it is a fixed percentage if you go backwards, but if your property increases in value, it is not the same. It obviously comes with quite complex rules, particularly at the state level, for refinancing and repurchasing the government's stake. We know that doing something like that with the government, particularly the Victorian government, can be a bureaucratic nightmare. We know that there was red tape and long delays. Strict eligibility criteria and slow approvals meant that many missed out. There was a lack of transparency as to why many people that went in with good faith were not fully informed about the long-term costs of the scheme, and participants had limited options for renovations or modifications without government approval.

When you co-invest with Daniel Andrews you need to have government approval to do anything. If you are a landlord, for example, and you do not want to have minor modifications to your home but a tenant wants to, this government will side with the tenant. But when this government co-invests it burdens the home owner with absolute red tape to do any modification to a home it has a stake in. It did not actually solve housing affordability, as with the continuous cavalcade of failed solutions by this government. Rather than addressing housing issues head-on the government simply inserted itself into the market, effectively bidding against regular buyers. It did not do anything to increase housing stock. It did not do anything to lower taxes. It was not a real solution for Victoria. It was a short-term political fix, entering people on low and middle incomes into a complex financial arrangement rather than genuinely helping them. It is meddling in home ownership through co-ownership schemes, so instead of Jacinta Allan co-owning your home, Anthony Albanese is going to co-own your home, and because they are forwarding on all the powers it is going to be exactly the same process.

Again, look at the success of the coalition government's home guarantee scheme. And you know the difference between them? Particularly in my circles I know people that have used the home guarantee scheme. I do not know people that have ever used the Victorian Homebuyer Fund, because of the uptake; it is a lot lower. But I do not meet anyone who is aspiring to get into a home who says, 'I would like to co-own my home with Jacinta Allan or Mr Albanese.' But when you explain the contrast with the home guarantee scheme, that is the little bit of a boost that people need to get into the market, to get over that lenders mortgage insurance hurdle.

One of the other things that is often said to me about the hurdles into home ownership is the threshold of the stamp duty discount. The government does not like to talk about this anymore because it has not done anything about it for the last 10 years. The threshold for free stamp duty is still, after a decade of Labor, \$600,000. Under \$600,000 – no stamp duty. It tapers off to a discount to \$750,000. In metropolitan Melbourne, what house are you buying for under \$600,000? You are consigning people out to the growth areas. I have said it before: you would not even get a one-bedroom apartment. Even in the government's activity centres you would not get one in one of those either, because we know that a three-bedroom family apartment in one of the government's activity centres would not cost anything less than \$1.4 million. The government's threshold is still \$600,000, tapering off to \$750,000. If the government was serious about home ownership, it would adjust that or index that to average house prices in metropolitan Melbourne, but it has not at all, because it does not care about housing affordability and getting people into a home. We know that their Victorian Homebuyer Fund was an abysmal failure, as the Albanese Help to Buy scheme will be an abysmal failure.

Just look at the extraordinary success of the home guarantee scheme. We would all know people that have used the home guarantee scheme; it is a great scheme – except Mr Albanese, just like Jacinta Allan before him, wants to instead co-own your home, so the government will have a stake in your home. We know that for low- and middle-income people and working-class people that has had a detrimental effect on their financial situation. Instead of giving them a leg-up, they are shackling them to financial ruin.

Mr McIntosh also spoke about different barriers to housing, and I will just continue to remind Mr McIntosh that his Labor government have been in power for over 10 years and for about eight of those years they had a fellow by the name of Richard Wynne as their planning minister, who did not do a whole lot. What he did do is block a lot of housing, put in quite a lot of height restrictions. He even introduced a bill called the Planning and Environment Amendment (Recognising Objectors) Bill 2015, and I happen to have a few of the contributions from that debate. We know Ms Kilkenny, who is now the Minister for Planning, spoke on that bill and said that this was a promise to give local communities a voice:

Unlike those opposite, the Andrews Labor government recognises that community and public participation is important and absolutely central to planning law and policy in Victoria. Unlike those opposite, the Andrews Labor government believes very strongly in giving a voice to the community.

Well, isn't that funny? She is now the planning minister and doing the opposite. She also said:

Are they afraid of people expressing a different view to their own? Why are they so afraid of objectors?

She then spoke about developments not meeting the amenity of her area. We know that Ms Kilkenny actually opposed several developments in her electorate, including the Endeavour Cove planning scheme in 2021. She said:

This is bad development and I will oppose it.

That was a three-storey development for 14 units. But it was:

...entirely inconsistent with the neighbourhood character, the local ecology and landscape, and indigenous heritage.

It will set a really bad precedent.

So for the Minister for Planning's electorate it does not fit with the local amenity, but for everyone else's electorate that is fine. Maybe Mr McIntosh should actually chat to his frontbench colleague Mr Erdogan, who for many years on the old Moreland City Council opposed countless developments and advocated for height restrictions in Brunswick, which Mr Wynne was happy to oblige. He should chat to a number of his other colleagues who have particularly opposed developments over the years, like Nick Staikos, who has opposed developments in his own electorate, and like Paul Edbrooke, who has opposed developments in his own electorate and described Matthew Guy's plans for his electorate in quite ridiculous ways. Plenty of other colleagues, from Jaclyn Symes to Mary-Anne Thomas, Sonya Kilkenny – you name them – have all opposed development for the last decade, and now they want to lecture us. We approved more homes in four years than Labor did in 10. That is the reality.

Rachel PAYNE (South-Eastern Metropolitan) (11:54): I rise to make a short contribution on the Help to Buy (Commonwealth Powers) Bill 2025. This bill makes the changes necessary to deliver the Commonwealth's shared equity scheme Help to Buy in Victoria. When I first heard that the Victorian government would be phasing out their existing homebuyer fund to allow Help to Buy to take its place, I had serious concerns. At the time there was a massive difference between the eligibility criteria of the two programs. The Help to Buy program had an income cap of \$90,000 for individuals and \$120,000 for joint buyers. Compared to the Victorian fund this was \$40,000 less for singles and \$88,000 less for joint buyers. Help to Buy also had a property cap in Victoria of \$850,000 for metro areas and \$550,000 for the rest of the state. Compared to the Victorian fund this was \$100,000 less for metro areas and \$150,000 less for regional areas. While the Commonwealth fund is more generous with respect to minimum deposits and maximum government contribution, the difference between property and income caps was stark.

Based on these concerns, I commissioned the Victorian Parliamentary Budget Office to investigate the impact of these eligibility changes on Victorians. Their findings showed that 668,800 Victorians, or about one in three who would have been eligible for the homebuyer fund, would be ineligible under Help to Buy. In the South-Eastern Metropolitan Region I represent just over 88,000 people who would have gotten a hand to get into their first home and were now set to be ineligible under these changes. As it stood, these changes would have left Victorians much worse off, and I could not have supported this bill. However, I am very pleased to see that in the recent federal budget it was announced that the eligibility criteria for Help to Buy would be extended. Both the income and property value caps have been increased, essentially cutting the shortfall from the Victorian scheme in half. Because of these changes, Victorians will not be as worse off as they could have been.

With that being said, as the price of housing gets more expensive month on month, it does feel like those trying to buy their first home are already on the back foot. Shared equity schemes can help, but they can be a bandaid solution. Often what they actually help do is avoid uncomfortable questions like: why are people earning a standard income unable to afford their own home without a massive level of government support? Yes, we need to increase the supply of housing, but at the same time we have to consider if the market is set up in a way where it is considered more important for someone to

invest and grow wealth than it is for someone to have a roof over their head. We are faced with a very scary reality where forever renters are becoming commonplace. Structural inequity is growing, and not enough is being done. When we have essential workers like teachers, nurses and firefighters unable to live in the communities that they are supposed to serve, we are definitely doing something wrong.

I will continue to push for this government to address the housing crisis. Housing is a human right and needs to be treated like one. I encourage the Victorian government to push their federal counterparts for structural changes that go to the heart of the issue with housing. There are opportunities to be innovative. Why not start with housing incentives for essential workers and urgently get these people back into the communities they serve? There is still more work to be done, and while we would like to see Victoria keep its more generous shared equity scheme, we appreciate the expansion of Help to Buy and the need for a nationally consistent approach to address the housing crisis. Accordingly, Legalise Cannabis Victoria will be supporting this bill.

Business interrupted pursuant to standing orders.

Questions without notice and ministers statements

Corrections system

David DAVIS (Southern Metropolitan) (12:00): (885) My question is for the Minister for Corrections. Minister, Corrections Victoria's sentence management guidelines state high-security ratings should be applied to prisoners:

... who have a high level of notoriety which would cause the community to expect the highest levels of supervision to be applied.

Why is the government breaching Correction Victoria's own sentencing guidelines by downgrading the security classification of mass murderers like Julian Knight?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:01): Mr Davis, from the outset I just reject the premise of that question. We have had a number of discussions in this place about prisoner placements, but in relation to that individual there are laws in place to ensure that that person is never released back out into the community, and he is exactly where he needs to be – in a custodial facility, locked up; that is the right place for him to be.

Prisoner placements are important decisions about where people are placed in the system. They are operational decisions that assess a number of factors, and one of those factors is about security of premises – the appropriate setting for someone to be placed in – and they are done by professionals in the field. Corrections Victoria manage that process; there are over 6300 people in our corrections system, and they manage where people should be appropriately placed. In relation to high-profile prisoners we even have an expert panel with a Supreme Court judge and Victoria Police, and the ultimate decision is the decision of the Corrections Victoria commissioner, and I fully respect them in their decision-making on these matters; they make these assessments from a range of factors, including security assessment.

David Davis: You are downgrading the classifications.

Enver ERDOGAN: I will take up that interjection. I think people are making their own conclusions, but I think classifications are well within the remit of the experts in this area. They are the professionals that understand the risks to the system, but the paramount duty – because these people are locked up, and the community is kept safe from them – is to ensure staff safety and the safety of the corrections system, and I can confirm that people of that type, especially those high-level offenders, cannot be moved from maximum or medium security; they cannot be put into our minimum-security prison system, which is more focused on rehabilitation and reintegrating people back into the community.

David DAVIS (Southern Metropolitan) (12:02): Further, high-risk crooks have been handed phones to keep them well behaved while they are locked down in their cells during lockdowns. Is this practice within Corrections Victoria's guidelines and best practice prisoner and security management?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:03): I am not sure if Mr Davis's supplementary is necessarily related to prisoner placement, it is a matter of the corrections system, but I am happy to correct this, because I think there can be a lot of disinformation with the way the justice system operates and our corrections system operates. Prisoners having access to phone calls is a longstanding arrangement; every correctional system in the country has access to phone calls. During the pandemic we did have some cordless phones, but they are connected to the same system, and it is important to understand that people that use these phones have the same restrictions – that means they are monitored phone calls, there are time limits and there needs to be an approved list of who they can speak to, and that is what we expect for people that make calls. But no, prisoners do not keep these cordless phones in their cells.

Corrections system

David DAVIS (Southern Metropolitan) (12:04): (886) My question is also to the Minister for Corrections. Minister, how many beds across Victoria's corrections system are unavailable today due to black mould?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:04): None, Mr Davis.

David DAVIS (Southern Metropolitan) (12:04): 'None' is the answer you that you are giving – none today, right? But the pictures seem to me to be very clear. All right. How much will the botched prison expansion projects cost Victorian taxpayers?

The PRESIDENT: I thought I was pretty generous in not questioning whether the supplementary to your first substantive question was supplementary to the question and the answer. I am struggling with this one as well. I will ask the minister to pick an answer as he sees fit.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:05): I thank Mr Davis. I think, Mr Davis, it is important to understand that the beds you refer to are not commission beds; they are not part of our system capacity. We have ample capacity in our system, and we are scaling up to meet the expected increase in demand as a result of our tough new bail laws.

What I will say is that as a government, in relation to these matters, you are referring to the prison infill program, Mr Davis – and thanks for clarifying that in your supplementary. Our prison infill program is an important program. It is about modernising some of our facilities, and it has been very successful at Middleton and Marngoneet. But at a couple of these projects they are in an unacceptable state, and the state will protect its position. You have asked about it before here, and I have said I am not going to comment on something that is quite a complex commercial legal matter because I do not want to jeopardise the position of the state. We have capacity in our system, and we can scale up as required.

Ministers statements: housing

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:06): I rise today to commend our federal colleagues on an excellent budget which will deliver cost-of-living relief to millions of Victorians. The budget includes \$800 million to expand the Help to Buy scheme, which we have been discussing here today, as well as \$54 million to support prefabricated and modular home construction. Of course funding was provided to support the Housing Australia Future Fund, and that is a program that is delivering 20,000 new social homes and 20,000 new affordable homes right across the country. That is the perfect complement to our \$6.3 billion Big Housing Build and Regional Housing Fund,

which has seen over 10,100 homes either completed or underway. Together these initiatives are helping to deliver more homes for more Victorians right across the state. In fact we saw yesterday that over the 12 months to the end of February 2025 Victoria has had 56,000 residential building approvals – that is 19,800 more than Queensland and 10,900 more than New South Wales. There is much more to do, but the action that we are taking is helping to move the needle in the right direction.

But there is a former property investor on the other side of the federal Parliament who wants to unravel this important work, and I quote him directly:

We will stop the \$10 billion Housing Australia Future Fund ...

That is a fund that represents 40,000 new social and affordable homes for vulnerable families across our country. That is all coming under the knife if the federal Leader of the Opposition gets his hands on it. I am showcasing that work in this place because these cuts will have real impacts on everyday Victorians, impacting people currently on the social housing waitlist looking for the safety and security of a roof over their heads. It will impact early-career health workers, junior teachers and hospitality workers, who will be priced out of our inner-city suburbs. And it will impact renters, because we know that fewer homes equals higher prices. It is not just those opposite and their federal mates who oppose our plan; as I said at the Community Housing Industry Association conference this week, there are certain loud voices in our media landscape spreading disinformation as well about community housing. They need to do better.

Suburban Rail Loop

Richard WELCH (North-Eastern Metropolitan) (12:08): (887) My question is to the Treasurer. Treasurer, S&P analyst Anthony Walker recently warned:

If Victoria pushes ahead with the Suburban Rail Loop without additional federal government funding, the state's fiscal outlook may weaken, further eroding its credit standing ...

Will the government threaten Victoria's AA credit rating by proceeding with its SRL East project without additional Commonwealth contributions?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:09): I thank Mr Welch for his question and the opportunity to talk about an amazing project, the Suburban Rail Loop. As you know, \$14 billion has already been allocated to this project. It is a once-in-a-generation project. It is about ensuring that we are connecting people to jobs as well as education and health facilities. Importantly, Mr Welch, when you invest in infrastructure for the future, you are investing in the productivity of the state; you are generating more and more investment and more and more employment. There are thousands of jobs that are at risk in relation to anybody who thinks this project should not proceed.

Harriet Shing interjected.

Jaclyn SYMES: And 70,000 homes. So it is not only the direct employment opportunities of the project itself but the amount of activation that will be around it. We have certainly welcomed the Albanese government's \$2.2 billion commitment. It is kickstarting the Suburban Rail Loop, and this is going to be a project of the future, ensuring that the state economy continues to benefit.

Richard WELCH (North-Eastern Metropolitan) (12:10): Thank you, Treasurer. Obviously we are going to borrow our way to prosperity – clearly. The S&P analyst Anthony Walker also said:

We believe there's a real risk the SRL may cost more than the latest government forecasts, given the size and complexities of the undertaking and the state's recent history of major projects going well over budget.

Treasurer, last year your predecessor claimed the SRL East would be immune, magically, from the 20 per cent increase in construction costs across the sector and remain at the \$30 billion to \$34.5 billion envelope. Can you affirm that that is still the case?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:10): Mr Welch, the budget for this project is on track. We are within budget and expecting to be on time, and you can ask the Auditor-General to confirm my statements.

Housing

Sarah MANSFIELD (Western Victoria) (12:11): (888) My question is for the minister for housing. Minister, as raised by Mr Limbrick yesterday during question time, ministerial diaries have not been published since quarter 3 of last year, contravening section 5.3 of the ministerial code. Whilst I recognise that you have previously been one of the most transparent ministers on your front bench when it comes to publishing the details of ministerial meetings, we are still left without a lot of these details at a time when there has been significant change in portfolios going on.

Minister, I note that in June last year you met with the Flemington housing estate, including residents. Have you had any formal meetings since this time with residents of any of the other public housing towers set to be demolished across Melbourne?

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:12): Thank you, Dr Mansfield, for that question. There is a fair bit in what you have just said there. It is my understanding that I have complied with all of the reporting requirements for the release of diary information. I also note that yesterday the Leader of the Government's position was clear around how documents and information have been submitted – and it is about the publication rather than the submission of materials – and that that would be addressed as a matter of urgency. So I do not wish to entertain any conclusion that my colleagues have not also been as transparent.

I have met with numerous community groups. I do not have the information in front of me directly to be able to answer the question that you have put, but I do meet with community organisations and groups, including from across the public estates. That includes meeting with people who have been here in Parliament for visits and having conversations with them – community committees coming in to meet with me at my office – and of course meeting people out in communities and the conversations and discussions that have been happening on the very sites that people call home.

There is a lot in what you have asked in terms of me not having recall of who I have met with since, I think you said, the June quarter last year. I am very happy to look through the information that has been provided and perhaps come back to you with an answer on that question. But for avoidance of any doubt and just to be really clear, I make myself as available as I can possibly be to people, whether it is the Property Council Australia, the UDIA, community groups and organisations or the language and learning centre for North Melbourne, for example, who I met with just a couple of weeks ago. So I will get you some further detail and we can go from there.

Sarah MANSFIELD (Western Victoria) (12:13): I thank the minister for that response and look forward to receiving that information. The question was specifically about residents of the public housing towers. I understand that there are community groups that might interact with those residents, but I mean residents specifically. Do you have any meetings in the near future planned with residents of these housing towers?

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:14): Thank you, Dr Mansfield. Anybody who knows me will know that to put me in charge of my own diary is inviting disaster in respect of my desire to meet with as many people as possible. Many of these residents groups and community groups include residents, so they have been at a number of the meetings or people have identified themselves as residents at a number of the meetings with community groups that I have attended and that I have coordinated or responded to invitations to attend. I am not sure what is foreshadowed for my diary. It is intended to be as open as possible for people to be able to come to me and to have conversations with me and to provide feedback, suggestions or their views in relation

to what is working, what could work better and what is not working. So again, I am very happy to come back to you, but it is often not easy to determine whether somebody is a resident unless they are identifying themselves as such. So I will not necessarily be able to give you an ironclad guarantee of complete numbers of residents, but again, let me see what I can do.

Ministers statements: youth justice system

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:15): I rise today to update the house on the electronic monitoring trial, part of our government's commitment to strengthening community safety. Last sitting week the Parliament passed the toughest bail laws in the nation as well as legislating a crackdown on machetes – targeted reforms aimed directly at reducing offending and keeping all Victorians safe. We are also getting on with the job of delivering the trial of electronic monitoring, providing courts with a new tool to ensure bail conditions are complied with and keeping the community safe. I am pleased to advise the house that the regulations have been made and this week confirm the trial will start later this month as planned.

Once operational the two-year trial will support up to 50 young people at any one time across metropolitan Melbourne. And this program is about more than just electronic monitoring bracelets. It is also about providing more intensive supervision and support for young people on bail to safeguard the community while the matter is before the courts. That includes strengthened case management and coordinated wraparound services that focus on stability, structure and clear expectations for young people to help them back onto a better path. It is about helping ensure young people are complying with their bail conditions and taking accountability for their actions.

We know that targeted intervention and support can prevent more serious offending down the track, and that ultimately makes our community safer into the long term. This is not just about being tough; it is about being smarter. Electronic monitoring is just another tool to help to keep young people accountable, on track and out of further trouble. This program, along with our other justice reforms, is about doing more of what works to keep our community safe.

Mental health services

Melina BATH (Eastern Victoria) (12:16): (889) My question is to the Minister for Mental Health. A third of all calls to Lifeline emanate from people living in Victoria. However, only 12.5 per cent of Lifeline's national call volume is answered in Victoria. Many of Lifeline's centres in Victoria are under significant financial pressure, and there is real need for increased state government funding so Victorian Lifeline centres can deliver for people who are reaching out for help in times of distress. Will the minister therefore commit to increasing funding to Lifeline in Victoria as per Lifeline Australia's prebudget proposal as state governments in New South Wales and in Queensland have already done?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:17): I thank Ms Bath for her question, and it is an important issue. The mental health and wellbeing of all Victorians is a really key focus of the Allan Labor government. Obviously we have been working hard to implement the recommendations of the royal commission, and one of the key pillars of that has been to make sure that there are mental health services not just in acute settings but in community settings right across the state. That is why we have been focused on the rollout of the hubs that support those locals across different regions. Of course our important call lines across the mental health service – there are a number of them, including Lifeline – do an incredible job, and I do want to acknowledge the work that Lifeline does right across the state. Of course they have been doing outstanding work, particularly in the immediate aftermath of emergencies across the state, to support Victorians with their mental health.

One of the key recommendations of the royal commission was to look at how we can streamline call services across the mental health system, and Lifeline have been leaders in that work and have done

some great work to consolidate some of the pre-existing services, which have been in some cases duplicative, to bring those efforts together in a more streamlined way. Obviously you would understand that there is a budget process underway, and I am certainly not in a position to pre-empt the decisions of that process. The Treasurer will deliver the budget in the normal course of events, and you would be familiar with that process. But as mental health minister my focus will be on looking at improving and increasing the availability of supports to all Victorians, whether they live in regional, rural or metropolitan areas across the mental health system.

Melina BATH (Eastern Victoria) (12:19): I thank the minister for her response, and I am sure she will advocate for that funding, as requested by Lifeline Australia's prebudget proposal. Minister, the highly successful 24/7 national Indigenous crisis support line service 13YARN is still not being delivered out of Victoria because Victorian Lifeline centres do not have the capacity to deliver those services. Is it the minister's policy to bring the mental health benefits and the employment opportunities of the 13YARN program to Indigenous people in Victoria, or will you ignore this important funding request?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:20): I thank Ms Bath for her supplementary question. I am not sure that you have got the facts quite right there. The Victorian government is very proud to support a number of First Nations supports, whether that is in suicide prevention or mental health and wellbeing supports, including the Yarning SafeNStrong 24-hour culturally responsive and safe service for First Nations people. So we already do support that program. We work closely with our ACCHOs, because one thing that I am certainly very mindful of is that Aboriginal health services, including mental health, social and emotional wellbeing supports, need to be determined by those communities because they understand best what their communities' needs are.

United States trade

Jeff BOURMAN (Eastern Victoria) (12:21): (890) My question today is for the Treasurer. Treasurer, President Trump this morning announced he will place a 10 per cent tariff on all Australian imports into the US. Gippsland exports dairy and other products, so this is very important to my constituents, and understandably they are a bit nervous. What impact might this have on the Victorian economy?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:22): I thank Mr Bourman for his question. I share his concern and disappointment at the announcements coming out of the US, particularly in relation to today, but obviously it is not something that was unexpected, unfortunately. In that regard I do support the federal government's efforts in relation to continuing to oppose these entirely unjustified tariffs.

I have taken advice from my department that Victoria is well placed to ride out this challenge. We have got a diverse economy, with trading links to many countries across manufacturing, agriculture and the service industries. For example, Victorian exporters sell over a billion dollars worth of wool to China. There is over \$320 million worth of cheese sold to Japan and hundreds of millions of dollars worth of pulses to India. The direct effects of the tariffs are likely to be minimal in the short term. The Reserve Bank estimates that the 10 per cent US tariff will have a direct impact on economic growth of around one-tenth of a per cent.

You particularly mentioned agriculture, and I know the beef industry is obviously a big importer into the US. It is something that we will continue to talk to the agricultural sector about, but the initial estimates are that because our beef, Victorian beef as opposed to perhaps broader Australian beef, is such a high-premium, high-value product it is already a product that is being purchased in the US by people that are willing to pay a premium for this product. So whether a 10 per cent impost on a product that is already high value has an effect remains to be seen.

That does not mean that we are relaxed about our efforts in relation to diversification of our products going to other countries. Of course that is why we have a range of officers around the world continuing to have conversations about who should buy Victorian produce, and it is not a hard conversation to have. A couple of agricultural ministers and country members are all too familiar with the fact that we have some of the best produce in the world. Our agricultural sector is well renowned. So being able to ensure that the rest of the world are open markets is something that is always an ongoing effort, particularly for me, the Minister for Agriculture and the Minister for Finance, who deals with trade.

Jeff Bourman: The Treasurer managed to answer my supplementary in amongst her substantive response, so thank you.

Ministers statements: Tweddle Child and Family Health Service

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:25): I rise to update the house on one of the ways in which the Allan Labor government is continuing to support Victorian families through the delivery of the refurbishment of the early parenting centre in Footscray run by Tweddle family and children's services.

Earlier this week it was an absolute delight to join the Premier and the member for Footscray from the other place to officially open the refurbished Footscray early parenting centre. We heard about how this service has provided much-needed care and guidance to families in raising their beautiful babies for more than 100 years. The centre is operated by Tweddle, which also operates the Allan Labor government's new Wyndham early parenting centre, supporting families across the west and beyond by delivering sleep and settling, health and wellbeing, and early parenting services to families who need a little extra help. Early parenting centres offer free specialist support for parents and carers of babies from zero to four years old, and they can be accessed by self-referral via the websites or via professional referrals from GPs and maternal and child health nurses.

Tweddle CEO Liz Murdoch and Tweddle board chair Annette Vickery lead their team to form a warm and inviting community that wraps around families who utilise their services. We met with families who explained how they have benefited greatly from the parenting supports that they have received. Indeed they described it as a blessing. We also met therapy dog Ajay and his handler Andi, who regularly visit the centre, helping to create the calming environment that it is. We even met with one of the oldest Tweddle babies, 87-year-old Jim, who on the day of his birth was transferred to Tweddle all those years ago in 1939 and still credits Tweddle with saving his life.

This centre has been a much-loved fixture, providing essential care to Melbourne for over 100 years, and with this upgrade now it offers 12 residential stay units and four day-stay facilities, along with a kitchen, dining room and play spaces. The Footscray early parenting centre is delivered through a \$185 million investment in 12 new and upgraded parenting centres, supporting more than 5000 families each year to raise their little ones. It is only the Allan Labor government that will get on with supporting Victorians in the areas that matter most, supporting families to be settled, rested and content and giving families and children the strategies they need to thrive.

Economic policy

David DAVIS (Southern Metropolitan) (12:27): (891) My question is to the Treasurer. Treasurer, Victoria's general government sector debt has increased from \$21.7 billion, 6 per cent of GSP, in the 2014–15 budget update to \$155.2 billion, more than 24 per cent of GSP, in the 2024–25 budget update, and the Auditor-General has stated:

... the state has not articulated a clear plan for long-term fiscal management. Current strategies are short term, reactive and do not address both the existing financial challenges and emerging financial risks ...

I ask therefore: when will the government establish a real fiscal repair plan with quantitative measures to provide a certain budget repair path, as the Auditor-General has requested?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:28): I thank Mr Davis for his question. Obviously these are issues that occupied my mind the minute I was asked to be the Treasurer, and you would appreciate that the fiscal strategy that we have set out is something that I am committed to sticking to. I remind the house of the Allan Labor government's fiscal strategy, involving five steps. Step 1 is creating jobs, reducing unemployment and restoring economic growth. Step 2 is about returning to the operating cash surplus. Step 3 is returning to an operating surplus. Step 4 is stabilising net debt as a proportion of GSP, which is exactly what Mr Davis was referring to in his question. And step 5 –

Members interjecting.

Katherine Copsey: On a point of order, President, I am interested in the Treasurer's answer to this question and I cannot hear it.

The PRESIDENT: I will call the house to order, and I will call on the people who asked the question of the Treasurer to not interject while the Treasurer is answering the question.

Jaclyn SYMES: It is an important topic, and it is something that I am really keen to discuss with anyone in the chamber in relation to its importance. I think I was up to step 4, which is stabilising net debt as a proportion of GSP. Step 5 is reducing net debt as a proportion of GSP. For the benefit of the house, in the 2024–25 budget update we achieved steps 1 and 2, and we are on track to deliver steps 3 and 5 by the end of the forward estimates. We have achieved an operating cash surplus for the past two years, including \$2.6 billion in 2023–24, and we are forecasting surpluses. Obviously, Mr Davis, this is certainly my focus in the new role.

In relation to further work that I have initiated in relation to ensuring that the state's finances are in the best possible position, to mimic where the economy is going – the economy is going really, really firmly. But I have not shied away from the fact that there are fundamental issues that as the Treasurer I want to confront. That is why I have engaged Helen Silver to conduct a comprehensive review. I recognise and acknowledge that there are structural issues in the operating state of the budget, and I want to get that under control. It is why I am having conversations about restructuring parts of government to ensure that we are focusing on exactly what Victorians want us to: the priorities and the important services, the vital services that –

Members interjecting.

Tom McIntosh: On a point of order, President, I know that many years on that side have made some people very negative. It has been a long week, and I am struggling to hear the Treasurer's answer.

Members interjecting.

The PRESIDENT: That is good. Everyone has just had about a minute of getting it all out of their system. I uphold Mr McIntosh's point of order, as I upheld Ms Copsey's point of order. The Treasurer should be able to answer a question from the side of the chamber she gets asked the question from without interjection.

Jaclyn SYMES: I do get the impression that the question was asked not for the answer but for the opportunity to create interjections, so I do –

Members interjecting.

Jaclyn SYMES: I welcomed Mr Davis's question, but I have answered it.

David DAVIS (Southern Metropolitan) (12:32): I thank the Treasurer for her answer, although I think the current fiscal strategy, if I can call it that, has not been supported in effect by the auditor; he has actually pointed to the failings of it. You reiterated the old strategy, and he has already made it clear that it is not up to scratch. I therefore ask: as part of a fiscal repair path, as the AG has called for,

QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS

1530

Legislative Council

Thursday 3 April 2025

will the state government restore a debt ceiling like the Bracks, Brumby and Andrews governments had as part of its long-term fiscal strategy?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:33): Mr Davis, I understand that it is potentially Liberal Party policy to impose a debt cap, but if you are going to bring in a debt cap I would ask what you mean by cuts, closures and sell-offs.

Members interjecting.

Jaclyn SYMES: If you bring in a debt cap, you are ensuring that frontline services are at risk. To meet a debt cap you will always end up cutting frontline services, and you will end up with an American-style health system, for example.

Tom McIntosh: On a point of order, President, everyone in this chamber knows Mr Davis loves the sound of his own voice and he does not give any of his colleagues a go.

The PRESIDENT: What is your point of order?

Tom McIntosh: We have just about had enough of hearing from him this week, so I would ask that he listen to the Treasurer's answer, please.

The PRESIDENT: I uphold the last point of that point of order, but there is nothing in the standing orders about having heard enough of anyone in here.

State Electricity Commission

David DAVIS (Southern Metropolitan) (12:34): (892) My question is also to the Treasurer. I refer to the Public Accounts and Estimates Committee's financial and performance outcomes 2023–24 report, tabled today, and refer to finding 79, which says:

The SEC does not have public measures or targets to provide transparency or accountability for its progress towards its objectives ...

And recommendation 28 calls on the SEC to 'develop and publicly report on appropriate measures'. I ask, Treasurer: will the Department of Treasury and Finance and you as Treasurer insist that, in line with recommendations 28 and 29, relevant output objective indicators and performance measures for the SEC be included in the 2025–26 state budget?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:35): Mr Davis, at the outset I acknowledge your interest in the matter and agree with you in relation to transparency measures. There are a number of ways for departments and their entities to ensure that information is in the public record, whether it is through their annual reports or other public reporting regularly on websites and the like. In relation to the specific recommendation of PAEC – as you have indicated, it has been tabled today – I will have a close look at that and have a discussion with my department as well as the relevant minister.

David DAVIS (Southern Metropolitan) (12:36): I further refer the Treasurer to finding 100, which states:

The information reported for each Treasurer's Advance in the Annual Financial Report and annual Appropriations Act is limited.

I therefore ask whether the Treasurer will commit to full and transparent disclosure and for the reasons for each and every Treasurer's advance to be published in the annual state budget and the mid-year budget update.

The PRESIDENT: I am struggling with whether that was around one particular department, the SEC. I feel like it would have been okay the other way if you had asked the supplementary first and the substantive second. I will let the Treasurer answer as she sees fit.

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Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:37): I am already on the public record for a commitment to ensuring that I am looking at the best ways to improve transparency, oversight and reporting in relation to Treasurer's advances.

Ministers statements: Mallee Regional Innovation Centre

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:37): Mildura is truly a hub for place-based innovation. The Mallee Regional Innovation Centre, or MRIC, was a highlight of my recent trip to Mildura, connecting the community with the partnership of SuniTAFE, La Trobe University and the University of Melbourne, driving innovation across horticulture, energy and the environment and of course water. The centre is a true one-stop shop that will soon be home to 13 PhD students, bringing more research and resources to Mildura. It is a place where local people can come to discuss their needs, problems and ideas. The centre develops real practical solutions. With SuniTAFE SMART farm the centre has developed innovative demonstration projects, supporting local farmers to gain hands-on experience with new technology that can support everyday farming challenges. This includes crop cameras, a weather station, soil and moisture probes, direct plant sensing and pest detection, just to name a few. MRIC also hosts the teams of the One Basin Cooperative Research Centre and the Victoria drought and innovation hub, bringing researchers together with community and each other. The drought and innovation hub seeks to work with communities across the north-west to co-design projects to enhance their drought resilience, while the One Basin CRC is home to a multitude of projects, including transforming climate change risk assessments to be people-centric, strategies to adapt to evolving water availability in an increasingly dry climate and optimising water distribution systems. MRIC started with the vision of the regional partnership that Regional Development Victoria made possible with funding from the Allan Labor government. This is about place-based solutions with community, with industry and with TAFE.

Constituency questions

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (12:39): (1523) My question is to Minister for Health Infrastructure. How is the government expanding ambulance services infrastructure in the Southern Metropolitan Region? Last week, along with my colleague Mr Berger, the minister and the member for Bentleigh, I visited the works at the new East Bentleigh ambulance station on the site of the Moorabbin Hospital. The brand new station is going to feature a four-bay garage for ambulances, four rest areas for paramedics to recuperate, training facilities, a fully equipped kitchen and secure car parking on site. The location of the Moorabbin Hospital site has been carefully selected to ensure that there is more capacity for faster response times in the local community – a fit-for-purpose station enabling our paramedics to do the job they do so well. A huge congratulations to the member for Bentleigh for his hard work and for making this new investment a reality.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (12:40): (1524) My constituency question is to the Minister for Health, and it concerns the Craigieburn community hospital in my electorate. You have heard of the pub with no beer, but in Craigieburn we have got a new community hospital with no staff, no beds – it is not open. Despite the completion of major construction months ago, the facility remains dormant, leaving the people of Craigieburn without essential health services they were promised by Mr Andrews in 2018. Construction was scheduled for completion in 2024, but as we move into the second quarter of 2025 there is still no hospital up and running. In fact the health service has been told to go in the back way and not go in the front – there is a fence around it. The people of Craigieburn deserve the community hospital they have been promised, not an empty building. So I ask the minister to urgently work on the opening of the Craigieburn hospital.

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:42): (1525) My question today is to the Minister for Consumer Affairs. I have been contacted by a constituent from my region who is attempting to buy their first home with their wife. They have found the process of househunting in the North-East Metro Region to be very frustrating and quite disappointing. They are coming across houses at auctions where the reserve price is set at a higher rate than the advertised range for the home, and after investing time and resources in considering the purchase of a home, they then find out that it is in fact unaffordable for them. Minister, their proposal is that the underquoting legislation should be updated to stipulate that any auction reserve price must be no more than the advertised price range for the home. Will you consider making these changes?

Western Metropolitan Region

Trung LUU (Western Metropolitan) (12:42): (1526) My question is for the Minister for Multicultural Affairs. I recently attended the Wyndham Holi Festival of Colours in my electorate, organised by the Victorian Cultural Association. Among attendants were the Minister for Multicultural Affairs, the member for Werribee, the member for Point Cook and Wyndham councillors. A vibrant festival that attracts tens of thousands of attendees across Wyndham, this inclusive multicultural event was awarded the Victorian Multicultural Award for Excellence in 2019. At the event I was asked about the inclusion of the multicultural community in the Victorian government's multicultural events. Could the minister please update my constituents about why the Victorian Cultural Association is not included in any Victorian government multicultural formal event, including the Premier's Diwali dinner? It is disappointing to see a group that has been established for 11 years has not been recognised by the government in any formal multicultural event programs.

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (12:43): (1527) My constituency question today is for the Minister for Public and Active Transport, and my constituents ask why some regional V/Line passengers have been left out of the government's announcement of extra weekend services to Melbourne. On 28 February the government announced 50 extra weekend train services for the Ballarat, Ararat, Warrnambool and Bendigo lines. Echuca, Swan Hill, Seymour, Shepparton and Albury line passengers have all missed out on the opportunity to travel to Melbourne at times convenient to them. With the declining conditions of our roads network and the rising cost of fuel and running cost of vehicles, along with the cost of parking at events, northern Victorians use the V/Line network as a cost-effective and safe way to travel to the city for shows, concerts and large sporting events that are not offered in the regions. It seems once again this city-centric government has forgotten that Victoria extends all the way to the border, not just to the Premier's seat of Bendigo. Minister, my constituents ask why some regional V/Line passengers have been left out of the government's announcement of extra weekend services to Melbourne.

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (12:44): (1528) My constituency question is for the attention of the Minister for Housing and Building, and it is in relation to Park Towers, which is a public housing facility in the area of Southern Metro, near Albert Park. The community pantry that operates out of Park Towers has been – I got a letter last night from a concerned resident about it – plagued with scandal, and concerns have been raised around governance. In particular they were talking about various programs that are run out of that community pantry, such as a breakfast club which is financed by the City of Port Phillip. A number of complaints have been received from young mothers regarding the presence of criminals and drug addicts and other activity. The question I am wanting to understand is around the governance and conflicts of interest. Brian Tee, a former Labor MP, sits on this and is overseeing it. I would like the minister to look into this and reassure those residents and the broader community around these issues that have been raised with me.

South-Eastern Metropolitan Region

David LIMBRICK (South-Eastern Metropolitan) (12:46): (1529) My question is for the Minister for Transport Infrastructure. I have discussed many times in this place the intersection of Clyde Road and Thompsons Road at the roundabout due to traffic congestion issues. The government has made commitments to upgrade this intersection, which will provide local residents with some relief from congestion along Clyde Road. But there is another elephant in the region causing traffic headaches for locals. Between Hardys Road and Plymouth Boulevard the northern section of Clyde Road is a two-lane separate highway, then abruptly becomes one lane of unseparated road for a section of 10 metres before suddenly expanding to a major intersection with slip lanes, turning lanes and two lanes in each direction. The single-lane bottleneck has the effect of backing up traffic northward on Clyde Road all the way to Bunnings. Fortunately, those commuters can sit in traffic enjoying the smell of Bunnings snags instead of the water treatment plant on Thompsons Road, but it still frustrates drivers. My question is: what is the reason for this bottleneck along Clyde Road?

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (12:47): (1530) My question is for the Minister for Outdoor Recreation. Minister, I have received correspondence from concerned Victorians regarding the restructuring of the Victorian Fisheries Authority. While the government advertises for more highly paid staff to support their wasteful Suburban Rail Loop, they have slashed 18 fisheries officer positions across Port Phillip Bay and Western Port. I am strongly of the view that we need to eliminate waste and deliver a more effective state government to deliver better services, but I cannot support the gutting of frontline staff who enforce the law. Those who are fortunate enough to keep their job will be rebranded as fisheries engagement officers with responsibilities including marketing. With Western Port within my electorate, can the minister confirm how many officers patrolling the area will be lost?

Western Victoria Region

Sarah MANSFIELD (Western Victoria) (12:48): (1531) My question is for the Attorney-General. Recently the High Court ruled in favour of the Ballarat diocese of the Catholic Church in the case of *Bird v DP*, upholding the diocese's claim that clergy members are not employees of the church. The ruling overturns contrary decisions of lower courts and denies thousands of survivors of child abuse justice. In the case of *Bird v DP* there was no question as to whether DP had been abused. This was an accepted fact. The question, however, was whether he should receive redress for the toll this has taken on his life, and devastatingly the answer is now no. If justice is to be afforded to these victim-survivors, it is now up to the states to reverse the precedent set by this High Court decision. Will the minister ensure that victims of abuse in the Ballarat diocese are afforded justice and expanded vicarious liability provisions to ensure that the Ballarat diocese can be held accountable for the actions of its clergy?

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (12:49): (1532) My question is to the Minister for Health on the need to support people living with diabetes in the upcoming state budget. I recently attended an event organised by Breakthrough T1D in Bendigo and spoke with families living with diabetes. I heard that Bendigo Health has just one part-time staff member caring for 140 children living with diabetes in the region. Diabetes needs to remain front of mind in our health system, engaging health professionals and people with lived experience to improve the quality and safety and effectiveness of health care for people with diabetes. Those living with type 1 have no choice and face significant expenses. There is also a growing number of people with early-onset type 2 diabetes, and early intervention is needed. Diabetes is the fastest growing chronic condition, and there is an urgent need for increased funding and resources for diabetes care in our region. I ask the minister to ensure it is a priority in the coming state budget. The recent Commonwealth budget had no funding for diabetes priorities, yet more than 1.5 million people in Australia live with diabetes. Around 90 people develop diabetes every day in Victoria.

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Northern Victoria Region

Georgie PURCELL (Northern Victoria) (12:50): (1533) My constituency question is for the Minister for Environment. Recently in my electorate wildlife rescuers were called to a distressing situation involving a kangaroo that had been chased and attacked by a dog in the Coliban Main Channel in Faraday. The kangaroo was taken to a local registered wildlife shelter for rehabilitation. A report about the incident was made to the Department of Energy, Environment and Climate Action by Wildlife Victoria on 28 March, and a local ranger from Mount Alexander shire attended the scene to remove the dog. However, the local laws officer from the shire advised that no fine had been issued to the dog's owner as this matter was considered the responsibility of DEECA. This is not the first time I have raised wildlife incidents in the Coliban in this chamber, previously to the Minister for Water, who has not responded, and it is an increasing issue, particularly for dogs chasing native animals to a place that they cannot escape from. My constituents are asking: who is responsible for ensuring that irresponsible dog owners putting native animals at risk face repercussions for their negligence?

Western Victoria Region

Joe McCACKEN (Western Victoria) (12:51): (1534) My question is to the Treasurer, and it relates to a building known as 'the glass house' in Ballarat, which is owned by the state government. The office is on the corner of Doveton and Mair streets in Ballarat. Minister, over the last three years \$2 million has been invested in the building, including an internal refurb, such as pods and new desks and those sort of things. This week the air conditioning busted, and staff have been told – and they are telling me that they have been told – to abandon the building; they are going to be shifted to somewhere else. So, Minister, why did the department invest millions of dollars in the building knowing that the air conditioning was bad and now that building is going to be abandoned? Doesn't that seem a ridiculous waste of money?

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (12:52): (1535) My matter is for the Minister for Planning today. As a constituent of my region, Southern Metro, you will understand that I am very concerned about a number of the government's announcements of multiple activity centres and a number of the planning amendments that have been introduced which overlay these areas of my electorate of Southern Metropolitan Region. What I would ask the Minister for Planning to do is to publish details of how the new planning arrangements will interact with heritage overlays. I can indicate that my reading and the reading of a number of planners is that the new government amendments will wipe out any effect of the heritage protections. I want the minister to, in a detailed way, release maps that show where the heritage protections will persist and remain in place.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (12:53): (1536) My question is for the Minister for Roads and Road Safety. Will the government urgently inspect and repair the dangerous potholes at the pedestrian crossing on Wycheproof's main road? Wycheproof is a small town in the Mallee with an extraordinary main street. The Calder Highway, A79, goes through the middle of town, and a train track runs right down the middle of the highway between the two lanes. The road is constantly busy with trucks, and there are no traffic lights for pedestrians who want to cross from the shops on one side of the road to the shops on the other. Pedestrians use the designated crossing, but the road surface at this crossing has become very dangerous. A constituent contacted my office to say that there is a large crack and there are numerous potholes right where the pedestrians cross and these are serious trip hazards for anyone unsteady on their feet. Something must be done about this before it results in tragic consequences, and I ask the minister to order an immediate safety inspection.

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (12:54): (1537) My constituency matter is for the Minister for the Suburban Rail Loop. Recently the Glen Waverley SRL precinct plan was released. It

was released so that the public can comment on it, so they can have a say in what happens in their community. However, at least a third of the entire precinct plan has been redacted and will be subject to a separate planning scheme, but no definition of that planning scheme resides within the SRL precinct. So this is I think yet another deliberate exercise by the Suburban Rail Loop Authority to hide information from the community so they cannot provide wholesome feedback on the plan that is affecting their community. There is no explanation how that feedback can be considered wholesome if you actually do not know what is happening in a third of the precinct. So, Minister, I ask you: will you please disclose the full strategy plan for the precinct and explain what these redacted areas mean and under what planning scheme they will operate?

Sitting suspended 12:55 pm until 2:01 pm.

Bills**Help to Buy (Commonwealth Powers) Bill 2025***Second reading*

Debate resumed.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (14:02): I have listened very carefully to a number of the contributions that have been made in the course of this debate, and it has given rise to a number of concerns about the misapprehensions surrounding this particular bill that are founded not in substance but in a desire to create a political narrative that serves no purpose other than to divide and to in fact downplay the work that is going into providing solutions for people who want to be able to find a home.

One of the things that we all know is that people are lining up every single weekend here in Melbourne, across Victoria and around Australia to be able to find an opportunity to bid on a home and that as soon as a home is posted on a sales site or as soon as a ‘For sale’ sign goes up people are looking to get into the market and looking to get into a market where prices are at historic highs. This is due to a range of factors. It is due to supply, it is due to wages not keeping pace with inflation and it is due to a range of challenges around the reach of a market for people where stock is not meeting the demand, whether it is of families or people wanting to age in place or of singles and couples. The antidote to these problems and to these challenges is pretty multifaceted – there is not one single answer to the question of availability and affordability – but supply is one of those areas where we can alleviate some of the pressures being felt across the housing market and being felt in ever more acute terms by people who are looking to get into home ownership for the first time. It is also important to note that these challenges are not unique to Victoria; around Australia in fact people have been struggling to enter the property market because of, as much as anything else, an unequal distribution of wealth in an intergenerational sense, which means that unless you have the opportunity for access to a loan or finance facility from the bank of mum and dad, unless you receive a large inheritance or unless you are already in the property market it is becoming steadily more difficult for you to be able to get in. This is again an area that warrants careful consideration and innovative approaches to alleviating those challenges without creating further burden and financial impost for people as a result.

When I think about further burden and impost to people, one of the things that comes to mind immediately is the proposal by the Leader of the Opposition Peter Dutton to enable people to raid their super for the purpose of securing a deposit for home ownership. This is manifestly – to quote the federal housing minister – a rancid idea, because all it does is place upward pressure on property prices whilst also raiding the superannuation of people at an earlier stage of their paid working lives, meaning they do not have the benefit of compounding amounts across a period of employment. Superannuation should to my mind always be characterised as retirement income. If we are not considering superannuation as retirement income, then we are missing the point for which it was set up in the first place. Superannuation is intended and has, as a result of the accord and as a result of those contributions

frameworks, always been intended to provide a measure of certainty for people having completed many decades of paid work to address the symptoms, or otherwise the causes, of inequality.

Where access to superannuation is limited or denied we see disadvantage in old age – and statistically speaking, the face of poverty in Australia is an elderly woman. There are a number of reasons for that. Firstly, women are out of the paid workforce for considerable periods of time, and I say ‘the paid workforce’ because when women have children or caring responsibilities we are not paid for that work. Our work is not in and of itself given the economic value that it so appropriately deserves. We have seen a number of areas where this has been addressed, for example in equal pay test cases, particularly in the service sector, but we know that if women do not have access to superannuation, if we do not have access to penalty rates, if wages do not keep pace with inflation and if we have got insecure jobs in employment industries and sectors like retail and hospitality, that leads over the course of a lifetime to aggregate measures of poverty.

When we apply that to the setting currently being proposed by the Leader of the Opposition, to be able to raid one’s super, we can see that the cumulative impact of a lesser base because somebody has taken \$50,000 out of their superannuation – if indeed they even have that in their balance – means that over the course of a lifetime that money is not being put to the use of creating further buffers for the financial vulnerabilities of older age. It is a pretty cheap solution; in fact it is not a solution at all. But what it does do is buck-pass the responsibility of government to alleviate some of those pressures around home ownership and availability that I talked to earlier.

In Victoria we have worked very, very hard to address not just the symptom of people being locked out of the home ownership market but also the causes of that, through the housing statement, through the work to approve and to build more homes than any other jurisdiction over the course of the work of those investments, through planning changes, through the work in making sure that we are creating greater volume within the system, through allowing more easily for subdivisions and small second dwellings and through stamp duty exemptions for anybody purchasing off the plan an apartment, a unit or a townhouse. These things are working, but we also know that support to get into the market requires a measure of certainty in that initial purchase sign-up, and this is where the Victorian Homebuyer Fund was a significant pivot in addressing that disadvantage.

We have seen through the work that we did in Victoria more than 13,500 Victorians being able to get into the market and become home owners and another 2300 being approved under the scheme, because what we did was help people to get into the market. When they had saved a 5 per cent deposit, government would then be in a position to top that up to the point where a purchase was able to be made – 5 per cent and then 3.5 per cent for Aboriginal and Torres Strait Islander purchasers. Again, the reason for that is really important: we need to address the causes of a lack of intergenerational wealth building and means.

We know that the homebuyer fund here in Victoria worked. We know that because the statistics show us that with more than 15,000 people being assisted to become home owners we are creating those circumstances in the market which are not placing upward pressure on house prices but which are assisting people in and of their own right to create the circumstances of servicing a mortgage because they have a mortgage in the first place. This is what has led to the Help to Buy scheme. This was a process of legislative reform that was the subject of some pretty cheap snookering attempts by the federal coalition, by the federal Greens. The Help to Buy scheme should have been able to commence earlier, but it was not able to commence earlier because the Liberals and the Greens in Canberra blocked it. That took a significant measure of certainty out of the legislative framework that was being developed by the Albanese government, and we have seen that at last that has been able to be cured.

We have now seen the opportunity as a result of this bill for a referral of certain powers to the Commonwealth under 51(xxxvii) of the Australian Constitution to mean that we can in fact refer that work to the Commonwealth – that work that we had started here in Victoria, that work which stacks up, that work which has helped more than 15,000 people to get into or to plan to get into home

ownership in Victoria – to be able to magnify that up to 10,000 per annum for the next four years, 40,000 homes around Victoria. It is an opportunity for people, rather than having to search for the bank of mum and dad or, in so many cases, not finding any facility to help to service a loan or to save for a deposit, not to be locked out forever.

Here in Australia we do still have a very, very strong connection to home ownership. That is something which is starting to change. We have points of distinction elsewhere in the world where wealth aggregation is seen as something that can be vested in other asset classes. But here in Australia home ownership is seen as a measure of significant financial security. We are determined to make sure that in addressing home ownership it is not that lack of a financial asset base that is keeping people out of the market, that people are in a position to be able to save for a deposit that is then topped up by the Commonwealth to ensure that that home can become theirs, that mortgage can become theirs to service.

We are really determined to continue our work to deliver on the volume and the stock of housing across the state that we need in order to accommodate growth. When we look to the changes that we have made thus far, we know that what we are doing is working. We also know, though, that we cannot do this alone, that it does take all levels of government to sign up to not just acknowledging the problem and describing the issues but being part of the solution. This is where housing targets are an important part of addressing these challenges. This is where we all need to lean into the reality of the markets that we are living in and seeing around us – namely, that people are lining up, tens of people, dozens of people, for a single rental property; that people are having to find a property that is 3 hours away from where they grew up because there is insufficient stock available or they are priced out of the market closer to where they grew up. This is about making sure that we are also taking pressure off the peri-urban areas of Melbourne that have for far too long carried an enormous load when it comes to expansion.

When we look at the planning reforms and the housing statement and the announcements that Minister for Planning Sonya Kilkenny has delivered and the way in which we are directing our efforts and our energy and our attention to significant change in the planning framework, the Planning and Environment Act 1987, and the way in which we define affordable housing and *Plan for Victoria*, we can see that it is a process that is recognising the complexity of the issues that have gotten us here, but it is also in a space to create and to see through on these initiatives that can address and alleviate those pressures. It is also important that we can as a state continue to guide the way in which federal reform occurs. This is also where social housing – and I do want to touch on that in the time that I have available to me – has been a key driver of the work that is happening not just here in Victoria but in partnership with the Commonwealth. The Housing Australia Future Fund, for example, has been a really, really important part of delivering additional housing for the most vulnerable people in Victoria, and it is a shameful act that opposition leader Peter Dutton has said that, if elected, he will scrap the Housing Australia Future Fund. He will gut the opportunity for people to find and to secure social housing in the volume that we need to address that demand. So not only do we have a situation where the Commonwealth Liberals and Greens teamed up to block this Help to Buy scheme but we also have a situation where the federal Leader of the Opposition has said that he will scrap the very fund that is providing social housing to those most in need.

We are determined to continue to do the work necessary, to make the changes constitutionally – 51(XXXVII), as I indicated earlier – and to make sure that we can accede to an intergovernmental agreement that gives effect to the work of the Commonwealth whilst also preserving our existing or future shared equity schemes from any inconsistency with the Commonwealth act. Inconsistency is something which I have talked about a lot in this house around the constitutional limitations of state-based law, and this is an important preservation mechanism for Victoria so that we are not in effect ousted if the Commonwealth seeks to cover the field.

When we committed to the Victorian Homebuyer Fund it was to the tune of about \$2.8 billion, and it is now a really good opportunity for the Commonwealth to pick up the baton and to work with us, as they have been working with us, to deliver on reforms that create better volume, more supply and

better configurations of housing through financial products or processes or through a development and delivery model which accommodates not just outer urban, greenfields and regional development but also those infill mechanisms. Transitioning to the Help to Buy scheme will be something that occurs from 30 June, and of course the State Revenue Office will continue to administer those existing homebuyer fund applications. This is work that we have worked hard to achieve and that we have stayed the course on. It is an enormous achievement. The Commonwealth is now in a position to deliver this work, and I commend the bill to the house.

Michael GALEA (South-Eastern Metropolitan) (14:17): I also rise to make some remarks on the Help to Buy (Commonwealth Powers) Bill 2025, and in doing so I acknowledge that I have had the chance to listen in to not all but many of the contributions that have been made here today. I acknowledge the contributions, particularly those of Ms Ermacora, Mr McIntosh, Mr Bachelor and ministers Stitt and Shing on this side of the chamber. It is indeed a very good thing that we are in the position of folding the Victorian Homebuyer Fund because we have seen a step-up in leadership from the Albanese federal Labor government. As Minister Shing was just saying, the housing problem is one that requires intervention at all levels, and this state Labor government is doing a great power of work in addressing that. I will come back to some other aspects of that in a moment, but it is important, as one of the most important levels of government that we have, that the federal government is also pulling its weight. After nine long years of inaction, chaos, disunity and a complete vacation of this space it is a very good thing that we do now have the Commonwealth Help to Buy scheme, that this is now effectively replacing and usurping the Victorian scheme, as it should. I have talked many times, indeed just yesterday in this chamber, about the various ways in which for too long this Labor state government has had to step in – as have Labor and Liberal governments across the country – to fill the void from a lack of action on the part of the previous federal Liberal government. Let us hope we do not return to that.

I would not say that I appreciated it, but I note the contribution of Mr Davis somehow accused us of actually not supporting the building of housing, which is an extraordinary turn of events after several things which were discussed yesterday, including a motion for a select committee that is effectively seeking to build up, to fabricate, a case for what the Liberals want to do, which is to revoke one of the key principles of the housing statement, those activity centres, which will actually drive housing, exactly as Minister Shing said, in the inner and middle metropolitan regions as well, so that we are not merely placing the majority of the brunt of our housing needs on the already straining outer suburbs. It is a very good policy, and it is very disappointing that the Liberals are doing whatever they can to undermine and attack it. If you were sincere and serious about an inquiry, you would probably want it to go for a bit longer than six weeks, but you would also want it to be a genuine inquiry. If you were looking to make it a genuine inquiry, you would not be reading in a motion the very same day with the outcome that you have in mind. So it is clear that that select committee will be nothing more than a tool for the Liberal Party and perhaps the Greens party as well to build up a narrative, to build up and fabricate a case that will justify their decision to lock millennials and gen Z Victorians out of the housing market – certainly out of the housing market anywhere within 30 kilometres of the city centre – because that is the effect of what they are seeking to do. It is all about them and the properties they already own in those suburbs: ‘All for me, none for anyone else and to hell with the outcomes and consequences for young Victorians.’

When it comes to housing, this is a government that is consistent. It is consistent when it comes to activity centres. I am sure we will have much more to say when the Parliament resumes, and there will be much to be said by whichever members are appointed to that particular select committee. Whatever the outcome is – and we suspect we know what the fabricated outcome of that select committee will be, that miraculously it just somehow proves the case that Mr Davis was hoping to see via the motion that he has already read in as an outcome – on this side of the chamber this government is consistently working to support more Victorians into home ownership. That is with some of those big picture decisions, such as with the activity centres and such as with the broader elements of the housing statement. But it is also through functions like the Help to Buy scheme, which we have had operating

successfully for some years now: a direct intervention that has provided that support to those young Victorians in particular – not just to young Victorians of course but especially to those young Victorians who are trying to get their first leg on the property ladder.

In many cases this scheme has been the difference between achieving that dream, achieving that goal, and not getting anywhere near close enough. It is that bridge of that opportunity gap, which is so, so important, and it is exactly what good Labor governments do. They provide that stepping stone for people who are struggling so that they can better themselves, so that they can rise up and be who they want to be and fulfil their dreams. That is what good Labor governments do, and that is why I am so pleased indeed as well that the federal Albanese Labor government has decided to steal a good idea from Victoria and implement the Commonwealth Help to Buy scheme. As I said, this bill will replace the Victorian Homebuyer Fund. We expect around 10,000 Victorians to purchase a home through this new Commonwealth shared equity scheme over the next four years. Victorians participating in this program will benefit from lower ongoing repayments from the fact that they have a smaller home loan as the Commonwealth will share the capital cost of purchasing a home.

The Commonwealth enacted its Help to Buy Act 2024 in December last year, meaning it is now ready and waiting to be adopted by us here in Victoria, which makes today's bill so timely. Referring power or adopting the Commonwealth Help to Buy Act are two different means to the same end with the same outcome, that the Commonwealth will be able to operate Help to Buy right here across Victoria. The key amendment in this bill fulfils the requisite limited reference of the legislative powers to enact the Help to Buy program in Victoria. Without this any future amendments would not apply in Victoria, which would obviously make the whole thing impractical and could potentially prevent Victorians from accessing benefits under the scheme, which would be a dire outcome. This bill will also make some minor amendments to the Duties Act 2000, the First Home Owner Grant and Home Buyer Schemes Act 2000 and the Land Tax Act 2005 to clarify that the Commonwealth's Help to Buy scheme should be treated the same way that the Victorian Homebuyer Fund was under these legislations.

We know that the Victorian Homebuyer Fund has been nation leading, and it has also been tremendously successful in reducing the capital outlay for many Victorians seeking to get onto the property ladder. The government has committed a total of \$2.8 billion over the life of the Victorian Homebuyer Fund, and it has supported over 13,500 Victorians to be home owners already. The fund will close to new applicants on 30 June 2025, at which point the state will fully transition to the Commonwealth scheme. The State Revenue Office will continue to administer the existing Victorian Homebuyer Fund participants. Under the new Help to Buy program the Commonwealth will provide up to 40 per cent of the purchase price as an equity contribution. That is a higher amount even than under the current scheme, which is up to 25 per cent. Another difference is that the new Commonwealth fund has a lower minimum deposit of 2 per cent compared to the 5 per cent in our fund. Additionally, off-the-plan and other types of new homes are eligible under the Help to Buy scheme, which were not under the previous one. That will also help to stimulate the supply of new housing, thus reinforcing the virtuous cycle, again, between state and federal Labor governments in driving more housing and more home building in this state and in the country.

We expect, as I said, Help to Buy to support another 10,000 low- to middle-income Victorians to purchase a house over the next four years. This fund will also, just like the state fund has, reduce the overall mortgage for home owners, overcome the deposit hurdle and avoid the need for lenders mortgage insurance, or LMI. The Help to Buy participants will have lower ongoing repayments from a smaller home loan, as the Commonwealth will share the capital cost of purchasing a home. These financial risks and benefits, the capital gains and losses, will be proportionally shared between the home owner and the Commonwealth in accordance with their stake in the property. Crucially, participants in the Help to Buy scheme will also be able to skip that LMI, as the equity contribution in their deposit will decrease the loan-to-value ratio to 80 per cent or below.

There have been some comments in the media and I am sure by many of those opposite as well accusing this fund of being somewhat inflationary, but this ignores the actual evidence that we have seen in this space. We know that a recent in-depth and independent Grattan Institute analysis reiterated the view of this government by finding that the impact on prices of this capped scheme is likely to be very small. It will have close to zero impact on house prices in the context of Australia's \$10.3 trillion housing market, so it will have a very limited impact, if any observed detectable impact, in an inflationary sense. But for those 10,000 Victorians that will be able to purchase a home who would not otherwise be able to do so it is quite simply life changing.

We do need long-term housing policies that are consistent, and we do need that action at a state and federal level. Again, to reiterate the various debates yesterday, we know that when it comes to providing housing options in this state the Labor government is committed to providing all Victorians who wish to do so – who have the means, the effort to put in their bit and the aspiration – with the ability to buy their home. The Help to Buy scheme is a really critical part of bridging the gap for those who are struggling despite their very best efforts. We also know the importance of providing those housing options. Whilst the Liberals and the Greens will team up with their Greens triangle placards, which Mr Mulholland is now standing behind, to oppose development and oppose housing, those of us on this side will always continue to support it. It is also why we embarked on the Big Housing Build, which when completed will deliver a 10 per cent uplift in the amount of social housing stock, delivering an additional 12,000 social houses. Since the announcement of the Big Housing Build in 2020 more than 10,000 homes have already been completed or are underway and more than 5500 households have either moved or are getting ready to move into brand new homes. From the start of the build-up to the end of the last financial year the net number of social houses in Victoria increased by more than 4000.

The \$1 billion Regional Housing Fund is another significant part of that. Referring to another debate yesterday in relation to the Commonwealth Games report – and again I repeat it – the most central reason that the government chose to embark on the Commonwealth Games was to deliver benefits for regional Victoria. In the face of changing conditions and difficult cost escalations it made the tough but sensible decision to pivot to a \$2 billion regional package instead, of which \$1 billion is dedicated to the Regional Housing Fund. There are also various other elements, such as the Regional Worker Accommodation Fund, which is providing housing options for employers, supporting public sector employers and some private sector employers as well who have struggled to get the people interested in working. Whether it is at a hospital in Horsham or at a meat supplier in the mid-north of the state, they are providing those jobs for communities. But too often they are struggling to get houses for those people who want to work with them. They can get the people, but there is nowhere for them to live. In those regional areas the tyranny of distance – Acting President Broad, I do not need to tell you this – only extends further and further with those challenges, so it makes opportunities like the Regional Worker Accommodation Fund so important for providing those sectors with the ability to provide housing for their new employees as well. It will often be the difference between those people being able to have a job there – with those companies or hospitals, or whatever the case may be, being able to actually employ staff to fill those roles and, in the case of those private sector businesses, being actually able to invest in, continue to build and grow their business and to keep them in regional Victoria, which is so very important to keeping all of our state's economy thriving.

This is a government that has consistently delivered for all Victorians and has not been just for Melbourne. It is also one of the reasons, on that note, why this government has implemented multiple cuts to the regional payroll tax that employees who are regionally located have to pay, driving to a point where we are seeing some of the lowest unemployment rates in regional Victoria in this state's modern history. When it comes to housing, whether it is projects like that or whether it is other aspects of the Big Housing Build, the very many investments in social housing that Minister Shing regularly briefs this chamber on and of course fixing the issues in our planning system that are stopping young Victorians from getting into the housing market, this government is taking a comprehensive approach, pulling every lever that it can to provide more housing opportunities for more Victorians. The Help to

Buy scheme has been a very important part of that. It has already delivered benefits for thousands of Victorians, and under the new Commonwealth scheme this new scheme will continue to provide opportunities for many thousands more.

Renee HEATH (Eastern Victoria) (14:32): That was interesting. I like Mr Galea. He is a great guy but totally detached from reality – some would even say out of touch. It is amazing how he says the Labor government supports this and supports that, but he has failed to mention that there is a cost-of-living crisis they have created, there is a health and infrastructure crisis that they have created –

Members interjecting.

Renee HEATH: I do not know if you can call a point of order on yourself, but Mr McIntosh, you are not allowed to interject when you are not in your place. There is a confidence crisis in this state but also – one that I will talk about – a housing crisis.

Today we are being asked to surrender part of Victoria's legislative authority to the Commonwealth under the guise of making housing more affordable. The Help to Buy (Commonwealth Powers) Bill 2025 sounds noble, like a lot of Labor bills, but when you dig and when you scratch under the surface, you realise that this is a rushed bill that is full of holes and has the potential to make things a whole lot worse. I will mention that when the government does get involved in people's lives we often do see things get a lot worse. This is full of holes. All of this chamber recognises that housing affordability is an issue. We are a state in crisis. We agree that something must be done, but this does not mean signing up to a scheme with unproven outcomes, serious risks and no external consultation. There has been no external consultation on this. This bill hands over power before the scheme itself is even finalised. Just think about that for a minute. That is legislative laziness, and I think it is what we have come to see a lot of from the Labor government.

Let us start at the very beginning, which is the process of this. The Victorian government has confirmed there was no consultation with industry stakeholders – none, zero consultation. We are being asked to finalise a referral of powers to Canberra without even knowing the final scheme's parameters. The eligibility for this criteria is still in draft form, and we do not know when that is going to be confirmed. That is how Labor does policy. They do not look at the details, but that is not how good policy is made. If we are buying a house ourselves, we would not sign a contract without reading the fine print – well, some might. I do not know. You guys probably would, to be quite frank, but you should not. Why should we legislate on behalf of 6.7 million Victorians without reading the details? That does not seem like a good idea at all.

The International Monetary Fund has already warned us that the Help to Buy scheme could increase housing prices. In fact I am going to quote them right now:

If demand increases without a corresponding increase in supply, it could lead to further affordability issues.

They are not my words; they are the words of the experts. More money chasing the same houses – that is not affordability. Newsflash: that is inflation. We have seen what happens when governments inflate housing markets. Look no further than the global financial crisis. In 2008 overexposure to housing led to economic collapse, and here we are thinking, 'Let's walk down that path again.' Currently 60 per cent of big four bank loans are in residential housing. If housing prices continue to fall, including the housing and construction industries, or if interest rates rise, there is a significant risk, including to the government itself, if it co-owns these properties.

Fact: this state has more debt than New South Wales, Tasmania and Queensland combined. Why on earth would you hand over any more power – especially when it comes to housing affordability, housing ownership and budget management – to people with such a horrific track record? It is like phoning your shopaholic friend who has got credit card debts through the roof and saying, 'Hey, can you actually give me some financial advice here? Can you manage my property portfolio?' They might be fantastic people – as you are, Mr Galea – but they are not great with financial management. When Victorian households are already leading the country in mortgage arrears, why are we encouraging

more debt for low- to middle-income levels, especially as wages in Victoria for earners have gone backwards? Jobs are being slashed in this state – oh, no, I just saw Mr McIntosh move to his seat, which might mean that he wants to do some legal interjections, so buckle up, guys.

We need to focus on bringing industry back into Victoria. We need to focus on building confidence back in Victoria and we need to make sure that people have job security and good income levels. We need to restore confidence in this state. Not from this lot, who say one thing – they actually talk out of both sides of their mouth quite a bit. I was amazed yesterday – or was it Tuesday – when the Commonwealth Games report was tabled. It was scathing. It was an absolutely scathing report, and the propaganda unit over there on the other side would come out and say, ‘No, we made the right decision to cancel the Commonwealth Games.’ It does not matter that it cost the Victorian taxpayers millions and millions and millions of dollars. We ended up funding a Commonwealth Games on the other side of the world. We ended up with this state becoming the laughing-stock of the nation, and they are like, ‘This was a great idea.’ That is who we are now wanting to give more powers to. I just do not think it is a good idea.

Even for those who qualify, the scheme is not a magic bullet. Only 10,000 Victorians will be assisted every year and for four years. The income thresholds are \$90,000 for singles and \$120,000 for couples. Even with the government’s contribution of up to 40 per cent, most first-time homebuyers still will not be able to afford a home near where they work, near where their kids go to school or near where their communities are. Let us take an example: a single person earning \$90,000 could borrow around \$450,000. Add a 40 per cent equity contribution and you are looking at a maximum new house value of around \$750,000. That barely scratches the surface in Melbourne’s inner suburbs. I think you know that. Quickly go and have a look and see what you can get in Melbourne for \$750,000.

Members interjecting.

Renee HEATH: It is good to see you guys getting a bit excited. Your speeches were quite – I do not want to say boring, but there was not a whole lot of energy in the room. This is not just about today’s price tag. Owning a home with the government brings with it a whole raft of issues. Buyers may need approval for home improvements. Did you know this? I do not know – you are generally not too excited by the details once you read below the really flashy name of the bill. Buyers may still need approval for home improvements, but guess who has to pay the whole cost of those home improvements; it is the buyer, so they are totally taking away choice again. They have to ask the government for approval, so the government holds the pen, yet they are the ones footing the bill. I just do not know if you think that is a good idea. What happens if there is a relationship breakdown or if somebody wants to exit the scheme? They might find they cannot afford to buy outside of the government scheme, or worse, if the market fails, they could be trapped in negative equity. Their financial flexibility will be limited, and when your financial choices are limited you might find that your future is uncertain – not something that is very good for Victorians.

But herein lies the heart of the issue. This scheme stimulates demand, but it does nothing about fixing supply. I heard some of our team talking about this today. It is not fixing supply – and this is the issue. There is a supply issue –

Members interjecting.

Renee HEATH: Gosh, they are all property experts over here now. I did not know your raft of skills. But let me be blunt: Victoria is in the middle of a housing crisis caused by not just affordability but uncontrolled population growth and a failure to build adequate infrastructure. Take our region of Eastern Victoria, one of the fastest growing areas in Pakenham and Officer, a fantastic place that was promised a hospital in 2018. It was going to be built by 2024. Guess what: it is 2025 and a shovel has not been laid in the ground. Are these the sorts of people you would trust? Absolutely not. They have got these big plans to expand, but they have got no money to build infrastructure. They have got a

whole lot of great taglines, I will give them that – fantastic, inspirational even, if you could actually trust them to do what they say, but you cannot.

Our population growth is 2.2 per cent, the highest in the developed world. Actually I have just written something wrong. I do not want to read something wrong, so I am going to skip over that.

Members interjecting.

Renee HEATH: Unlike you guys, I actually care that what I say is correct. We have got 2.2 per cent – the highest growth in the developed world – yet when you look at the rate at which we are building infrastructure this government are doing nothing but failing its people, the people that have put them there.

To put this into perspective, Victoria's population is growing faster while its economic decline is accelerating along with crucial statewide infrastructure, particularly in regional Victoria, like my electorate. It is growing at a huge rate, yet you cannot get into a hospital, the ambulances are ramping. I have spoken about terrible stories in here where you have failed Victorians, where people cannot see a doctor and they cannot get into a hospital because things are so overrun, yet you are not looking at the issues. All you are doing is looking at the next election. And I say, until early May when we have got the federal election, you guys are just going to ramp up, just making sure that you are doing everything you can to help your buddies in Canberra but forgetting about the people of Victoria. This is not planning, this is playing catch-up, and it is playing catch-up with people's lives. Yet this government backs further population increases without asking the people of Victoria what it is that is broken, how it is affecting their life and what they actually should do.

This scheme also risks undermining state programs that are already in place. We have the first home owner grants, we have the Homes Victoria scheme and the Victorian Homebuyer Fund, all potentially at odds with the Commonwealth plan. And finally – you are probably thinking, 'Good, finally' – this scheme is not politically stable. The federal opposition has committed to repealing it if elected, because we actually look at the detail. Then there is the bureaucracy – new processes, new approvals, slower transactions. In a competitive housing market this amount of red tape could cost people their homes. Instead of rushing through flawed Commonwealth legislation, let us consider some alternatives perhaps: boosting housing supply, which we have spoken about –

Jacinta Ermacora interjected.

Renee HEATH: I like that you are saying 'tick'. It is sort of like there is what you think you are doing versus the reality; there is a huge gap in between. We could coordinate with existing state programs and not override them. We could review population growth strategies and have proper planning. We have been saying on this side that this should not be a city-state.

Tom McIntosh: Where are the health workers going to come from?

Renee HEATH: That is a very good question. Rather than just being a city-state, we should be a state of cities. We need to look at where the population is growing.

Members interjecting.

Renee HEATH: If you listened to these guys, honestly, it would be like there is not a worry in the world. You could reform and reduce property taxes to improve life for renters, something I know you would never do because you are addicted to new taxes – what is it, 60 new and increased taxes since coming into government. You could look at reducing that and reducing the taxation burden. I know my time is running out, but here is a suggestion: you could engage stakeholders – something you have not considered doing. Right now this bill is not a housing solution, it is a political distraction; we all see it. I think that Victoria deserves policies that actually serve its people and that actually work.

Moira DEEMING (Western Metropolitan) (14:46): While the English jurist Lord Coke may have established it as a legal principle in 1604, here in Australia we all know it was best said by the lovable

character Darryl Kerrigan: ‘It’s not a house, it’s a home. A man’s home is his castle.’ Having a home that is truly our own – or as Menzies put it, ‘one little piece of earth with a house and a garden which is ours; to which we can withdraw, in which we can be among our friends, into which no stranger may come against our will’ – helps us to feel, in a very special way, as secure as a prince in his castle. Owning a home in Australia has always meant much more than just having a roof over your head, not just because that is where we are raised and where we raise our children, but because owning your own home is the cornerstone of independence, dignity and freedom. It is the great Aussie dream. That instinct to own and to build and to provide is what created our great middle class. A society that protects and promotes truly owning our own homes, our own little fortresses for the people that we love, is a society of truly free people.

This bill undermines all of that. In classic Labor style, they have created the problem, profited off it and blamed everybody else, and now they shamelessly claim to be a knight in shining armour. Labor caused this housing crisis. They restricted supply, they stalled approvals and, rather than encouraging the natural synchronisation of population and infrastructure growth, they invited half a million working-age immigrants to live here while housing supply sat at a tenth of that rate. Let us be clear: Labor did not just stumble into this crisis; they engineered it. Labor MPs are not simply bad managers, they are cogs in a machine designed to hoard power and wealth. Do not be fooled, Labor deliberately steered us here because they are socialists, and their vision for Australia is actually nothing short of national socialism. Today history is repeating itself, because socialism, always and everywhere, reveals its hatred for everything that the home represents: loyalty to family above the state, security and independence apart from the state – in fact anything that the state cannot control or exploit.

That is why under Labor we face not only a housing crisis but a home crisis. Federal and state Labor socialists are delighted to gobble up what housing remains and force people to co-own their homes with the government. That is not a hand up, it is a hand around your throat. Who would share a mortgage with someone always in debt who also has the power to rewrite the contract whenever they want? The power imbalance is obscene. Labor like to present themselves as our generous benefactors, but in reality they are tax collectors skimming off the top, the loan sharks of modern politics. There is nothing to stop this debt-addicted government from changing the co-ownership rules. For example, they could impose levies, restrict renovations, raise compliance costs or even decide that your political views make the home unsafe, and then they could just remove you just like they would a faulty appliance. But the Liberal Party believes in something better: a nation of owners, not tenants; of independent thinkers, not managed dependants; of families who stand tall because they stand on land that is their own.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (14:50): Thank you to all speakers today who have made a contribution on the Help to Buy (Commonwealth Powers) Bill 2025. I will just make a few remarks, and then I understand there might be a few comments or questions in committee.

This is a relatively straightforward bill, as people have discussed in their contributions. It is all about adopting the Commonwealth’s Help to Buy Act 2024, which was passed late last year and will help deliver the Help to Buy scheme, a new shared equity scheme for housing which we want to ensure is available here in Victoria. The bill also provides an amendment to enable the Commonwealth Parliament to make future changes to Help to Buy so that Victorians can continue to enjoy the benefits of any future amendments to the scheme.

The Allan and Albanese governments are of course working hand in glove to help Victorian first home buyers into the housing market. I know a lot of speakers have been able to reflect on and point to a lot of good examples of people that otherwise would have been unable to or would have taken longer to enter into the housing market without schemes such as this. As we know, the Commonwealth government is preparing to establish Help to Buy, under which Housing Australia will make financial contributions to the purchases of residential properties in exchange for an equity share. The reason the bill is here today is that without it and its powers the Commonwealth would not have the constitutional

power to operate Help to Buy in Victoria and we would not want Victorians to miss out on opportunities that would be available to other Australians.

This government has always led from the front in tackling housing affordability. We know full well that this is only one part of the solution in relation to helping more and more people become home owners. We led the nation in establishing our fund for that very reason in 2021, and in 2023 we announced a vision which is complementary to housing affordability, and that is supply. Our vision to deliver 800,000 homes over 10 years was in Victoria's housing statement of 2023 and obviously often a topic of conversation in this chamber. Only last year, after listening to industry, we also introduced other measures that are all about ensuring more and more housing availability. We introduced the new temporary duty concession for off-the-plan sales to drive down the cost of purchase and, as I said, ensure that we were using additional levers to get Victorians into the housing market.

The Commonwealth scheme will support around 10,000 low- to middle-income Victorian households to fulfil their dream of becoming home owners over the next four years. The government will contribute up to 40 per cent of the purchase price of a new home in return for a proportionate interest in the property. Victorians participating in Help to Buy will benefit from a smaller deposit and lower mortgage repayments while also sidestepping the cost of lenders mortgage insurance, which is a huge impediment for a lot of people.

It was pleasing to see in the federal budget that the federal Treasurer announced the Commonwealth government will expand the income and prices caps to the Help to Buy scheme. We wanted to make sure that this would be accessible for as many Victorians as possible, and the changes are a really good step in that regard. They have announced that it will increase the income cap from \$120,000 to \$160,000 for joint applicants and single parents and increase the cap from \$90,000 to \$100,000 for individual applicants. As for the property price caps, the Commonwealth increased those from \$850,000 to \$950,000 in Melbourne and Geelong. As we know, that will ensure that there is more choice when it comes to finding a home.

The Help to Buy scheme is modelled on Victoria's good efforts – our Victorian Homebuyer Fund. Victoria is of course leading the nation in this regard, and it was very flattering I think for the Commonwealth to pick up on the good work that has been done by my predecessor and a lot of work from stakeholders and the like in ensuring this system was so popular in Victoria. It was successful in reducing the capital outlay for Victorians looking to purchase. It has already supported over 13,500 to become home owners with another 2300 approved to purchase under the scheme. So we are doing our part to ensure first home buyers do not miss out on a great opportunity to receive a helping hand to ensure they can get into the market.

It is the plan for the Victorian Homebuyer Fund to stop taking new applications on 30 June, when the state will transition to Help to Buy. The State Revenue Office will continue to administer the Victorian Homebuyer Fund for its existing participants. It is worth noting that under the Help to Buy scheme the government will provide up to 40 per cent of the purchase price as an equity contribution, a higher proportion than under our current Victorian Homebuyer Fund, in which we provided up to 25 per cent of the purchase price or 35 per cent for Aboriginal and Torres Strait Islander Victorians. Help to Buy also requires a lower minimum deposit of 2 per cent compared to ours, which was 5 per cent or 3.5 per cent for Indigenous applicants. Off-the-plan and other types of new homes are also eligible under the Help to Buy scheme, whereas they were not under our system. But as this is an area where we are encouraging more and more investment and construction, this is a good complementary policy that will help further continue the supply of new housing in our state.

Is the Commonwealth scheme an improvement on Victoria's scheme? We would say it has built on our scheme and is an improvement. We are getting on and delivering on our commitments to making housing more accessible and affordable for Victorians, and this is our part in the future steps that we can take together with a Commonwealth government that is also serious about home affordability for Australians.

Touching on the reasoned amendment, which will obviously be voted on before committee – I understand it will be brought here; I think that is the understanding here – we do not believe that there is a reason to wait for a federal election outcome. There is absolutely no risk in adopting this bill ahead of the outcome of the federal election. In fact it is actually making sure that we have all of the available options still open for Victorians in relation to various schemes should that be an issue. There is nothing that puts all our eggs in one basket by adopting this legislation today. It is merely an adoption and enabling legislation to facilitate Victorians being able to access a system once it comes into place. There is no risk. The only risk is that hardworking Victorians could miss out on opportunities if the next Australian Parliament moves and we are not positioned to ensure that we can collectively adopt the Commonwealth act.

The Victorian Homebuyer Fund has been a tremendous success, and I think the numbers speak for themselves. It has helped so, so many people, and now it is time to pass the shared equity baton on to the Commonwealth. We are very proud to enable access to Help to Buy in Victoria through adopting the Commonwealth legislation. That is what we are hoping this bill will do by virtue of being passed by the Parliament today.

Council divided on amendment:

Ayes (16): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amendment negated.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (15:06)

David LIMBRICK: I have just a few questions on this bill for the Treasurer. I promise I will not keep her as long as I did the other night. The first question is: section 40 of the Commonwealth Help to Buy Act 2024 says that the Commonwealth Lands Acquisition Act 1989 does not apply in relation to anything done under that act. So my first question is: do state equivalent land acquisition acts apply to land subject to shared equity with the federal government under the Help to Buy scheme?

Jaclyn SYMES: As you indicated in your contribution in relation to compulsory acquisition, I have obtained some advice in relation to that. As you have identified, the compulsory acquisition land act is dealt with in section 40 of the Commonwealth act, so the requirements under the Commonwealth act do apply in some cases where there is a Help to Buy arrangement in place. Section 42C of the Commonwealth act ensures that in the event that the state seeks to acquire land where there is a Commonwealth Help to Buy arrangement in place, the Commonwealth will get its money. The accepted approach is to negotiate a settlement for acquisition of Commonwealth property as there are questions as to whether the state can compulsorily acquire Commonwealth property in any case, as the Commonwealth has exclusive power on Commonwealth land pursuant to the Commonwealth constitution.

David LIMBRICK: If I can just tease that out a little bit, if I heard you correctly, Treasurer, you are saying that although the state government cannot compulsorily acquire this property, there is in effect a mechanism through which that would happen. Is that correct?

Jaclyn SYMES: Yes, correct. The accepted approach is a negotiated settlement for acquisition.

David LIMBRICK: In that case, if the government compulsorily acquire property now, they have to do it on just terms. How will that be arranged under this new arrangement? Because effectively there will be two payees for that compensation for the acquisition of property: there will be the up to 40 per cent equity of the Commonwealth and the rest of the equity by the property owner. How will that actually work for paying just terms of compensation?

Jaclyn SYMES: As I explained before, the accepted approach is negotiated settlement, but there are not three parties. There is only one payee, not two. The person whose home is being acquired is the payee. They then repay the Commonwealth.

David LIMBRICK: So the negotiation will be between the property owner and the Commonwealth, not the state government and the Commonwealth. Is that what you are saying?

Jaclyn SYMES: Just let me check with the lawyers over here.

Mr Limbrick, the way it would work is that the conversations would be between the state and the landowner, and then the landowner can repay the Commonwealth out of the funds that have paid for the compulsory acquisition. The only time that it may be appropriate for the state to engage the Commonwealth is if the Commonwealth were not willing to relinquish their right to the property by virtue of the compulsory acquisition and wished to raise a dispute in that regard. That would bring in a conversation with the Commonwealth, but ordinarily it is just the state and the owner, and then the Commonwealth are not relevant if they are happy just to receive their payout.

David LIMBRICK: So it is assuming that there is consent from the Commonwealth to relinquish their equity in the property, and – I concede that it would be unlikely, but the potential is there – if the Commonwealth refused to relinquish their part, then the state could not conduct a compulsory acquisition. Is that correct?

Jaclyn SYMES: At the outset my advice is that it would be a highly unusual situation, but the payee – or the home owner – only needs to repay the Commonwealth entitlement, so if there was a concern about the Commonwealth releasing their security interest, the state could negotiate with the Commonwealth to resolve that issue.

David LIMBRICK: I think that covers my questions on that part. On clause 12 the explanatory memorandum talks about how any duties on land subject to the shared equity scheme with the Commonwealth government are to be assessed:

... as if the person was the sole purchaser/owner of the home, and no account is to be taken of the beneficial ownership of the Commonwealth or Housing Australia ...

So it is not quite clear to me, and maybe the Treasurer can clarify: does this mean that, because it is not taken into account, duties will not be payable on the Commonwealth equity in the home insofar as duties go, for example?

Jaclyn SYMES: As you have identified, we are talking about clause 12, which makes consequential amendments to the Duties Act 2000 and the Land Tax Act 2005. But no, they do not prevent taxation on stamp duty or land tax, nor will Victorian participants lose any concessions or other entitlements. Victoria is also expressly prevented by the Commonwealth constitution from taxing any Commonwealth property in any case.

David LIMBRICK: That is at the crux of what I am asking about. So just for clarity, if I took up this scheme and the Commonwealth had 40 per cent equity and I had 60 per cent equity, the stamp

duty would be payable on that 60 per cent equity but not on the Commonwealth component, because that would cause constitutional issues. Is that correct?

Jaclyn SYMES: No, that is not correct. The stamp duty is on 100 per cent. Sorry, I was pre-empting your next question.

David LIMBRICK: Let us see if you have pre-empted my next question. Doesn't that mean that the state government is levying taxes on Commonwealth property if that is the case, if they are taxing 100 per cent of the property?

Jaclyn SYMES: That is the question that I said you would ask. No, the property liability sits 100 per cent with the property owner. It is a beneficial interest, as opposed to 40 per cent of the property interest that the Commonwealth would have. It does not fall foul of the constitution for that reason.

David LIMBRICK: So in effect what is happening then is the property owner is liable for taxes on the property for a proportion of the property that they do not hold equity in. Is that correct?

Jaclyn SYMES: The legal title to a property purchased under a Help to Buy arrangement is intended to be held wholly by the homebuyer. There is a beneficial interest secured in the form of a second mortgage, but the beneficial interest second mortgage is not capable of being taxed by the state pursuant to the Commonwealth constitution. The actual land value is where it is relevant, which sits purely with the home owner.

David LIMBRICK: I thank the Treasurer for clarifying that. It is much less attractive than I thought in that case. There are a number of taxes – land tax and duties – amended by this. What is the purpose then? Is that to clarify who is liable under these acts? If the titleholder is the property owner and then the federal government has an equity beneficial interest in it, why do we need exemptions under the Duties Act?

Jaclyn SYMES: In relation to why we are amending the Duties Act, the amendments are to ensure that Victorian participants in the Help to Buy scheme are not financially disadvantaged because of their participation in Help to Buy through the loss of certain concessions or entitlements, such as being charged a duty as a result of paying money to the Commonwealth or Housing Australia under a Help to Buy arrangement. These amendments mirror provisions that were inserted into the Duties Act in relation to the Victorian Homebuyer Fund. We want to make sure that they are not precluded in any way from accessing exemptions where applicable.

David LIMBRICK: I thank the Treasurer for clarifying that. I think that already answers some of my other questions about liabilities for taxes, although there is one other thing I would like to clarify here. If there is land subject to a shared equity scheme with the Commonwealth and it turns out to be subject to windfall gains tax following a rezoning, that total liability on the property, including the federal equity, would fall upon the titleholder. Is that correct?

Jaclyn SYMES: Mr Limbrick, we have got an initial answer for you, but I am just going to get them to do a little bit more work so that I can give you full information. I will come back and answer that before the end of the committee.

David LIMBRICK: I thank the Treasurer for that answer. Many of these taxes, such as land tax, rates et cetera, are based on valuations of the property. What happens if there is a dispute between the state government and the Commonwealth on the value of a property? How would that dispute be settled?

Jaclyn SYMES: Mr Limbrick, we were just having a conversation over at the box in relation to how it is not immediately evident when there would be a Commonwealth valuation that would be at odds with a Victorian valuation, because the majority of Victorian property valuations are done by the valuer-general. If there was a dispute to that value, the practice guidelines in relation to this scheme

have got some dispute settlement processes to follow. But in terms of a Commonwealth body going about their own valuation that would be at odds with the Victorian body, we cannot think of an example where that would apply.

David LIMBRICK: I can maybe provide an example. The Commonwealth will be holding this equity on the Commonwealth balance sheets, so there is an incentive for it not to drop, because they do not want a drop in their balance sheet. Therefore if, for example, the Victorian government downgraded property prices in Victoria, devalued a bunch of them, that would cause a devaluation on the Commonwealth balance sheet and the Commonwealth would be incentivised to dispute that valuation. You could imagine that if it was in the case of compulsory acquisition, the Commonwealth could effectively block that acquisition if they did not agree with the valuation. Is it a possibility that the Commonwealth could block compulsory acquisition in those sorts of cases?

Jaclyn SYMES: If there was a dispute in relation to the value of the land, there is a process for ascertaining the value of relevant property in the program directions, which is currently contained in the exposure draft.

I have just got an answer on the windfall gains tax. There is a residential land exemption in windfall gains tax for up to 2 hectares of land owned by a person, so we think it would be relatively infrequent.

David LIMBRICK: There is just one more thing I want to ask. One of the other taxes that is based on land is council rates. Is the government confident that that is constitutionally coherent? Is the government confident that that is constitutionally valid as well? What is the mechanism through which that is valid?

Jaclyn SYMES: I have got some constitutional experts over here. Let me check.

Mr Limbrick, the answer is a similar answer to some of the conversations we had in relation to compulsory acquisition and tax considering who owns the property. That is the person who has the tax liability or the levy liability, not the Commonwealth, so therefore it is not offending the constitution.

David LIMBRICK: It would appear that constitutional validity in all cases – and please correct me if I am wrong – is maintained through the fact that the home owner pays tax on the entire property, including the federal government's beneficial equity component. Therefore, because that person is always liable, the state government is never directly taxing the Commonwealth, and therefore it is constitutionally valid. Is that the mechanism?

Jaclyn SYMES: That is correct.

Rachel PAYNE: Treasurer, the federal government recently announced the expansion of the income and price caps for Help to Buy. Prior to this announcement Parliamentary Budget Office (PBO) modelling showed that one in three Victorians would no longer be eligible for assistance once the state scheme was replaced by Help to Buy. Thanks to these changes, the difference between the income and property caps of the two schemes has been more or less cut in half. Can you advise, following the expansion of Help to Buy and the end of the homebuyer fund, how many Victorians will now become ineligible for assistance?

Jaclyn SYMES: What we do know is that we think more Victorians will now be eligible. Obviously there was a PBO report that said that 88,000 less would be eligible for Help to Buy than the Victorian Homebuyer Fund in Southern Metro – that is the information I have got here – but we now know that that number will be much smaller. There are 5 million houses across Australia that will fall under the property price caps. Also, statewide, the difference we understand would be less than 668.

Rachel PAYNE: My next question is in relation to the housing crisis and essential workers like teachers, nurses and firefighters, who are unable to live in the communities that they are supposed to serve. With an average salary for a registered nurse in Victoria being between \$75,000 and \$85,000,

the typical affordable unit price states that earnings would need to be more than \$122,000 a year to afford a mortgage on a unit – that is without breaking it down by suburb. Just recognising this, in New South Wales they recently completed a pilot program of a shared equity scheme to help first home buyers who are employed as key workers to access those houses. While these workers may be eligible for assistance under Help to Buy, they are deserving of a targeted audience. Can the minister advise what the government is doing to specifically address housing incentives for essential workers, if any?

Jaclyn SYMES: It is a good point that you make, and there are a range of measures that we should always look at to ensure that our essential workers can live near where they work, particularly when it is for essential services like health and education. I know that New South Wales had a key worker component, but the advice I have is that it was not taken up and was not successful. I would like more info on that myself. I accept the advice, but I would like to understand a bit more why it was not. That will probably explain why it was not translated into a Commonwealth program. I think this is a conversation we should always continue to have.

The advice obviously is that, despite the examples you gave, indirectly the income thresholds would cover some essential workers, as the salaries will fit into the eligibility criteria. Obviously it is a policy position of our government that we have recognised housing affordability and housing shortage in relation to essential workers, and coming back to the regional development portfolio, for example, we have the Regional Worker Accommodation Fund, so building near agricultural properties for farm workers, building on several hospital sites for doctors and nurses and health. There are a lot of projects around regional Victoria in terms of ensuring that they can get workers into housing. It is always something that is considered and discussed when we are looking at housing investment and building houses. Whether it is social housing or affordable housing, it has always got a consideration of workers. I think there is a policy space for what you are advocating for. It should always be considered in a lot of our policies, and in this one there are a couple of reasons it has not been, but it is something that is at front of mind when we are talking about housing developments, about making sure there is provision for essential workers and about how you make that work. There are a couple of ideas out there, and we are always open to further ones.

Rachel PAYNE: This is my final question. People earning an average income should be able to afford their own home without having to share their equity with the Victorian government or, further forward, with the federal government. Can the minister provide an assurance that shared equity schemes are a short-term tool that will be complemented by structural changes to the housing market, including but not limited to increasing supply?

Jaclyn SYMES: It is a really good point to make that you would like these to be short lived. You want to ensure that it is as easy as possible for people to afford homes, and you have hit the nail on the head that supply is the biggest and most successful lever in relation to that. The scheme is a Commonwealth scheme, and we do know that the Commonwealth are also interested in building new houses – the current government anyway – so there are a range of programs. This is just one support system in relation to the housing market. It is one tool, one measure to address housing affordability. This does not take away any efforts in relation to supply, and you know all too well that our housing statement targets are 800,000, and there are also different other measures such as support for properties purchased off the plan and through Help to Buy. We will always continue to build more houses, because that is the most effective way of ensuring that there is more housing affordability.

Clause agreed to; clauses 2 to 17 agreed to.

Reported to house without amendment.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (15:35): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (15:35): I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The DEPUTY PRESIDENT: Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill without amendment.

Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025

Second reading

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

David DAVIS (Southern Metropolitan) (15:36): I thought we would never start this bill. We thought at first we were going to start this earlier in the day, but it is now 25 to 4. This is the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025, and I begin by saying this bill is a real doozy. This is a shocker. This is a bill that slaps a huge whopping new tax on every household, on every business, on every property in the state. It is a killer. You only need to look at the recent budget statistics to see the revenue initiatives, table A.1 in the recent budget papers at the end of the year, and the Emergency Services and Volunteers Fund is \$610.9 million, \$765 million and \$765 million in 2027–28. That is the forthcoming three financial years – \$2.14 billion in new slap-up taxes and charges on every single household, every single property and every single business in the state. It is a killer. This government has had almost 60 new and expanded taxes, and this one is a whopper. It is a huge tax that is actually going to hit families, hit businesses and hit farms. It is a really nasty big new tax.

The state government has tried to dress this up as all about volunteers. It is not all about volunteers; it is all about a big fat new tax, that is what it is all about, and I think the community are now in outrage. Farmers across the state have contacted MPs' offices. Certainly I have run into many farmers, and they are very, very angry. I was up in Kanya on Friday last week. I met Victorian Farmers Federation members up there and local fire brigade captains and others, and all of them are aware of the hit that this is on agricultural land, but it is not just agricultural land; it is every household, it is every small business, it is the lot. It is a nasty new tax.

The Allan government does claim that this was introduced as a response to the evolving landscape of emergency management. While the government positions this bill as a necessary update to enhance funding for emergency services, it actually broadens the tax so substantially that you can have no doubt about what the government is up to. The truth is the government has squandered so much money, it has got deeper and deeper and deeper into debt and now it is looking for a new and fat expansion of its taxing initiatives.

It is also going to use the funds to fund core government services. Do not let anyone be under any illusions. This is not intended to fund emergency services alone; it is intended to fund core government services, and that is because the government is running out of money and it needs to fund core government services. We had the previous Treasurer Mr Pallas saying he was going to cut the number of public servants. Actually we now know from the 2023–24 budget outcomes document that was tabled in the chamber today that far from achieving a reduction in public servants, as he promised – that is what Mr Pallas promised; he said he would reduce the number of public servants and the burden

on the community – there are 79 more public servants. That is actually the number from my recollection.

Nick McGowan interjected.

David DAVIS: It is an increase, a modest increase, in the number of public servants but not what he had called it, which was a decrease. I know the new Treasurer has made announcements about using Helen Silver and others to look closely at the public sector, look closely at public sector wages, public sector costs and public sector –

Nick McGowan interjected.

David DAVIS: Well, Helen Silver is a very fine individual, but I am sure that even this is likely to be beyond her.

The bill proposes to replace the fire services property levy, which currently funds just the CFA, the Country Fire Authority, and FRV, Fire Rescue Victoria, and it erects a new funding framework aimed at supporting a broader range of emergency services, including the Country Fire Authority, Fire Rescue Victoria, the Victoria State Emergency Service, Triple Zero Victoria, Emergency Management Victoria and the Secretary of the Department of Justice and Community Safety for funding in relation to emergency management and the Secretary of the Department of Energy, Environment and Climate Action to fund forest fire management. All of the information is that the government intends to use this money much more broadly to backfill and to actually fund the public service on a broad level.

Members interjecting.

David DAVIS: Well, we will ask some questions when we get to committee. If that is the case, I am sure that the government will be happy to support an amendment that we will propose that says the money should only be used for these nominated emergency services, not for broader spending across the public sector.

Members interjecting.

David DAVIS: I have a good understanding of how emergency services –

Jaclyn Symes interjected.

David DAVIS: But the problem is, Treasurer, I do not think people trust necessarily your government – it is not necessarily you that people have any doubt with but the broader government – and future Labor ministers to stick to an understanding that it will only be used in a narrow way. I think people are very, very nervous indeed that the money will be sprayed deep into funding backfilling the shortages elsewhere, and I do not think anyone has any confidence that that is where it will stay.

John Berger: Are these just your words, then, are they?

David DAVIS: No, no, no, no, no, many are worried. Even the unions are worried about it, I have to say. However, the decision to nearly double the levy rates for property owners leaves the government open to the allegation that changes are more about massively increasing tax revenue to fund core services. Many of us have received correspondence from country councils and from many in the emergency services, certainly CFA members. The government have said they are going to give some relief and will ask about that for volunteers, but it is not clear how that is to be administered; it is not clear how that is going to be achieved.

The government says that there are more natural disasters. I am just not actually sure that that is true. There have always been disasters. Some of us remember 2009 and the terrible, terrible bushfires and going into some of those areas very soon after the fires at that time. As health minister, I remember in January there were terrible floods in the north of the state, and I spent a lot of that January period

working with communities, trying to deal with the loss of a hospital, trying to deal with all of the huge impacts. These are not new, the challenges that our state faces: fire, flood and a whole range of other natural disasters, as well as obviously fire in terms of domestic buildings and industrial buildings and so forth. All of these are staples. There is Dorothea Mackellar's poem, which refers to 'A land of sweeping plains'. People could go back and read that poem and they would see that actually floods and fire have been part of Australia, part of Victoria, forever. The government's justification is very, very weak. They are broke. They have spent the money – they have squandered the money – on big projects that have blown out beyond belief.

Nick McGowan interjected.

David DAVIS: Yes, three tunnels – they want more than that, I have got to say, as well – but huge spending, huge cost overruns. In fact just the cost overruns that this government has generated on their projects – there is more than \$40 billion, approaching \$50 billion, in cost overruns. As we say, when you start a project out your way, the North East Link, it starts somewhere in the vicinity of \$6 billion –

Nick McGowan interjected.

David DAVIS: It started at \$6 billion, but let us be generous and say when they signed the contracts it was somewhere near \$10 billion.

Lee Tarlamis: Is this his contribution or your contribution?

David DAVIS: I am engaging here.

The ACTING PRESIDENT (Jeff Bourman): Order! Mr Davis, it would be handy if you spoke a bit more through the Chair – or at least in the general direction.

David DAVIS: Acting President, you will understand the North East Link is now over \$26 billion. These are the projects that blow out, and the state government is now in a terrible financial position, with cost blowouts everywhere. Do not shake your head. The truth is the cost blowouts are there. You cannot deny that the North East Link started at one number and it is now way, way, way up. This is what is driving the bill.

The ACTING PRESIDENT (Jeff Bourman): Mr Davis, through the Chair, please.

David DAVIS: Sure, Acting President, I will make sure that all my comments are directed through the Chair. The fact is that these large projects have blown out on a massive scale, and this government has squandered tens of billions of dollars because it is incompetent, it does not know what it is doing, it cannot control the cost of these projects, and it is nobody's fault but their own. If they had the proper scoping on projects and the proper cost control, we would not see these projects blowing out. Almost every project has blown out. It is hard to think of a Victorian state government project that is not either behind time or over budget or massively over budget. That is actually the truth. So you have now got a state government that is in deep financial problems. We have got debts escalating. As per the question in question time today, starting off in 2014–15 we were looking at around 6 per cent of GSP, and now we are looking at debt of north of 24 per cent of GSP. So these are huge figures, and they are dragging the state down. The state government's solution to this is a big fat new tax – more than \$2.1 billion of a big fat new tax. That is what we are seeing; that is all this is. It is a new tax on every single household and on every single business, a new tax that is actually clobbering people.

Nobody believes that this is about emergency services. We all believe, and the community believes, that this is because the state government has run out of money, and the state government is now coming in with these big new taxes. We strongly support our emergency services, we strongly believe they should be funded properly, but the state government should have been making proper provision for them all the way through. The state government has traditionally funded Triple Zero Victoria. The state government has traditionally funded most of our other emergency services to a greater or lesser extent. So the truth here is that the state government is now going to scoop in all of this money, and I

have to say, the spending in a number of the emergency services areas has really not been well scoped and managed by the state government. We have seen the problems at Triple Zero over this recent period, we have seen the terrible problems that have occurred at Triple Zero, and we have seen the decline in the performance at Triple Zero.

Jaclyn Symes interjected.

David DAVIS: Minister, as much as you may wish to say something different, Triple Zero has not performed in recent years. It has not performed well.

Jaclyn Symes: Recently they have been going very, very well.

David DAVIS: They have come up a bit from where they were, but they were in a terrible position.

Jaclyn Symes: They were smashed by COVID.

David DAVIS: Everything is COVID. Everything is meant to be COVID. Actually the performance deteriorated before COVID, and you know that is the truth. It was actually in serious trouble before COVID, and you have now more recently started to coax it into a slightly better position.

Members interjecting.

David DAVIS: And who created the problem? That is the question. So in committee we want to ask some questions about the funding model. We want to know why the government has decided to fund some emergency services and not others. We want to understand exactly where the government seeks to dispense the money and how that will operate.

We will on this occasion move some amendments. I think it would be good if the amendments could be circulated, and I will explain the amendments so that people know what we are proposing.

Amendments circulated pursuant to standing orders.

David DAVIS: These amendments fall into three parts, in short. They firstly seek to limit the spending to the agencies where spending occurs now, plus the SES; that is the first tranche of amendments. The second, as an option and as a way forward, seeks to limit it to funding of emergency agencies but not to be used to fund the department within the meaning of the Public Administration Act 2004. And the third set of points in the amendments here is an aspect that seeks to have better reporting. This would seek that each financial year the minister must cause the following information to be included in the report of operations of the department: the total amount of revenue raised from the levy in the financial year – so let us see that amount; the breakdown of that amount by collection agency – that is effectively councils – and by land use classification as set out, so we want to see what is collected from farming land, what is collected from housing and what is collected from industrial land and so forth, but we also want to know how much is collected out of the particular municipalities; and the amounts distributed to each funding recipient from the revenue raised from the levy in the financial year. So we want to see where the money comes from and where the money goes. We think that that is a very reasonable set of amendments, and I am happy to discuss those with anyone in the chamber, including the government, and we are happy to work to scope those.

I also think there is an argument that this bill has not been fully understood across the community yet. I know there is wide outrage in farming communities, and I think there are very legitimate concerns there, but I am not sure that the average person in metropolitan Melbourne fully understands that they are going to be clobbered by this as well.

I think there is a strong argument that a committee could look at this bill. We understand now from what the whip said to me earlier in the day that the government does not intend to see this bill passed today. We do not intend, as I understand it from the government's perspective, to go into committee, so there is actually plenty of time, given that the chamber will not be sitting until the second week of May, for a relevant committee to do some serious work to look at this. It would enable firefighters,

agencies, volunteers and others to make submissions and to make their views known perhaps at a public hearing. So there could easily be a very strong case made that this is the sort of bill that ought to be looked closely at by a parliamentary committee. We will have more to say about that as the debate proceeds.

The farming land issue is very real. Farmers by and large do it very tough, and these charges that are being considered on farming land are quite serious and they are going to hit many farmers at a time when they are facing natural challenges. We have heard from over that side of the chamber the government members talking about how the challenges are there, the weather and natural events. Well, natural events, as I said, have always been there, but farmers are at the pointy end of these natural events, and you would have to ask why they seem to have been singled out for special treatment with this bill. Why have they been singled out?

There is the issue of volunteers and how they are to be recognised, and we agree with the concept of recognising them through some reduction in their payments or their levy, but the government has not given a clear explanation on how the machinery for that will work. I think the polite way of putting it is it is a mess. This will be an opportunity. This could be done at a parliamentary committee – it is another task that a committee could well consider – or we could do it in committee of the whole when the chamber returns and there could be some close questioning of the minister so that we can all understand better how the government intends that volunteers should be recognised.

Acting President Bourman, I think you have foreshadowed that you are going to potentially move some amendments too. We will be happy to talk about those after you have circulated your amendments formally, and some of my colleagues, Liberals and Nationals, will no doubt make comment on those at that time. Amendments are one way of dealing with some of the issues.

There are questions about the title of the bill and the misrepresentation of the bill as concerned about volunteers. This bill is a tax bill, a dirty three-letter word. Make no mistake, it is nothing more and nothing less than a nasty tax bill, and the community should understand it in that way. The government has got the ability to jack up the tax. That is what they want to do. Why are they so desperate for money now?

I was in government when the fire services levy came in. We looked closely at how we should do this. There were a lot of debates. I sat in in a number of the cabinet committee discussions as to how we would do this. People can think back to how the money was attained for fire and other emergency services previously. There was a levy on insurance premiums, and people will remember that cascade of insurance. Michael O'Brien was the Treasurer at the time, and I think it was a good and very sensible reform. It was a fair reform. We needed to make sure that it did not clobber householders and small businesses too hard, and we needed to make sure it was fairer in the sense that if you look back to the old system, those who did not have insurance did not pay at all, and that was patently unfair. The system was brought in so every property made a small contribution to the emergency services, and particularly the fire services. It was then decided the levy would be collected by councils, because obviously they had the machinery there, and we did not necessarily want to set up a whole new collection approach.

But now, with the scale of what the government is proposing, this is also a body blow to councils. Councils by and large are obviously collecting their rates each year, and that is what they should do, but now they have got this additional charge, and it is going to be a whopper. On the bill, people are going to look at it and go, ‘Oh, my goodness, that’s a very, very big charge.’ They are going to see that it is not what it was and that it is now much, much higher. Councils are going to have to carry that load and collect that money, and that is not going to be as straightforward as it was previously. It was a more modest charge. As I say, when you add up the three forward years, 2025–26 onwards, you get to \$2.14 billion in extra collection that the state government is imposing, and that is going to be collected by those collection agencies which are referred to in my amendment. The collection agencies are councils, let us be clear – that is what we are talking about: they are councils. Those councils have

got to collect the money, they have got to deal with the bad debts, they have got to deal with carrying that bad debt load and they have got to go and recover money on some properties. That has always been the case, but now the scale of this is going to be much greater – in fact in the next three years \$2.14 billion greater. It is a huge amount of money. New tax, new collection, councils facing –

Sheena Watt interjected.

David DAVIS: We agree with using the levy to fund fire services; that is what we brought in in 2013. That is what I have just outlined. We understood that a fire services levy was a fairer way to do it than the old tax on insurance, which meant that some people did not pay anything, others paid a lot, and there was that cascade of GST and the levy and so forth, so it became a very significant hit on your insurance premium. By making it low across all of the landholdings in the state, it was a fairer tax. But now this is a huge additional tax. If you look at the budget paper that came out at the end of last year, you can add up those three years quite clearly, and it is \$2.14 billion, Ms Watt, if you look at it. It is a large amount of money in anyone's knowledge. That is going to have to be not just extracted but plucked from those landholders, stolen from landholders, but it is going to have to be collected by councils. The councils say, 'Why are we the bunnies that are collecting this huge, huge new tax?' And I can see why they are saying that.

I am conscious that you might not want to set up another whole agency for the State Revenue Office to go and do that in replica, but at the same time the scale here is so big, the new tax is so big that it is going to make it very, very hard for those councils. If people do not pay on time, they have got to go out and collect it, and that is not going to be straightforward. The state government does not seem to have appreciated that this is going to be a collection task for councils. It is going to require more money and resources to collect, they are going to have to carry the load for a long period and they are going to have to be, frankly, quite unpopular when they go out as the tax collector for the SRO in effect and the Treasurer. That is the truth of the matter.

It is not a great bill, and I do not think anyone thinks it is right. I have only touched on a number of key areas. To summarise for people again, we have got some amendments. There are three, in effect, in that set of amendments: reporting, confining the spending to a small number of agencies and outlawing the spending on core government services. Our fear is that the government is going to take the rivers of gold that come from this and it is going to be used to fund the public service as a whole. We say that is not right. We say that the money collected through the fire services levy was designed for that emergency services arrangement. That is fair enough. We agree with that – that was our policy. But you have also got the government wanting to backfill Triple Zero and other parts of the system that have traditionally been funded by normal, everyday tax revenue.

Nick McGowan interjected.

David DAVIS: It is a pea-and-thimble trick, Mr McGowan, that is what it is. You see, you try and follow the money as you move it around through the public service. We pump up this bit, and we find a new funding source for another agency over here. Well, we are not buggerlugs. We think it is not right, and we are going to oppose this quite strenuously. I want to be clear to the Government Whip and to the Treasurer: this is going to be a long debate, a long fight, when the chamber returns. It might be, as well, that some of this is dealt with through a parliamentary committee.

Rikkie-Lee TYRRELL (Northern Victoria) (16:06): I rise today to voice strong opposition to the Victorian government's Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025. While the intent to bolster our emergency services is commendable, this legislation imposes an undue financial strain on Victorian property owners, particularly our farmers and landlords, and lacks the necessary community consultation. The proposed Emergency Services and Volunteers Fund, or ESVF, levy will significantly increase the financial obligations of farmers. According to the Victorian Farmers Federation, this levy will result in cost hikes ranging from 100 per cent to 400 per cent for farmers, with an average increase of 109 per cent. Such exorbitant rises are

unsustainable and will inevitably lead to higher grocery prices for all Victorians as farmers pass on these additional costs. The VFF has labelled this levy an unjust cash grab that disregards the invaluable contributions of our farmers, especially during ongoing crises like droughts and bushfires.

Landlords are also set to bear a heavier financial load under this bill. The new levy is expected to generate an additional \$2 billion from landowners, with landlords and short-term rental owners facing higher charges. This move comes on the heels of previous hikes in land taxes and new rental regulations, prompting many landlords to consider selling their properties. The increased financial pressure on landlords is likely to be transferred to tenants through higher rents, exacerbating housing affordability issues across the state.

The government's approach to implementing this levy has been marked by a troubling lack of community engagement. Unlike the comprehensive consultations undertaken during the establishment of the original fire services property levy in 2013, this bill has been introduced without adequate input from those most affected. Farmers and other stakeholders have been sidelined in the decision-making process, leading to widespread frustration and opposition. Local councils tasked with collecting this new levy have expressed significant concerns about their capacity to manage the additional administrative burden and reputational damage amongst their ratepayers. The Municipal Association of Victoria has highlighted the complexity of implementing the levy and anticipates backlash from residents. Councils are ill equipped to handle the increased workload, and the financial impact on rural areas is particularly concerning. Fire Rescue Victoria and the CFA also have concerns with the wording of the Emergency Services and Volunteers Fund bill. As it stands, FRV receive 87.5 per cent of the fire services levy. The wording of this bill leaves the door open this allocation to be lowered, leaving a large shortfall in funding for an already cash-strapped vital service. With both FRV and CFA members relying on 30-year-old trucks and failing equipment to protect the community, both organisations are voicing their concerns with the distribution of this fund.

While the need for well-funded emergency services is undeniable, the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025 places an inequitable financial burden on farmers, landlords and ultimately all Victorians. The lack of community consultation and the administrative challenges posed to local councils further underscore the bill's shortcomings. I urge the government to reconsider this approach and engage in meaningful dialogue with stakeholders to develop a fair and sustainable funding model for our emergency services.

Sheena WATT (Northern Metropolitan) (16:10): I rise today to speak in support of the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025. This bill is a transformative, long-overdue reform that will reshape how we fund and support the very people who run towards danger when the rest of us seek safety. Can I just say from the outset it is a reform grounded in fairness, in justice and in the simple belief that those who protect us deserve to be protected in return. For too long our emergency services have been asked to do more with less. They have faced growing and evolving threats while operating under a funding model that simply has not kept pace with the scale and frequency of disasters. This bill answers that challenge head-on. It provides the foundation for a modern, flexible and equitable system that reflects the reality we now live in: a world where extreme weather is no longer rare but the norm.

Can I begin by thanking those workers and volunteers, some of whom are with us today in the chamber, and make very clear that there is an intention that has been made very clear by the Treasurer that there will be no reduction in funding. There is \$970 million from last year's budget committed to FRV. They will continue to receive 100 per cent of their budget as stated, and up to 87.5 per cent of that funding will come from this Emergency Services and Volunteers Fund. The budget determines the level of the ESVF levy. The ESVF and the collection of that does not set FRV's budget. The 'up to' number provides government with flexibility when choosing the rates and how much of the FRV budget and other emergency services budgets are funded by the ESVF. It does not impact the budget of these entities. The other thing that I just want to say is that this has been made clear by the Treasurer. She has said it multiple times, as I understand, and she will absolutely stand by that. I look forward to

her contribution on this, and it is worth acknowledging her work as the former Minister for Emergency Services. The Treasurer, I know, will speak to this with great strength and conviction, particularly as a regional Victorian.

I cannot think of a more fitting moment to speak on this bill than right now, because we are marking the 80th birthday of the Country Fire Authority. For eight decades the CFA has been a symbol of selflessness, courage and community through fires, storms and unimaginable hardship. CFA members have stood strong. Their legacy is in the hearts of countless Victorians whose lives have been saved, whose homes have been defended and whose communities have been rebuilt in the wake of disaster. This bill is not just about maintaining this legacy; it is about strengthening it for the future. It is also about recognising that emergency services are not just a seasonal support system; they are a constant presence. Whether in the peak of summer bushfire periods or during unexpected flash flooding in the middle of winter, they respond, they reassure and they rebuild.

In fact on the weekend I had the honour of attending the Victorian State Emergency Service regional awards. It is one of those moments, I must say, that really ground you. It reminds you what this work and what this legislation before us are really about. I saw the awards given to volunteers for five years, 10 years, 20 years and even 50 years of service – 50 years. That is a lifetime of commitment given by Denis Brain, who joined the SES Footscray unit in its founding year of 1975 following the devastating West Gate Bridge collapse. I had the chance to talk to Denis, and he told me about the time he has spent being the head of boating operations at the VICSES in Footscray and how you can often spot him along the Maribyrnong River. Actually, part of the reason why he joined and why boating is now a part of the SES is because of his incredible work. He continues to train boating crews, and there are rescue folks with skills that they learned from Denis right across the state. That same crew went out and helped the crew along the Kensington flood banks in 2022. I want this chamber to be a part of the reason that Denis's legacy continues in the SES, and that is only possible if Denis and the crew at Footscray SES have the resources they need to keep on going.

While I was at the awards I had the good fortune to speak to Mike, Goldie and Mel. They are three absolutely unwaveringly dedicated SES members who did not just thank me for attending, they pleaded with me, pleaded with us in this chamber, that the SES needs this bill to pass to continue to do what they do best, helping Victorians when disaster strikes. So to Denis on the banks of the Maribyrnong River, who saw boating become central to SES rescue; to Mike, Goldie and Mel, who asked not for praise or applause but for practical support; to the CFA captain from Seymour, who told me they are still operating trucks older than many of their volunteers; and to every regional unit that has turned up in the dark with little more than a pager and a purpose, this bill is for them. It is for the families they helped evacuate, it is for the towns they have rebuilt sandbag by sandbag and it is for the future they protect even when their own properties lie in the path of destruction.

It is time that we move from applause to action to ensure that our emergency services, paid and volunteer alike, are not just equipped to respond to today's emergency but ready for the ones that we do not yet see coming. To support our emergency services, the Allan Labor government announced a more than \$250 million investment to boost the capability of our emergency services, because we know that funding reform must be matched with real, tangible support. This included, importantly, \$70 million for a rolling fleet replacement program to deliver new and upgraded trucks, tankers and pumper for CFA and VICSES volunteers right across the state. In fact I have had the good fortune to see them up here in the northern suburbs.

We have also doubled the number – let me say it again, doubled – for the Victorian emergency services equipment program, injecting over \$62 million in local stations, vehicles and gear. I have seen the benefits of that right across the state. Because accurate information saves lives, we are investing \$53 million to modernise the VicEmergency app, which I hope everyone has got, and the Emergency Management Common Operating Picture, with better accessibility, faster upgrades and multilingual functionality. Why you need the app is because climate change is real. It tells you when there are fires and where there are floods. It is absolutely important for absolutely everybody to download the app. I

tell you what, whether you are in the cities or in the country, we need that VicEmergency app being upgraded, and that is one of the things that will be funded by this bill. This is about giving our volunteers the tools, the training and the tech they need to protect our communities, not just now but into the future. This is only possible if this chamber here supports the levy.

Members interjecting.

Sheena WATT: Let me be clear to those interjecting and others: the threats facing Victoria are growing. Bushfires now burn hotter and they burn longer. Storms are more quickly unleashing, and I absolutely tell you they unleash more damage. I have seen it. Our emergency response system cannot be funded on a model designed for the challenges of a decade ago. We need it for today and for the future. In 2013 in fact the fire services property levy (FSPL) was introduced, and it has served its purpose well; no doubt about it. It has provided consistent funding to the CFA and the FRV, but we all know – or those of us that live in reality know – that the risks have changed. The risks have absolutely changed and the threats have intensified. Fires do not stop at shire boundaries. Storms do not discriminate. Floods do not stop and ask ‘Where’s the boundary of the property?’ and whether or not they are covered by a funding formula. It just does not work like that. That is why we are proposing this change.

We are looking to replace the FSPL with the Emergency Services and Volunteers Fund levy, a funding model that matches the scale and the complexity of today’s emergencies. This new fund will fund not just FRV and the CFA but also the SES, Triple Zero Victoria and Emergency Management Victoria. Anyone that says that someone that takes a call at all times of the day and night on that 000 hotline is a bureaucrat does not know the absolute commitment and dedication of those workers. So to everyone at Triple Zero, I say that I stand with you. This bill is about standing with you, while those opposite denigrate your professionalism and the work you do, and I am not going to stand for it. Those that are with Forest Fire Management Victoria, who are out there fighting fires in regional Victoria and on our forest farms –

Members interjecting.

The ACTING PRESIDENT (Jacinta Ermacora): Order! Mr McGowan, if you could perhaps tone it down a little bit. It borders on badgering, and the member has a right to present her position.

Sheena WATT: I have only just gotten to the bit about forest fire management and the State Control Centre, and I have got some words to say about that. But I am going to bring myself back before I start talking about my experience with Black Saturday and let you know that this bill before us and the levy will ensure that the coordinated responses and managing recovery efforts are supported by not just those on the front line but right across our state, including at the State Control Centre. They are important workers doing incredible things. It will fund up to 95 per cent of annual reporting budgets for some of these services, providing a stable, long-term source of investment in equipment, in technology, in training and in boots on the ground. No longer will these agencies need to cobble together funding through really unpredictable channels, and hopefully there will be some safer ways of being funded than standing at the traffic lights. This bill provides certainty. It is a change that brings Victoria into line with other jurisdictions right around the country. Other states have already moved to broader based models that reflect the real cost of emergency preparedness and response. It is time we caught up, because every delay puts lives and communities at risk – every single delay.

The funding uplift by this levy is substantial. The levy is expected to generate an additional \$610.9 million in 2025–26 and \$765 million more in 2026–27 and 2027–28. Every single dollar raised will go towards life-saving equipment, modern vehicles, staff training, volunteer support, public education and disaster recovery initiatives. I am going to say that again: every single dollar raised. The Treasurer will absolutely support me in that, because she has said it many, many times, and I am here to say it again: every dollar raised will go towards those things that matter most.

This is not just about raising money; it is about using funds in the smartest and fairest way possible. That is why this bill ensures that those that contribute to our emergency services through their time and through their sweat and often risk their safety – our volunteers – are recognised and supported. From this year onwards eligible volunteers will be able to apply for a rebate on the levy from their principal place of residence or for farmland they own or have an indirect interest in, including via family trusts or farming companies. This is a direct, tangible acknowledgement of the time and personal resources our volunteers commit. Let me be clear, this is not just tokenism; this is meaningful investment that will absolutely save lives. The eligibility criteria for the rebate have been debated, but it will be set by the Treasurer in consultation with the Minister for Emergency Services, and it will be published transparently for all to see. This means volunteers will know exactly where they stand and what support they are entitled to. There will also be a cap on the rebate for farmland based on land value – again, a fair approach to ensure that the rebate reaches those who need it most.

There is so much more that I could speak to with respect to the levy, but there are exemptions. We are looking after our volunteers out there, and I know that there are others here, on our side in particular, that are standing with our volunteers in supporting the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025. There is so much at risk by not funding these services, including the reality that climate change is here. It is real, and the way that it manifests itself is in much more ferocious fires and much more ferocious and fierce storms. We must equip and support our volunteers so that they can be there day or night, rain, hail or shine, for the Victorians that depend on them and need them most.

With my last 20 seconds can I just say that this more than a piece of legislation. It is a statement of our values, a declaration that we as a Parliament believe in protecting those who protect us – that we will not leave them to face disaster alone, that we will stand with them before, during and after the storm. I commend this bill to the house.

Nick McGOWAN (North-Eastern Metropolitan) (16:25): What complete and utter garbage I have heard – what complete and utter garbage. I have been in this place now for almost two years, and today has to take the cake. Yet again what we have today is the Labor Party actively –

Members interjecting.

Nick McGOWAN: Here we go, we have got the peanut gallery straightaway – actively destroying and actually pitting legislation against workers. That is right, yet again. You did it with WorkCover last time and here you are again doing it to firefighters – firefighters, volunteers, CFA firefighters, you name it across the board. You are absolutely decimating the workers of Victoria. You know, before there was no-one in the chamber at all because they are so ashamed, all of your colleagues, they will not even come into this chamber to talk about it; they will not have a discussion about it. You have absolutely abandoned firefighters in this state, and to pretend like this is anything other than a disgraceful, despicable –

Members interjecting.

Nick McGOWAN: I beg your pardon? A dollar for what? I tell you it is a despicable attack on every Victorian –

Ryan Batchelor: On a point of order, Acting President, I just draw the member's attention to the standing orders with respect to pointing in the chamber.

The ACTING PRESIDENT (Jacinta Ermacora): It is not appropriate to point, Mr McGowan. I think it alludes to aggression. Please continue appropriately.

Nick McGOWAN: If the Parliament prefers, I will go for jazz hands if that would make those opposite more content, because this is what they do time and again. Time and again they do not want to discuss the issues at hand. What they want to do is deflect, because this is a disgraceful, woeful attack on every single worker in Victoria, and in particular on this occasion it is a disgraceful attack

upon the firefighters themselves. Those opposite know this. They absolutely know, because what they are doing is they are actually taking from column A and giving to column B, and there is no guarantee at all that those in Fire Rescue Victoria will get an extra cent. In fact what you are doing is worse than that. For the first time since the royal commission – I will come to the royal commission; I cannot wait to come to that, I tell you what, and we will come to the royal commission – and for the first time in history you are actually factoring into this legislation a cut to Fire Rescue Victoria, a cut to every one of our firefighters. It is disgraceful.

Michael Galea: On a point of order, Acting President, the member does have an obligation to be truthful. The government has been very explicit that there is no cut to FRV in any way whatsoever.

The ACTING PRESIDENT (Jacinta Ermacora): That is not actually a point of order.

Nick McGOWAN: I will take up the interjection and the point of order nonetheless. A cut – I will explain to those opposite, with my jazz hands, what you are adding to the legislation. The minister knows this, the minister is very clever, so I do not put it past the minister. But for those on the backbench let me take a moment or two of my precious time to explain: when you say ‘up to’, the reality is with this government they have a woeful track record. We only need to look back in the past. I mean, you guys learned nothing from the royal commission. Remember this is how the fire services levy began. It began because what we needed was a consistent and a viable and an appropriate level of funding for the fire services and our firefighters. Well, you are going way away from that. Suddenly you came up with a mega tax on the eve of Christmas – never forget this. On the eve of Christmas what did this government drop? A doubling of the fire services levy. That is right – shrug our shoulders all we want in this chamber.

I tell you what, in a cost-of-living crisis this government has decided that it has run out of money. It is digging tunnels everywhere. They have got sinkholes that they cannot even manage, and what do they do? They just flog the Victorian people, and what is worse than that, worse than flogging Victorians, is doubling this tax – \$2.1 billion – billions and billions. If the people of Victoria thought they were going to get something for their money, then that would be fine. But I came back after Christmas – I had a short break; I had a longer break in the end, but I did have a short one – and I went straight to my fire station in Ringwood, and do you know what I found? Straight after the Palisades fire, straight after the fires in America, we should have learned something from them because there the firefighters went to the fire hydrants and, guess what, there was no water. I tell you what, today Victoria is exactly like the Palisades was then. The truth hurts.

Ryan Batchelor: On a point of order, Acting President, I am concerned that Mr McGowan’s tie is in breach of the standing orders, and I would ask you to address that.

The ACTING PRESIDENT (Jacinta Ermacora): I will take advice on that.

Nick McGOWAN: On the point of order, the tie does not breach the standing orders. All it says is, ‘Allan government burns FRV.’ It is factual, it is correct, and I would ask that it obviously be allowed to be worn.

Ryan Batchelor: Further to the point of order, I think the standing orders are very clear about political slogans on items of clothing being worn by members in the chamber. We would not be able to have that on a badge, for example, if it was worn in the chamber, so I do not think it is appropriate that Mr McGowan wears that in the chamber. I ask either for you to direct him to remove it or for him to remove himself from the chamber.

The ACTING PRESIDENT (Jacinta Ermacora): The wearing of a union badge is contrary to a President’s ruling and marking or promotion on any item is contrary to a previous President’s ruling in this place, so I would direct you to remove it.

Nick McGOWAN: On the point of order, it is not a union badge. I am not sure quite what the Labor government has against unions, but this is an irony; it is a parody of some sort. This is not a

union badge. It is not a slogan. It is a tie that fairly says, ‘Allan government burns FRV.’ It is a factual statement.

The ACTING PRESIDENT (Jacinta Ermacora): It is a political statement, and I ask you to remove it.

Nick McGOWAN: If it pleases the Acting President, I shall remove and strip my tie. This is what it has come to. This is the problem with this government, you see. They would rather a member strip in Parliament. They would rather a tie –

The ACTING PRESIDENT (Jacinta Ermacora): Please, we do not need any commentary.

Members interjecting.

The ACTING PRESIDENT (Jacinta Ermacora): Order! I will ask for the President to come in and rule on this, or you can conduct yourself appropriately and not reflect on the ruling from the Chair.

Nick McGOWAN: I will continue with the substantive debate, because that is really what is important here. Going back to the royal commission, let us never forget the royal commission – 155 days of hearings. How many days of hearings have they had for this bill? Not a single, solitary day, because they did not have the guts to do it. Why? Because what they are doing is burning every single worker in Victoria for the second time that I have been in this chamber – absolutely burning the workers of Victoria. You did it last time with WorkCover. That affected not only firefighters; WorkCover also affected firefighters, police officers, ambulances, paramedics – you name it. You are doing a great job. No wonder you are absolutely failing in the polls, because I tell you what, if this is how you treat the workers of Victoria, in 18 months time you will hear what they think of your efforts, because they are absolutely appalling. What you are doing is you are taking from column A to put into column B. You are stealing from the people of Victoria. Never in my lifetime have the services of this state, the fire services, much less the associated services, been funded out of anything other than general revenue. That is precisely where it should come from. Why? Because general revenue is absolutely guaranteed.

What you are doing is playing politics with firefighters. You are playing politics with the CFA. You are playing politics with the SES. If you need any further proof, just look at your proposed legislation. Your proposed legislation does not just fund those things. No, you go further than that. You are putting it in legislation; it is that insulting. You are funding the head of a department – a bureaucrat. It is insane. What are you people on? Who dreamed this stuff up? Who came in and actually said to the caucus, ‘This is a fantastic idea. I’ve got an idea. We were doing so bad economically that we’re going to tax every other Victorian double – a tax overnight. We’ll flog them, because that’s what we can do to the people of Victoria.’

Let us never forget what the royal commission found. The commissioner said that both the former CFA chief Russell Rees – we all remember him; maybe you do not, because memories are very short in this place – and the head of the Department of Sustainability and Environment Ewan Waller ‘did not demonstrate effective leadership in crucial areas’. This is the same person that is being funded by this bill. You should hang your heads in shame on that side – absolute shame. But do not forget police commissioner Nixon. That was back in the good old days when we had a police commissioner. I have lost count of what we do and do not have any more. It is in an absolute perilous state, this state. The fact is that we do not have a chief commissioner, the acting commissioner will not stay on and there is absolute rancour across all of the members and levels of the police force. And not content with that, not content with dismantling the police force, now you are going to do with fire services, with the CFA and SES volunteers.

Lee Tarlamis: On a point of order, Acting President, on relevance, I think the member is straying very far from the contents of this bill. I would ask that you bring him back to the bill.

Renee Heath: On the point of order, Acting President, I think that all the contributions so far have definitely done that. I think they have. I would just ask you to apply the same standard.

Sheena Watt: Further to the point of order, Acting President, I believe my remarks for the full 15 minutes were very direct to the bill. They spoke to the impact of the bill. They spoke to what it will and will not fund, and I ask that that be withdrawn.

The ACTING PRESIDENT (Jacinta Ermacora): I ask the member to return to the topic of the bill, please.

Nick McGOWAN: Not only does this legislation not guarantee the current funding level to fire services in Victoria – it does not; it explicitly does not. It says ‘up to’ in political speak. We are not dumb, and you know what, the people of Victoria are not dumb. They know what you mean. They know exactly what you are up to. This is the problem with you lot. You have been caught with your hand in the jar, and you think, ‘Oh, that’s not me. I didn’t do that. Look over here.’ That is exactly what they are doing. It is an absolute disgrace, and we have caught them out on it.

This is the same government who at the moment are allowing the FRV – that is at the upper echelon, the pen-pushers – to spend up to \$33 million a year on consultants, while in my brigade out in Ringwood, when I came back from overseas, as I was saying earlier on, guess what, I found that a teleboom, one of the two appliances they are supposed to have in that place, they do not have. If there was a fire tomorrow, if there was a fire during the summer season, guess what, those firefighters do not have it. Worse than that, one of the two appliances they do have – the one that was working, that is – was not working on the automatic function, so they could not control the flow of the water. No, that is okay. That is fine. It also had no fire-over protection. So here we are in 2025, and what this government is trying to claim is somehow that they are doing a good job to start with. Well, they are doing a woeful, horrendous job to start with. There is no rolling replacement program, and the ultimate insult here in this legislation –

Members interjecting.

Nick McGOWAN: Seventy million dollars for the CFA – read the papers. It is for the CFA. How could you not see that? There is no rolling replacement program for the FRV. It is for the CFA. If you cannot even get this at this point, then I am lost. I have absolutely no hope of cracking through, because if the backbenchers of this government do not understand what is going on, if they do not understand there is not a rolling replacement program for the FRV and that it only applies to the CFA, what they are missing is that it is political. They are trying to stick their finger up at the union. They are trying to stick their finger up at every firefighter there is in this state. Meanwhile, they get up and they laud the effort of the firefighters: ‘Aren’t they heroes? Blah, blah, blah, blah.’ Nonsense, absolute nonsense. What they would rather is trucks that work, trucks that get there in time and trucks and equipment that protect them every single day when they do those jobs. Increasingly, they are not only fighting fires. For more than 50 to 60 per cent of every incident that occurs or every emergency that occurs there is not a paramedic there – we love them – and it is not a police officer there; we love them too. But guess who it is? That is right, it is a firefighter. The more they do of that, the more they are offline. And guess what is happening at every station? It is having a ricochet effect.

Yesterday when there was an incident down at Moorabbin Airport the trucks rocked up, and what happened? One appliance went to one gate and one went to the other gate, the north gate and the south gate of the airport. Guess what, there was no foam, because the truck does not work. Do you know that up here, 300 metres away, they have got a vehicle that is 33 years old. It qualifies under VicRoads for a classic car number plate. But wait for it, if it just holds on a couple of years it can have a vintage one. This is a fully servicing fire appliance today, and those opposite want to sit here, lecture us and tell us how good they are and tell us this is going to be good for the state: ‘Just trust us because we know it’s so good.’ Well, the last time we trusted you, police commissioner Nixon sat there, and to quote the royal commission, they said she had her ‘hands off’. ‘Oh, I’ve got to have dinner.’ She had

her hands off. That is what she did. Worse than that, the royal commission said her conduct ‘left much to be desired’. I am not just saying that; I am quoting a royal commission report.

Those opposite want to sit there and tell us that this disgusting, despicable bill, this disgusting, despicable tax, this disgusting, despicable impost on every Victorian in a cost-of-living crisis should somehow pass through this chamber because we are all so stupid on this side and stupid on the crossbenches and the Greens and the Legalise Cannabis Party and everyone else is so stupid that we will just agree with it. I hope we do not. I hope we block it. I hope that we actually send a strong message that never again should you put up legislation that says to firefighters, ‘We’ll fund you “up to”’. No, the question we should be asking is: how much money can we give you? How can we protect those who protect not only us and our families and our children but also the property we own not only in the urban areas but in the country areas and everywhere else. I am all for funding the CFA and the SES and all these other things, but you can do it from general revenue as you have always done. This is a disgrace.

John BERGER (Southern Metropolitan) (16:40): I rise to speak today on the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025, brought into the Parliament by the Minister for Economic Growth and Jobs in the other place, which acts to amend and change the title of the Fire Services Property Levy Act 2012, to expand the coverage of that act to emergency services and volunteers and to make consequential amendments to other acts. I am proud to be a member of the Allan Labor government, which supports the Victorian State Emergency Service, the VICSES. This year the current budget from 2024–25 included almost \$70 million for VICSES to deliver volunteer training, incident management, team training and volunteer support programs, and the budget before that included \$15.1 million for 35 heavy rescue vehicles for the VICSES. This is in addition to the 21 heavy rescue trucks and seven medium rescue trucks funded the previous year.

As you can see from the multiyear budgeted commitment, our support is not limited to one election. We announced \$2.5 million in additional funding to the VICSES through the volunteer emergency services equipment program grants. What does that mean? It means our hardworking emergency service volunteer agencies will have the modern equipment and resources they need when this bill comes into play. Specifically, this bill will replace the fire services property levy, or FSPL, with the emergency service and volunteers fund levy, or ESVF, to broaden funding capabilities to widen the range of natural disasters response activities and to ensure long-term support for our hardworking first responders as they support Victorians through floods, bushfires, storms and more, which is incredibly important in a world increasingly impacted by climate change. The bill renames the principal act the Emergency Services and Volunteers Fund Act 2012 to reflect its broader aims.

We are lucky here in Victoria to have a broad and varied array of services ready to protect us from everything life can throw at us. I had the pleasure of visiting the Malvern SES unit volunteers a couple of weeks ago, which I spoke about in my members statement back on 18 March. Established in 1981 they have served the Malvern community for over 30 years – 40 years in fact. Their unit boundaries consist of areas between Punt Road, Warrigal Road, Dandenong Road, Victoria Street, Barkers Road and Toorak Road. There are some 57 volunteers from all walks of life, with three members having been with the SES for over 30 years. With training on a weekly basis and the expectation of a 60 per cent attendance rate, ensuring that volunteers are the best equipped to service the community, they have responded to over 2500 requests for assistance, totalling almost 14,800 hours of service to the community of Malvern, spanning across the local shires of Stonnington, Boroondara and Yarra. Much of the Malvern area is prone to flooding, with the Yarra River and Gardiners Creek running through the area, so their work is absolutely critical for the local community. They also travel across the state to assist other units when necessary, and they host community education awareness programs to promote proper prevention tactics and good safety habits. This year they deployed volunteers to western Victoria to support the bushfire response and to Queensland for the cyclone response. These volunteers make sacrifices and work tirelessly to keep our community safe, and I want to give them

the recognition they deserve today. A special thank you to the volunteers I met, including unit controller David Tobin and deputy controllers Helen Cann and Alex Rock.

As I mentioned just then, this year we saw Queensland and northern New South Wales struck by Cyclone Alfred. While downgraded from a category 2 cyclone to a tropical low, this natural disaster wreaked havoc on local communities, with evacuations, trees falling and flash flooding. The New South Wales SES responded to several dozen rescue operations and call-outs numbering in the thousands. In our own home state we have seen the Grampians heavily impacted by bushfires over the last two years. Just this year two bushfires in the area swept through more than 135,000 hectares of the Grampians National Park. And of course I do not think anyone can forget the Black Summer bushfires that burnt through our state five years ago. The member for Monbulk in the other place spoke of the fire last week that began in her electorate, which was contained by our incredible emergency services within a few days in Montrose and Kilsyth.

Coming into effect on 1 July 2025, these changes will allow our incredibly hardworking emergency response services, including Fire Rescue Victoria, the Country Fire Authority, the Victorian State Emergency Service, Triple Zero Victoria, Emergency Management Victoria and the State Control Centre, Forest Fire Management Victoria and other recovery agencies to access the resources they need to protect our community, because when Mother Nature rears her ugly head in Victoria, be it fire, flood or any other natural disaster, we need emergency services to be ready, resourced and supported to get the job done.

The Emergency Services and Volunteers Fund levy will be a significant investment into our emergency services, expected to raise \$610.9 million more for natural disasters response in the 2025–26 fiscal period and, in addition, \$765 million in the 2026–27 and the 2027–28 fiscal periods, once fully implemented. This is in line with the Allan Labor government's commitment to investing over \$250 million in additional support for CFA and VICSES volunteers, which the Emergency Services and Volunteers Fund levy will achieve on the passing of this bill. It will serve to replace the fire services property levy, which has had Victorians contribute to the funding of Victoria's critical SES and CFA first responders since 2013. The FSPL is collected through local councils, as it is applicable to all land, including non-rateable land. A fixed charge, higher for non-residential land and residential land, is applied through rates notices or separate notices for non-rateable land through the FSPL. These processes will remain similar in the phasing in of the ESVF. Rates will be determined by the Treasurer and published in May of each year, in which process councils will be notified of the 2025–26 rates through the ESVF.

The new Emergency Services and Volunteers Fund levy will contribute up to 95 per cent of the annual budgets for VICSES, Triple Zero Victoria, Emergency Management Victoria and Forest Fire Management Victoria. The bill makes amendments to the Country Fire Authority Act 1958 and the Fire Rescue Victoria Act 1958, which gives the ESVF greater capability to fund the CFA and the FRV respectively. The phasing out of the FSPL to bring it in line with the ESVF will see an increase in funding from a fixed 87.5 per cent of the FRV's annual budget and a fixed 77.5 per cent of the CFA's annual budget to variable proportions of up to 95 per cent of the CFA's budget and up to 87.5 per cent of the FRV's budget.

Why are we doing this? Because we need to keep investing in the local infrastructure that matters to our CFA. Think of the \$18.6 million we committed to delivering 15 replacement urban response pumper to the CFA and the 48 heavy tankers and two light tankers we funded. These heavy tankers have already been delivered right across our state, from Mildura to Ballan, from Creswick to Daylesford and to Miners Rest and Wendouree as part of our \$126 million capability package. Home and farm owners will still see exemptions from the ESVF as aligned with the FSPL, as explained by Minister Shing in the second reading of the bill.

From 1 July 2026 Victorians will see an increase of the fixed charge for residential land to align with the higher fixed charge that applies to non-residential land. In consideration of this, owner-occupiers

will be eligible for a 50 per cent fixed-charge concession on principal place of residence land. Amendments to the Taxation Administration Act 1997 give the State Revenue Office the power to share relevant and appropriate data with local councils. The bill amends the Taxation Administration Act 1997 to authorise the SRO to share appropriate data with councils on the principal place of residence status of different properties to facilitate administration under the safeguards provided by the act's secrecy provisions, such as the strict requirements prohibiting secondary disclosure.

The non-reviewable nature of the levy rates determined by the minister annually is to be codified through clause 19 of this bill, amending section 84 of the principal act to revise sections 5, 12, 15 and 37 and consequently altering section 85. The distinction matters to unnecessary litigation proceedings, with the determination based on allocation of Australian valuation property classification codes to all land under the Valuation of Land Act 1960 and aligns with the review and appeal processes under the VLA as well as levy amounts and interest, where the commissioner may require earnings obtained by the collections agency to be paid to the commission if it is determined the third-party organisation has failed to perform its duties or is in breach of its obligations under the principal act. This is important to assure compliance to avoid impacting the funds of Victoria's emergency services in the case of noncompliance.

The reason for limiting the jurisdiction of the Supreme Court in relation to levy amounts and levy interest collected by the collection agency to be kept in a dedicated account under section 37 of the principal act is simple: the commissioner may require interest earned on the collection of levy amounts and levy interest to be paid to the commissioner should they determine that the collection agency has failed to perform its duties or may be in breach of their obligations under the principal act. This section is intended to encourage compliance and penalises collection agencies that fail to perform their duties under the principal act, and this is important because a breach of the collection agency's obligation may compromise the funding of Victoria's emergency services, and that is something that we take very seriously. This section limits the jurisdiction of the courts to ensure the effectiveness of this provision as a penalty and deterrent and to preserve the integrity of Victoria's new emergency services funding model, which guarantees long-term funding for emergency services where it is so needed. This investment will save the lives of Victorians well into the future, ensuring that first responders can address natural disasters and crises as swiftly as possible. We need more resources to tackle a changing climate, not less, and we cannot put our emergency services in a position where they must choose between one fire or another, because the other option, to make Victorians pay for all these services, is just not acceptable. The safety of our constituents is not something that should be bought and sold.

This substantial piece of legislation makes a wide range of amendments and small changes to existing arrangements. While the expansions of our fire services property levy provisions to a wider range of emergency services can seem straightforward on paper, it requires some changes throughout the existing legislation. For example, there is a matter of rebates for volunteers in helping our fire services in regions and how it relates to VICSES volunteers. Under these changes eligible Country Fire Authority or Victorian State Emergency Service volunteers will be entitled to a rebate through the Emergency Services and Volunteers Fund. Volunteers can determine whether this rebate relates to the levy for either their principal residence or their farmland, because under these changes, farmland will qualify for a rebate where it can be shown that the volunteer has some ownership interest in the farmland.

The rebate scheme outlined in this bill will be administered by a state government entity that will be determined by the Treasurer following the passage of this bill. This is a very good way for us to deliver our services and the volunteers in the emergency services that we need without unnecessarily expanding administrative burden on our public services, and it means local councils will not have to burden themselves under more unnecessary administrative work trying to enact, enforce and manage the levy. Nonetheless the state government already provides financial support to councils to administer the existing fire services property levy and will provide additional support to councils to administer any changes associated with this bill.

Natural disasters are becoming all too common in Australia and the world at large and increasingly are touching the lives of more and more Victorians. The reality is borne out in this data: between 2009 and 2013 the VICSES handled more than 20,000 call-outs and incidents on average each year. Compare that to the last three years, when the VICSES have managed around 35,000 call-outs on average each year. That is nearly on average a 75 per cent increase in just under a decade. That is why the Allan Labor government is moving ahead with these comprehensive changes to expand the scope of the original legislation. It is to adapt to changing times and circumstances and accept the reality that natural disasters and emergencies are holistic and require cooperation from a wider variety of services. I have already mentioned how this legislation will expand the scope of the fund to finance the VICSES, Triple Zero, Emergency Management Victoria, forest fire management, Emergency Recovery Victoria and the State Control Centre. These organisations were chosen because they complement the hard work of the fire service agencies, including responses to flood, storm and other emergencies, because natural disasters are not something we can deal with alone. They require all of us to chip in and work together, and these emergency services complement one another to help all Victorians.

There are a range of circumstances where emergency services will be needed, which is why vacant lands will still be subject to the levy. This is because natural disasters or bushfires do not necessarily have to stem from human activity. Land can present a fire or flood risk even when there are no buildings or structures on it. But regardless of whether or not there are structures, these plots of lands can pose a risk. If such stretches of land pose a risk, it is only fair that those who own, manage and maintain that land are the ones who help fund our emergency services through the levy. There are of course provisions in place to accommodate these circumstances. Just as they do with ordinary rates, councils are able to waive or defer whole or part of the levy subject to a ratepayer's circumstances. The difference is that the council can only waive or defer this payment if the levy waives or defers the payment rates for that property. With that, I commend the bill to the house.

Melina BATH (Eastern Victoria) (16:55): I am pleased to rise to make my contribution on the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025. What an indictment on the government that they are going to call something a 'volunteers fund' and then redirect funds from this tax burden on property owners, farmers and the like to organisations and agencies that once were funded through consolidated revenue. This government has a lens of arrogance that I find astonishing. I have been here coming up to 10 years. I was there for the CFA bill the first time around in 2016, and I was there in 2019. That was an unacceptable – I will try not to swear – bill that provided severe disloyalty and regrettable, contemptuous actions and motivations towards our volunteers, and now we see this. The fact that the government has the idea to call it a 'volunteers fund' is, to my mind, an abomination.

We are the highest taxed state in the nation. This is the bottom of the pit. This is not what we want to be achieving, but we are through this government. We are up to I think now around the 60th new and increased tax. This tax is another hit to everyday Victorians. Under Labor, Victoria is an economic basket case, and this spending will not fix it. More spending will not fix it. We are getting a second-rate service. What is going to happen through this bill is that from 1 July everyday Victorians will have imposed upon them an additional \$2.1 billion worth of taxes over the next three years as this tax takes hold. This government cannot manage money, and regional and rural Victorians are paying the price.

So what is it doing? It is shifting the fire services property levy – of course that did come in as result of the royal commission as one of the recommendations. It came through the former Liberal and Nationals government as a fairer way to apply a levy that supported our volunteers and the CFA to provide those emergency services. But what this bill does is it extends it to the core government agencies. It extends it to Triple Zero Victoria. It extends funding to the State Control Centre, Emergency Recovery Victoria, Emergency Management Victoria, the emergency alert program, the emergency management operation communications program and Forest Fire Management Victoria (FFMV), which are in my new portfolio of public land management. It does this without acknowledging the vital work that our SES, CFA and FRV do.

What does it do? It doubles the rate of a residential tax from 8.7 cents to 17.3 cents per \$1000 of capital improved value. Commercial and industrial rates are substantially increased, and primary production will see somewhere around a 154 to 189 per cent increase on their tax. It is \$2.1 billion over the forward estimates. This is a massive impost and increase. Rural Councils Victoria have written to many of us, and they say that, in comparison, their calculations show that primary production landholders will on average be expected to fund a 154 per cent increase from the fire services levy to the Emergency Services and Volunteers Fund. There are three startling examples: South Gippsland – it is actually my home shire – Wellington shire and Colac Otway shire will each have an additional \$5 million taken out of their communities every year. That means that is \$5 million that is not spent by people living in their communities, organising their lives and buying products and services in our regional towns. They have to find this funding, and it is going to hit everybody's hip pocket – in a cost-of-living crisis, I might say. Let me give you another example, from Baw Baw shire – and I thank the mayor Mr Danny Goss for providing this information. Their finance team has calculated that there will be a further \$5.37 million in levies raised above the existing \$8 million – and again they go to specific increases.

what happens to our farmers? They face a staggering increase in their average levy. One of the comments was – and I have been speaking with the Victorian Farmers Federation president Brett Hosking – on average there will be a \$50,000 annual increase for certain farms above a certain acreage or hectare area. Fifty thousand dollars extra – that is an abomination. You can imagine even for the average well-off person on a good wage that would be incredibly hard to bear. Brett Hosking said this, and I quote from a media release:

This is an outrageous new tax that will hit every Victorian's hip pocket, and farmers are being forced to pay the highest price with no justification. It's a direct attack on the people who put food on our tables."

At a time when families are already struggling with skyrocketing costs, and farmers are battling drought, bushfires, and rising expenses, this tax grab couldn't come at a worse time. It's completely unacceptable ...

I concur entirely with him.

The other thing about this tax is it has actually got a new charge. If you look to the government website, it is taxing residential non-principal place of residence applications, so property owners who provide rentals will be hit with a double fixed and a double variable charge. Of course what is that going to do for property owners who rent out their homes? In regional Victoria it is paramount that we get these people. Whether they be teachers, nurses, doctors, furies, people who work in the IGA, people who work in small school settings, whatever, they are going to be hit with this increase because property owners who supply those rentals are going to have to pass on those costs.

What do we not get with this legislation? It does not offer additional support for volunteer and emergency services like the CFA and the SES. They do not get the equipment that they need – and I am going to discuss that shortly. They have outdated equipment to the nth degree. It also lacks clear guidelines around how exemptions for these groups will operate.

From speaking with Adam Barnett from Volunteer Fire Brigades Victoria, this government has had no conversation with the grassroots volunteers on this tax. They have not gone to them at the grassroots level and provided that opportunity to discuss and thrash it out. That is in complete contrast to when we, the Liberals and Nationals, back post the 2009 Victorian Bushfires Royal Commission, introduced the property services levy. There was a white paper and a green paper, and they went out to all volunteers who had the capacity to provide feedback. How much consultation has this government done? Zero with the people who matter the most – indeed zero with many, including our property owners and our farmers, but zero with those grassroots volunteers. This is the contempt that they continue to dish out to our volunteers in the CFA. Let us look at what else it does not do. We know that it cost shifts. We know that the legislation cost shifts from a government that cannot manage money. We heard Mr Davis. I will not repeat all of his comments, but I endorse them – the fact that

this government has blown out metropolitan-based construction projects to an eye-watering multi-multibillion dollars, and it is just frightening the level of ineptitude that lets this happen.

Let us talk a little bit more about the CFA. The government has said, and I have heard these comments, that it will provide \$10 million for new CFA vehicles. But in practical terms, what does that actually mean? They are roughly, give or take, about half a million dollars a tanker, so out of \$10 million you are going to get 20 tankers. The CFA has over 1700 tankers across the state and about 220 pumbers, and many of them are so far past their use by date it is not funny. So many trucks are well overdue for replacement. If we have the ability to replace them, it is going to take decades upon decades upon decades. So this government, in spruiking that it actually cares about the volunteers, is redirecting these funds into core government services, which is solely about propping up its bottom line, its budget blowouts. It is not about producing better outcomes for our volunteers and the trucks and equipment that they have. Alarmingly, over 230 CFA trucks are already between the ages of 31 and 35. I did hear my colleague Mr McGowan speak about them being able to get different licence plates because of their age. As I said, it is completely unacceptable.

What is also concerning is around FFMV. That is my particular passion in public land management and the need for better management of our public land, our forests, and the need to have better fuel mitigation. We know that this government over the last 10 years has introduced a thing called Safer Together and it has a target of 70 per cent residual risk. I was actually talking to someone recently who was in the department some years ago and he said that they were part of the team that helped design it and so many people now are saying that it is too confusing, that the government does not meet its own targets – and it does not – and indeed that it needs to be disbanded. Over the past 10 years we have seen under Safer Together a rough average of around 1.6 per cent of fuel reduction across the forest estate when the royal commission spoke about a 5 to 8 per cent rolling target of treatable forests. This is what the government should be focusing on, and yet it is not. I have met many of the people who work in forest fire management and I respect them entirely, but the government is spending more on the bureaucracy and not doing these preparatory burns and not having these bushfire mitigation practices and actually bringing them to fruition.

Over the past five years FFMV has consistently overspent its fire emergency management budget by approximately \$550 million – a 27 per cent blowout. Now, instead of fixing this mismanagement, the government is shifting onto everyday Victorians the cost burden of this government bureaucracy. Well, it is not the people on the ground lighting these fires that are the issue, it is the suits in Melbourne, where there is government mismanagement and government waste.

I have said that the Nationals strongly oppose this tax. This is not in support of the wellbeing of those agencies. We value our SES. Again, if you talk to SES members in my Eastern Victoria Region, they have ageing equipment and I know they have to rattle tins and raise funds for basic services like chainsaws, like fuel, just to keep themselves rolling out the door when that pager goes off. We on this side value these people. We know that this is a wasteful government and that these taxes only burden our communities when they can least afford the impost. We know that this government cannot manage money. The Nationals most strongly oppose this new tax and this new legislation. We do support the amendments put up by Mr Davis on behalf of the Liberals and Nationals. We do support the retention of the Country Fire Authority, Fire Rescue Victoria and SES as funding recipients but deleting the others, which are core government services.

Ryan BATCHELOR (Southern Metropolitan) (17:10): I am pleased to rise to speak on the Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025. It is a significant bill which will make significant and important changes to the way emergency services are funded in this state – the topic of which is incredibly serious.

I think it is a little bit unfortunate that not all participants in this debate today in this chamber have taken these issues with the seriousness which I think they deserve. The sideshow act that was put on earlier I think disrespects the thousands of emergency services volunteers that work exceptionally hard

to keep our state safe in times of emergencies. Certainly for those of us who have been involved in the proceedings of committees of this Parliament that have examined some of those issues, heard the stories and read the evidence of the enormously difficult work that our emergency services volunteers and paid professionals do to keep our state safe, whether it be from flood or fire, I think the spectacle we saw earlier from certain members of this chamber opposite disrespects all of that work and disrespects the seriousness with which we should be taking these issues. I am a little bit ashamed to be in a chamber where that kind of activity occurs.

The bill today seeks to do the important task of amending the fire services property levy and replacing it with an Emergency Services and Volunteers Fund levy to fund several additional fire emergency services authorities from 1 July 2025. The bill also introduces a volunteer exemption from the levy for eligible volunteers from CFA and VICSES, and the bill and the arrangements will facilitate the release of \$250 million in a support package for the CFA and VICSES.

The core driver of this legislation, the core driver of this reform, is to make sure that our emergency services and their volunteers have the resources that they need to look after our state, to look after the people of our state and to look after our fellow Victorians and keep them safe in times of natural disaster. We know that unfortunately natural disasters are very much part of our lives, with increasing frequency of extreme weather events, periods of drought and periods of exceptional fire conditions. We saw the news just today that March was the hottest March ever recorded, coming off another year where we had the hottest year ever recorded in this country. In circumstances like that we know that the way our climate is changing means that the environment in which we live is changing, whether it be the built or natural environment. Those environments are becoming increasingly susceptible to extreme events, whether they be floods, fires or storms. No-one can deny the increasing dangers that are presented from the natural environment. We do not have the power to legislate the weather. We do not have the power to make it rain more when we want it to rain more or less when we want it to rain less or for the winds to blow slightly less intensely. But we do have the power as legislators to make sure that our systems in the state run by the government or supported by the government through funding, whether they are our professional services or our volunteer services, have the support and resourcing that they need to respond to these increasing natural disasters.

I heard the evidence as a member of the Environment and Planning Committee's inquiry into the 2022 flood event. We heard quite stark evidence when we were in the Macedon Ranges of some responders who were responding to fire and flood on the same day. We heard evidence in the course of that inquiry in particular about the absolute devastation that the most significant recorded flooding event in Victorian history has had on Victoria – flooding that affected regional areas and affected metropolitan areas. Major population centres across the state were affected – major population centres where volunteers turned out to support fellow members of their community. During that flood, around two-thirds of volunteers were involved and the VICSES were involved in flood response activities, coming from 98 per cent of units from across the state, and that was less than three years ago.

That flood event underscored the urgent need for the continued support of our emergency service organisations and their volunteers. It underscored the need to support the operational capabilities of the Victorian State Emergency Service and it underscored the need for better support and equipment. Every dollar raised through this legislation, through the funds that this legislation will create, will go towards equipment, staff, training, community education and recovery support for when Victorians need it most. Every dollar raised is going to help support the volunteers and professional responders who support us and Victorian communities in their time of need. What it will not do is reduce any funding to anyone, and I will come back to that in a minute.

The other thing that we learned out of the response to the 2022 flood event was that we need to better support the SES as the primary agency responsible for responding to floods. I think the committee was a very cooperative and cross-partisan endeavour to get to real and sensible recommendations about how to improve for the future, understanding that natural disasters are becoming more frequent and becoming more common, and our state's emergency responders need to be better supported

operationally with training, resources and equipment to make those responses. Our committee recommended that they get more funding, they get better resources and that the VICSES in particular get more resources to do that essential work. That was what that committee said we needed to do. That was the cross-partisan recommendation from that important parliamentary committee report. So it is disappointing that we get to this point where the rubber hits the road, and as legislators we have got an opportunity to live up to the recommendations that we made in that report, to vote to change the law the same way we voted or we agreed to make recommendations to the government. When there is an opportunity as a member of a committee to vote for legislation that implements something that you have recommended in a report just a short time ago, I feel proud and honoured to be able to do it. I think it is disappointing that not everyone who participated in that process is doing the same.

The legislation before us today is going to make some key changes. Critically, I think a further illustration of the support that we are providing to emergency services volunteers is that active volunteers and life members of the volunteer organisations that the levy applies to will not have to pay the levy on their primary place of residence. A recognition of the contribution that they are making through their voluntary service is how we as a state recognise and support them. Obviously, they will not be obliged to take the exemption, but if they so choose, that will be available to them. The support that that brings will hopefully give an important symbolic recognition of the support that they give and actually demonstrate that we can do more than just say nice words. People come into this chamber often and make very genuine statements, very genuine members statements and other contributions, about how important volunteers are to their local communities and what a great job they do – and they do, they are right and they are genuine. The bill today gives us an opportunity to back up those words with deeds, to back up those words with action and to back up those words with funding, and that is why I am proud to support it. If we do not back up those words and deeds with action, with resources and with funding, they are pretty hollow words, and the next time someone walks into this chamber and says nice things about CFA volunteers or VICSES volunteers but does not actually support them when it matters, I think we can all take a moment to reflect on the shallowness and the hollowness of those contributions.

The fund that is raised by the levy will be used to fund budgets for Victoria State Emergency Service, for Triple Zero Victoria, for Emergency Management Victoria and their responsibilities for emergency management, for Forest Fire Management Victoria, the State Control Centre and state's recovery agencies. It provides significant additional resourcing to support those organisations – about \$250 million of additional resourcing, which is contingent on the bill being passed. If we cannot raise the money, we cannot provide the support. For those who come and say that we should be better supporting our volunteers, obviously if we do not support the bill, then we cannot support those volunteers.

There has been I think some pretty significant contribution. I think the contributions that have been made over the course of the debate have understood the importance of that work. I think it is, though, important to address some of the concerns that have been expressed by other speakers in the course of the public debate. Some in the course of this debate have been peddling misinformation, and we need to address that and in doing so underline that those who have made those contributions in the course of this debate clearly have not read the bill and clearly do not understand what it does. There are no funding cuts. There are no reductions in funding to FRV on the basis of the changes in this bill, and any claim that there are is untrue. That is not the purpose of this legislation. That is not, on the face or in the text of this legislation, what is going to happen. The only thing that will happen if this bill does not pass is that funding will not be available for emergency services volunteers and there will not be the support and the resourcing for our emergency services volunteer organisations to tackle future disasters, which we know are going to keep on coming. The climate is changing. Weather events are getting more extreme, and we are going to be calling again and again on our volunteers to help us all out in times of crisis. The least we can do as members of this Parliament is to support legislation that will support them when we get the chance, and that is why I am exceptionally proud to support this legislation and urge all members to do the same.

Gaelle BROAD (Northern Victoria) (17:25): Let us be clear, this bill is mutton dressed up as lamb. The government want everyone to think it is to support our emergency service volunteers, but it is just another tax. I attended a community forum in Baringup just recently about this emergency services tax, and the sentiment was very clear: no-one supported this new tax, except the Labor members Maree Edwards and Martha Haylett, the member for Ripon, who joined me on the panel. Many are anxious about how they will pay the extra cost, particularly farmers, and concerns were raised about the existing mental health issues amongst primary producers and the high rates of suicide. Many farmers in the region are already under pressure with rapidly increasing costs and extremely dry conditions. I have also spoken to people in the growing suburbs of Bendigo, who are very anxious about this new tax. Their land values have risen dramatically with development. I spoke to a couple in their 80s who have done nothing to improve their land, but with a residential development around their property they are seeing their land values increase. They are both unwell, and this proposed new tax is causing a lot of stress.

At the community forum the Labor representatives were unable to answer questions as to how the Treasurer came up with the calculations and why the percentage increase is higher for primary producers. Further analysis done by ACM, the publisher of the *Bendigo Advertiser*, shows that rural communities will bear the brunt of this new levy and will have to pay 50 per cent more than the statewide average. I made it very clear at that community forum that the Liberals and Nationals oppose this new tax. This is actually the 60th new or increased tax or charge that Labor have introduced or sought to introduce since they came to office in 2014.

Amendments can only go so far in trying to fix something that is an absolute shambles. The Labor government are trying to raise more revenue because of their massive spending on projects like the Suburban Rail Loop. We saw this week that there is a very poor business case. With the Commonwealth budget just recently, there was no further funding for the Suburban Rail Loop. Our state debt is hurtling like a fast train, but there is no light at the end of this tunnel. We are heading towards a state debt of \$188 billion and interest repayments of \$26 million every single day. If this government were serious about supporting our emergency services and our volunteers, they would stop wasting money on projects like the Suburban Rail Loop, a project that they have already put billions of dollars towards without any idea of where the rest of the money is coming from to pay for it.

The emergency services levy is another tax. Households are set to pay almost double. Commercial rates are set to increase by 100 per cent, and industrial rates are jumping by 64 per cent. Primary producers are facing increases of up to 189 per cent. The proposed tax, I will remind you, was announced in December, when most people are thinking more about Christmas and they like to switch off from politics. Perhaps that timing was deliberate. But now the government have passed the legislation through the lower house without even working out the details, yet they plan to introduce it on 1 July this year. If we are not going to vote today, then hopefully that is certainly not going to happen. But the proposed exemptions that the government has put forward are dog's breakfast, and they will be a nightmare to administer. How much will it actually cost to administer this new tax?

I note that Mr Batchelor referred to the exemptions for volunteers who are primary producers, but if you know farms, you know that there are often multiple properties. And when we got the department's bill briefing, which I have in front of me, it just goes to show the complexity of this tax. It is not straightforward at all; administering it will be an absolute nightmare. I will quote one of the examples – because there are different examples. There is the principal place of residence example. There is also a multiple owners and parcels of land example. The document states:

In this case, where a company holds several land parcels and has multiple shareholders who are eligible volunteers, each volunteer can claim the rebate for a different property if the property has a separate valuation. Because each family member has an indirect ownership interest in the four properties, the rebate cannot be claimed more than once for the same property.

On and on it goes. That is an absolute mess. And they cannot actually define what an active volunteer is – not sure, no, still working that out. Councils are saying, 'Hey, we don't want to deal with this. This

is going to be a nightmare appearing on council rate notices.' Many councils have said they do not even want to collect this tax. Consider the State Revenue Office, for example, if they are going to administer this proposed tax. They are already experiencing a whole lot of issues with land tax – incorrect assessments, people who no longer own properties receiving land tax bills. Now, the Shadow Treasurer has called for the Auditor-General to investigate and report, but this new tax, if the State Revenue Office are expected to administer it, is only going to make things worse.

I am coming back to that 'active volunteer'. I spoke with people at the community forum, and I received an email from one that said some brigades do not offer life memberships. So even if you consider, say, that an active volunteer might be someone who is a life member, well, some brigades do not have life memberships. Someone could have been serving for 50 years or more and not be eligible for the exemption. I received an email that says:

our local cfa brigade does not award life memberships or recognise years of service it was an agreement that was made in the early days of the brigade ...

She goes on to say:

... speaking to a cfa member from another brigade yeasterday he made a comment that we will get an influx of members that we dont want they will only be there for themselves not the community and wont work as a team

So this is the concern. As I have said, I have spoken to mayors of different councils, and they are very concerned. I know there is correspondence that has been received from Mansfield shire. They talk about this new tax. They are certainly keen to stop it. They mention all the services that are proposed to be funded under this new tax. It says that Forest Fire Management, Triple Zero Victoria, State Control Centre, Fire Rescue Victoria do not have volunteers, while 'On the other hand, most people in the country, those targeted unfairly by this tax, volunteer for the CFA and SES.' If, as Mr Batchelor says, you want to support the volunteers, then you can do that by stopping this tax, because the burden is going to be on them.

Rural Councils Victoria have also made it very clear that they object to this new tax, because local councils have got so many questions that remain unanswered. I know Mr Davis has talked about perhaps further investigation into this whole set-up, because it certainly has not been well thought out. I was speaking with the mayor of one council, and they noted how the state government likes to put caps on any increase to rates. They say, 'Ooh, you know, cost of living, people can't afford it. Councils, you need to keep your rates down.' But hang on, the state government can increase by up to 189 per cent. To apply that in a practical sense for a local council like Campaspe – they have done the math – the cap increase, say, is a \$60 increase to rates but the state government increase proposed under this new emergency services levy would mean \$653 more. That is absolutely ridiculous. The state government are expecting local councils to be doing their dirty work and collecting this tax, but indeed many are saying no.

The *Herald Sun* today has done an opinion piece. I think they have said it very well. It says:

Now, an attempt to rebrand and ramp up the Fire Services Levy, under a new Emergency Services and Volunteer Fund, which will hit primary producers hard and flow through to fresh food prices, is facing a hurdle in parliament's upper house. The peak body representing rural councils is urging the government to scrap the tax and warn it will be difficult to administer and collect.

Rural communities shouldn't disproportionately pay for emergency services as a result of a government that has condemned the state to record debt.

I know farmers, as I said, are facing very difficult times. They are facing escalating costs already, very dry conditions, particularly in northern Victoria, and this is the last thing they want to see on the horizon.

Brian Fitzgerald – I just want to acknowledge him – is a resident that was very concerned about this tax. He took it on himself to put an ad in the paper to contact his local community, and he held the

community forum at Baringhup. I attended that, as I mentioned, with other Labor members who were also on the panel. A number of questions were put forward by the community, and I think it is important that the government considers these, perhaps in the break that we have from Parliament, because we will certainly be wanting to raise them. One of the questions was: 'What guarantee do we have that a fair share of the tax collected through the new fund will find its way to rural emergency services?' There were other questions. Why are farmers singled out to pay a much higher Emergency Services and Volunteers Fund rate? What if farmers cannot afford to pay this significantly higher ESVF? What advice is the government giving councils about concurrent rate increases in 2025? Why is the new levy significantly higher than other states? Will there be full disclosure of where the ESVF money is spent? How will councils handle ratepayers who default on the new tax? There are many more questions, and they certainly need to be answered by this government.

Our CFA and SES need additional resources – we know that. They are driving trucks that are 35 years old – it is extraordinary – and yet they are the ones that volunteer, do the training and go out and protect their neighbours, their friends and their community. They deserve so much better. The government should not be trying to sell this tax as something for volunteers when it is actually a cost-shifting exercise. This new tax will raise over \$2 billion over three years, yet the government only talk about a small package – I think it is a \$250 million package – for CFA and SES. The rest is to fund public agencies like Emergency Management Victoria, Forest Fire Management Victoria, the State Control Centre, Emergency Recovery Victoria and so on. It is absolutely ridiculous that this government are trying to blackmail the Parliament by saying that emergency services will not be supported if we do not pass this bill. I thought to myself 'Gee, it's very odd to hear that' in the briefing that we received with the department, but we have heard it from Mr Batchelor here in the chamber today. He said it very, very clearly: 'If we don't pass the bill, we can't support our volunteers. Funding won't be available for our emergency services volunteers.' That is absolutely extraordinary. I hope that the crossbenchers are listening to that, because I think it is incredible to be treating our chamber in that way. We will not be blackmailed, because this bill is not one that does support volunteers. Victorians are not idiots. The state government has created record debt, and now they are introducing another new tax. The Premier and the Treasurer are looking for coins in the back of the couch, they are looking for coins in the back of the car and they are looking for coins in rural and regional areas. This tax is unfair, and it hits rural and regional communities the hardest.

I have heard it said, and I think it is worth saying here, that every dollar sent to Spring Street is one less dollar in our rural towns, supporting local businesses and families. But the impact of this tax will be felt across the state. It is the 30th new tax on property under this government. As a *Herald Sun* editorial states:

Property taxes have been the goto target for the government but investment, rents and the overall cost of housing is paying the price.

You cannot keep adding tax upon tax on property and then scratch your head and wonder why rent is so expensive, because one directly impacts the other. We do have amendments, but let us be clear: the government should scrap this bill, and the members of this chamber have the power to stop it. On behalf of the rural and regional residents that I represent right across northern Victoria, I ask the members of this chamber for your support in opposing this bill.

Lee TARLAMIS (South-Eastern Metropolitan) (17:40): I move:

That debate on this bill be adjourned until the next day of meeting.

Motion agreed to and debate adjourned until next day of meeting.

Building Legislation Amendment (Buyer Protections) Bill 2025

Introduction and first reading

The PRESIDENT (17:40): I have a message from the Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Building Act 1993**, the **Domestic Building Contracts Act 1995**, the **Sale of Land Act 1962**, the **Subdivision Act 1988** and the **Victorian Civil and Administrative Tribunal Act 1998** and for other purposes.'

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:41): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Ingrid STITT: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:41): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Building Legislation Amendment (Buyer Protections) Bill 2025 (the **Bill**).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter. I have this opinion for the reasons outlined in this statement.

Overview of the Bill

The purpose of the Bill is to amend *Building Act 1993* (**Building Act**), the *Domestic Building Contracts Act 1995* (**Domestic Building Contracts Act**), the *Sale of Land Act 1962* (**Sale of Land Act**), the *Subdivision Act 1988* and the *Victorian Civil and Administrative Tribunal Act 1998* to integrate a number of building regulatory functions and improve consumer protection by enhancing building insurance requirements and bolstering compliance mechanisms available to the Victorian Building Authority (**Authority**).

The key amendments contained in the Bill are to establish a statutory domestic building insurance scheme on a monopoly basis by the Authority, enhance the Authority's enforcement powers including by empowering the Authority to issue orders for the rectification of incomplete, non-compliant or defective building work, provide for a developer bond scheme in relation to particular residential apartment buildings and confer additional regulatory functions on the Authority.

Human rights issues

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

- right to property (s 20);
- freedom from forced or compulsory labour (s 11(2));
- the right to privacy (s 13(a));
- freedom of expression (s 15);
- the right to a fair hearing (s 24(1));
- the right to be presumed innocent (s 25(1)); and
- the right not to be tried or punished more than once (s 26).

Property rights

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

Transfer of certain property rights to the Authority

Clause 10 of the Bill will, amongst other things, transfer certain contracts of insurance to the Authority (new s 292 of the Building Act) and empower the VMIA Minister to direct the VMIA to transfer to the Authority, property, rights and liabilities specified in an allocation statement (s 300). The effect of any transfer is that all rights and liabilities of VMIA under transferred contracts of insurance vest in the Authority (s 292). Similarly, all property, rights and liabilities in an allocation statement vest in the Authority (s 302). The transfer of these property rights remain subject to any encumbrances in effect at the time of transfer (s 293 and s 304). Further, any rights or liabilities of the VMIA under an agreement vest in the Authority (s 305) and the Authority is substituted for the VMIA in any proceedings pending or existing in any court or tribunal which relate to any transferred property, rights of liabilities (s 295 and s 307).

New s 290 defines ***property*** to mean ‘any legal or equitable estate or interest (whether present or future and whether vested or contingent) in real or personal property of any description’, ***liabilities*** to mean ‘all liabilities, duties and obligations, whether actual, contingent or prospective’, and ***rights*** to mean ‘all rights, powers, privileges and immunities, whether actual, contingent or prospective’.

The transfer of any of VMIA’s property, rights and liabilities to the Authority, including the transfer of a contract of insurance, is relevant to the property rights of natural persons who hold an interest in the property or liability transferred. However, the transfer will not limit the property rights of persons holding the interest as they are not being deprived of their interest, but rather, the property or liability is transferred without altering the substantive content of that property right or liability.

Insofar as a cause of action in relation to any potential liability held by the VMIA may be considered ‘property’ within the meaning of s 20 of the Charter, the Bill may engage this right. However, in my opinion, the Bill does not effect a deprivation of property as it does not extinguish any cause of action which a person may have against VMIA. Rather, liability is transferred to the Authority.

Finally, even if the Bill could be considered to deprive a person of property, any such deprivation would be ‘in accordance with law’ and will therefore not limit the Charter right to property. In particular, the new provisions of the Building Act dealing with the transfer of property, rights and liabilities from the VMIA to the Authority, as outlined above, are drafted in clear and precise terms, and are sufficiently accessible to allow persons to regulate their own conduct in relation to them.

Accordingly, I consider that the transfer of VMIA’s property, rights and liabilities to the Authority is compatible with the property rights in s 20 of the Charter.

Rescission of off-the-plan contracts

Clauses 101 and 102 expand the grounds on which the purchaser may rescind an off-the-plan contract for a lot in a residential apartment building, namely where the vendor requires or permits the purchaser to take possession where an occupancy permit has not been issued or where the developer has not executed a developer bond at all or the bond amount secured is less than required by the Building Act. Clause 102 also provides a purchaser who rescinds a contract the ability to recover any amount paid under the contract as well as penalty interest on this amount from a court.

These amendments may engage a vendor’s right to property by depriving them of their rights under a contract which may now be rescinded in new circumstances by the purchaser. However, in my view the right is not limited, as the situations in which a purchaser may rescind a contract will be under a clearly formulated, publicly accessible law and confined to specific circumstances necessary to encourage compliance by vendors and developers with the statutory scheme. Similarly, the power of a court to award penalty interest to the purchaser clearly sets out the circumstances in which this can occur and the method of calculation of any penalty awarded.

For these reasons, I consider that clauses 101 and 102 are compatible with the property rights in s 20 of the Charter.

Freedom from forced or compulsory labour

Section 11(2) of the Charter provides that a person must not be made to perform forced or compulsory labour. ‘Forced or compulsory labour’ relevantly does not include work or service that forms part of normal civil obligations. While the Charter does not define ‘normal civil obligations’, comparative case law has considered that to qualify as a normal civil obligation, the work or service required must be provided for by law, must be

imposed for a legitimate purpose, must not be exceptional and must not have any punitive purpose or effect (*Faure v Australia* (Human Rights Committee Communication No 1036/2001)). This has extended to obligations to take undertake work in order to maintain compliance with regulatory standards.

Part 5 of the Bill introduces provisions empowering the Authority, in certain conditions, to issue orders requiring the person who carried out the building work or a developer to rectify incomplete, non-compliant or defective building work. The Bill also introduces an offence for contravention of a rectification order (new s 75M of the Building Act).

I am of the view that work required under a rectification order would form part of a normal civil obligation, and as such, would not constitute a limit on this right. A rectification order is provided for under law as introduced in this Bill and is confined in its impact, including that a builder or developer can only be compelled to complete or rectify building work (new s 75E(1)), as opposed to being required to commence an entirely new building project. The Bill also provides protections to persons who may be required to undertake rectification works, including that the Authority may decide not to issue a rectification order if it would be unfair or unreasonable in the circumstances (new s 75B(5)) and is subject to review by VCAT (new s 75S). These provisions together work to ensure that the rectification order scheme will not operate arbitrarily.

Further, an order is imposed for the legitimate non-punitive purpose of ensuring that builders and developers deliver buildings of an appropriate standard, ultimately protecting both the health and safety of any persons who enter the building, as well as guarding against any financial loss which may be incurred by purchasers of a defective building.

For these reasons, I do not consider that the freedom from forced or compulsory labour will be limited by this Bill.

Right to privacy

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

Transfer of certain information to the Authority

The transfer of property, rights and liabilities from the VMIA to the Authority under new Part 15 of the Building Act (as detailed above), may also involve the transfer of personal information from the VMIA to the Authority. In particular, new s 303(a) specifies that the VMIA, must provide to the Authority all records and information in the custody or control of the VMIA relating to any property, rights or liabilities that vest in or become liabilities of the Authority under the transfer.

While not all information transferred will be of a private nature or be information concerning a natural person, as opposed to information concerning a corporation to which the Charter does not apply, to the extent that these provisions effect the disclosure of personal information to the Authority, this will occur in lawful and not arbitrary circumstances. The transfer of information serves a legitimate purpose of ensuring that the insurance provider has the relevant information in order to provide the required insurance and administer the new scheme under the Building Act. This ultimately serves the purpose of providing for appropriate regulation of the building industry and enhancing consumer protection. The provisions providing for the transfer of information are drafted in clear and precise terms and will principally impact on registered builders who have voluntarily undertaken to practise in a regulated industry where special duties and responsibilities attach.

Further, the Authority is required to comply with relevant privacy laws (including the Charter) in the handing of personal information, assisting to ensure that any interference with the right to privacy will be lawful and non-arbitrary.

I therefore consider that the transfer of information to the Authority under the Bill does not limit the right to privacy.

Powers of entry

Clause 96 of the Bill introduces powers of entry in Division 5 of new Part 9B of the Building Act, which deals with developer bonds. Under new s 137ZZK, a building assessor may enter and inspect the common property or any lot in order to perform their functions under the new Part, broadly being to identify, assess and report on building defects. A builder appointed to rectify defective building work is also empowered to enter common property or any lot in order to carry out the required works. An authorised person who exercises these powers of entry may take photos, make sketches of building work or use any other means for recording information for the purposes of this new Part. Under new s 137ZZL, the owners corporation, building

manager or the owner and/or occupier of a private lot may be required to provide reasonable assistance to and cannot, without reasonable excuse, obstruct, hinder or refuse access to the building assessor or builder carrying out their functions in the relevant building. New s 137ZZM further provides that a person may apply to VCAT for an order requiring the owner or occupier of a lot to give access to the building.

These powers engage a person's right in s 13(a) of the Charter not to have their privacy or home unlawfully or arbitrarily interfered with by permitting access and allowing records to be taken of common and private property by building assessors and/or builders. I consider that these powers are compatible with s 13(a) because the provisions in new Division 5 of Part 9B are precise and appropriately circumscribed, as they can only be exercised following written notice to the owners corporation and to the owner and occupier (in the case of access to a private lot) explaining why the person wishes to enter and at a reasonable time agreed upon by these parties. Further, safeguards apply to the exercise of the powers including that persons are required to exercise these powers of entry in a reasonable manner and must not, without consent, stay or permit others to stay on the premises longer than is necessary to achieve the purpose of the entry. The new provisions also allow for a person to refuse access to property where there is as a reasonable excuse for doing so and any disagreement over access is able to be resolved through the VCAT process. I also consider these powers are proportionate to the legitimate aim of ensuring building defects are properly identified and rectified before any of the remaining bond is returned to the developer.

Right to freedom of expression

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

New s 137ZG provides that a person, not otherwise acting on behalf of the Authority, must not use a prescribed expression, or variation therein, in connection with selling the right to participate in the statutory insurance scheme.

While the right to use prescribed expressions may impose a limitation on the freedom of expression, I consider that this is a lawful restriction which is reasonably necessary to both protect public order and the rights of others within the meaning of the internal limitation in s 15(3) of the Charter. The expression 'protection of ... public order' is a wide and flexible concept and includes measures for 'peace and good order, public safety and prevention of disorder and crime' (*Magee v Delaney* (2012) 39 VR 50) and can include laws that enable the public to engage in their personal and business affairs free from unlawful interference to their person or property. The meaning of protecting the rights of others is similarly broad and would include restrictions reasonably necessary to protect the property rights of others (*Magee v Delaney* (2012) 39 VR 50).

This restriction on the freedom of expression is confined to a very particular context, being only in connection with selling the right to participate in the statutory insurance scheme. I consider that this restriction is closely tailored to its purpose of deterring and preventing fraud or other misleading behaviour which may undermine the integrity of the statutory insurance scheme and risk consumers and builders being without the proper insurance. I consider there are no less restrictive means of achieving this purpose of preventing and deterring such conduct that leaves consumers at risk.

For these reasons, I consider s 137ZG falls within s 15(3) of the Charter as it is reasonably necessary to protect public order and the rights of others. As such, this provision imposes no limitation on the freedom of expression.

I note that any expression to be prescribed will be assessed for compatibility with the Charter through the requirement for the Minister to certify a Human Rights Certificate.

Right to a fair hearing

Suspension of builder registration and grounds for disciplinary action

Clauses 37, 38, 85 and 86 of the Bill insert new subsections into s 179 and s 180 of the Building Act adding further grounds on which a builder may be subject to disciplinary action or have their registration immediately suspended, namely where the Authority is not satisfied that the practitioner meets prescribed minimum financial requirements or where the practitioner has refused or failed to comply with a rectification order or rectification costs order without reasonable excuse. Clause 39 inserts new s 180A(2AA) into the Building Act to provide that the Authority must, with notice, immediately suspend the registration of the registered building practitioner if the Authority reasonably believes that the practitioner has ceased to meet the prescribed minimum financial standards for registered building practitioners. The expansion of the grounds for immediate suspension of registration and disciplinary action is relevant to the right to a fair hearing.

Section 24(1) of the Charter relevantly provides that a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a ‘civil proceeding’ is not limited to judicial decision makers but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. While recognising the broad scope of s 24(1), the term ‘proceeding’ and ‘party’ suggest that s 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. As the administrative decisions at issue here do not involve the conduct of proceedings with parties, there is a question as to whether the right to a fair hearing is engaged.

In any event, if a broad reading of s 24(1) is adopted and it is understood that the fair hearing right is engaged by this Bill, this right would nonetheless not be limited. The right to a fair hearing is concerned with the procedural fairness of a decision and the right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided. The entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

While the Bill expands the circumstances in which a builder’s rights may be impacted, this is appropriate to give effect to the rectification order scheme and to ensure builders meet minimum financial standards, limiting the risk that builders will become insolvent while undertaking building works, potentially exposing consumers to significant financial detriment. The Bill does not alter the existing processes under the Building Act for determining suspensions and disciplinary actions, which afford a builder procedural fairness. A decision made by the Authority to immediately suspend a builder’s registration under s180A(1) of the Building Act or to take disciplinary action and impose a penalty against a building practitioner, such as placing a condition on their registration, is made pursuant to a show cause process (s 182 of the Building Act) and is subject to internal review (Part 11, Division 4, subdivision 2 of the Building Act). The builder is provided with the opportunity to provide oral or written representations during the show cause period (s 182A(1) of the Building Act) and on internal review (s 185B(2)) of the Building Act). New s 180A(2AA) is not subject to the same show process but is also subject to the internal review process.

Finally, any of the above decisions are subject to external review by VCAT (s 186 of the Building Act). This affords builders a hearing before an independent and impartial tribunal and satisfies the requirements in s 24(1) of the Charter.

As such, I conclude that the fair hearing rights in s 24(1) of the Charter are not limited by these clauses.

Immunities

The fair hearing right is relevant where statutory immunities are provided to certain persons as this right has been held to encompass a person’s right of access to the courts to have their civil claim submitted to a judge for determination. Similarly, insofar as a cause of action may be considered ‘property’ within the meaning of section 20 of the Charter, these below provisions may also engage this right.

Clause 4 of the Bill expands the immunity in s 127(1)(a) and (b) of the Building Act such that a Commissioner or any person engaged by the Authority is not liable for anything done or omitted to be done in good faith in carrying out a function, or in the reasonable belief that the act or omission was in the carrying out of a function under the Domestic Building Contracts Act.

The exclusion from personal liability under amended s 127(1)(a) and (b) of the Building Act will not interfere with the right to a fair hearing, because parties seeking redress are instead able to bring a claim against the Authority (s 127(2)). The provision also serves a necessary purpose by ensuring that a person appointed by the Authority is able to exercise their functions effectively without the threat of personal repercussions and overall interference that responding to court claims has. Additionally, the person appointed by the Authority will still remain personally liable for any conduct not performed in good faith. Accordingly, this provision does not limit the right to a fair hearing under the Charter.

The Bill also inserts new s 137ZZZD of the Building Act, which establishes a professional association, or a person appointed or engaged by a professional association is not liable for anything done or omitted to be done in good faith in accrediting a person for the purposes of new Part 6 of the Building Act. As this is an absolute immunity, acting as a bar to bringing a civil claim, the fair hearing right will be limited by this new section.

However, I consider that this limitation is reasonable and justified for the following reasons. While absolute in nature, the scope of this immunity is limited, only barring claims arising from the accreditation of a person for the purposes of new Part 6. It does not act to bar claims from being brought in relation to acts or omissions done by those people in carrying out their functions under Part 6 nor for conduct not performed in good faith. This immunity is necessary to ensure that professional associations, who would be otherwise be liable, are willing to make these appointments and to undertake assessments for the purposes of assisting the Authority.

Unlike the transfer of liability effected under clause 4 (outlined above), it is not appropriate to transfer liability to the Authority in this instance where the Authority will rely on the judgment of a professional association.

For these reasons, I consider that the limitation imposed on the right to a fair hearing by these immunities is justified and so compatible with the Charter.

Right to be presumed innocent (s 25(1))

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law. The right is relevant where a statutory provision allows for the imposition of criminal liability without the need for the prosecution to prove fault. The right is also relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

Strict liability offences

The Bill includes a number of offences that do not require proof of fault, for example, being that the relevant party acted 'knowingly or recklessly'. The inclusion of these strict liability offences in the Bill may limit right to be presumed innocent under s 25(1) of the Charter.

These strict liability offences inserted into the Building Act are:

- New s 40A provides that specified persons must ensure that notice is given to the Authority before an application for an occupancy permit is made in respect of a residential apartment building;
- New s 137O, 137X and 137Y provide that a builder must pay the applicable insurance premium under an insurable building contract (including for a varied contract) or for speculative building work, before specified dates;
- New s 137U provides that it is an offence to represent to another person that a notice of cover has been issued by the Authority if it has not been;
- New s 137ZG provides that a person, not otherwise acting on behalf of the Authority, must not use a prescribed expression, or variation therein, in connection with selling the right to participate in the statutory insurance scheme;
- New s 137ZP provides that the developer must arrange for the issue or execution of a developer bond before the occupancy permit application date;
- New s 137ZQ provides that a developer must not make a statement or provide information in relation to the total build cost or amount secured by the developer bond to the Authority that is false or misleading;
- New s 137ZR provides that a person must not apply for an occupancy permit for a residential apartment building unless a developer bond has been issued or executed and that a person must not falsely represent that such a bond has been issued;
- New s 137ZT and 137ZX provide that a developer must nominate and appoint a building assessor, subject to specified conditions, and provide certain notices;
- New s 137ZU provides that a person nominated for appointment as a building assessor must provide notice of any association they have with the developer;
- New s 137ZZB(1) provides that a building assessor must not ask for or receive any benefit, aside for consideration for the performance of their functions;
- New s 137ZZB(2) provides that a person must not in order to influence a building assessor, offer any benefit beyond consideration for the performance of their functions or remove or threaten to remove a benefit;
- New s 137ZZC provides that the developer must give a building assessor particular information;
- New s 137ZZE provides that the developer must do certain things to arrange to a final inspection of a development;
- New s 137ZZI provides that an owners corporation must give notice to the owners in an apartment building of a building assessor's report and other prescribed matters;
- New s 137ZZL(2) provides that a person must give reasonable assistance to a building assessor or builder appointed to rectify defective building work as required;
- New s 137ZZP provides that a developer must take the necessary steps to ensure the payment or release of a bond amount in accordance with a determination made by the Authority;

- New s 137ZZQ provides that the owners corporation must only apply any bond amount received for the approved purpose and otherwise deal with these funds in particular ways.

The Bill also inserts the following strict liability offence into the Sale of Land Act:

- New s 9ADA provides that a vendor under certain off-the-plan contracts must not require or permit the purchaser to take possession where an occupancy permit has not been issued.

Strict liability offences will generally be compatible with the presumption of innocence where they are reasonable, necessary and proportionate in pursuit of a legitimate objective.

Strict liability offences are considered legitimate where directed at preventing loss in particular contexts, such as consumer protection. These offences will deter existing practices within the building industry that have exposed consumers to significant risks of financial harm. This assists to enhance compliance with regulatory requirements and ultimately to protect consumers who may find it difficult to independently verify if the builder holds the proper insurance or whether a developer has paid the required bond or to compel a builder or developer to comply with a rectification order. These consumers are vulnerable to significant financial loss where proper insurance is not held or where building faults are not properly rectified. It is reasonable that the offences do not require proof of fault given significant consequences and loss that can arise regardless of whether a builder or developer acts knowingly or recklessly.

The offences are reasonable in that they do not exclude the common law defence of honest and reasonable mistake of fact, and they do not attract penalties of imprisonment. While the more serious offences, such as failing to have proper insurance (s 137O, 137X and 137Y), attract up to 500 penalty units for a natural person, which is at the high end of the liability spectrum for what a strict liability offence would generally attract, this is reasonable and proportionate noting the very large values of contractual commitments by builders and developers and their customers under domestic building contracts, and the significant costs to the community where builders fail to hold the required insurance and where builders and developers leave buildings with major faults without recourse by the consumer to cover the costs of the required additional building work. Accordingly, this maximum penalty provides a significant deterrent in response to identified practices of non-compliance in the industry to prevent builders and developers from operating without holding the required insurance or undertaking defective, non-compliant or incomplete building work. By contrast, offences which deal with more administrative or minor matters, such as s 137ZZI requiring an owners corporation to give notice to owners of a building assessor's report, attract a far lower penalty in proportion to the consequences of failure to comply and need for deterrence.

For these reasons, the limitation to s 25(1) of the Charter imposed by the strict liability offences is reasonable and justifiable within the meaning of s 7(2) of the Charter.

Reverse onus provisions

The Bill inserts the following offences into the Building Act which contain an exception in the form of an excuse:

- New s 75M provides that a person must not contravene a rectification order without reasonable excuse
- New s 137ZZL(3) provides that a person must not, without reasonable excuse, refuse access to a building assessor or builder appointed to rectify defective building work.

These offences contain excuses (also known as exceptions) which place an evidential burden on the accused, in other words, the accused is required to present or point to evidence that suggests a reasonable possibility of the existence of facts that would establish the exception or excuse. The Supreme Court has held that evidential onus provisions on an accused to establish an exception does not transfer the legal burden of proof and do not limit the right to the presumption of innocence. Once the accused has pointed to evidence of a reasonable excuse, the burden shifts back to the prosecution who must prove the essential elements of the offence to a legal standard. Further, the exceptions relate to matters which are peculiarly within an accused's knowledge and would be unduly onerous for a prosecution to disprove at first instance.

Should the right to the presumption of innocence in fact be limited by these provisions, I am of the view that any limitation is reasonable and demonstrably justified, in that it is a proportionate measure to the legitimate purpose of the offences, which is to protect consumers by ensuring the compliance of builders and developers with rectification orders (for s 75M) and facilitating access to buildings for the purpose of identifying, assessing or remedying building defects (for s 137ZZL(3)). Courts in other jurisdictions have held that the presumption of innocence may be subject to reasonable limits in the context of regulatory compliance, particularly where regulatory offences may cause harm to the public. Finally, the offences are not punishable by a term of imprisonment, and in the case of s 137ZZL(3), attracts only a minor penalty.

Accordingly, I am of the view that these offence provisions are compatible with the Charter.

Right not to be punished more than once

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which they have already been finally convicted or acquitted in accordance with law. This right reflects the principle of double jeopardy. However, the principle only applies in respect of criminal offences – it will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, or vice versa.

Penalties and sanctions imposed by professional disciplinary bodies do not usually constitute a form of 'punishment' for the purposes of this right as they are protective in nature and not punitive.

The ability of the Authority to take disciplinary action against or immediately suspend the registration of a registered building practitioner (clauses 37, 38, 39, 85 and 86 of the Bill discussed above) does not engage this right. This is because the purpose of taking disciplinary action against or suspending the registration of a builder is to protect consumers from future harm, such as in circumstances where there has been a failure to meet minimal financial requirements or to comply with a rectification orders. As these sanctions are for protective rather than punitive purposes, they do not engage the right against double punishment set out in s 26 of the Charter.

Conclusion

I am therefore of the view that the Bill is compatible with the Charter.

Hon Harriet Shing MP
Minister for the Suburban Rail Loop
Minister for Housing and Building
Minister for Development Victoria and Precincts

Second reading

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:41): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

The Bill amends the *Building Act 1993*, the Domestic Building Contracts Act 1995, the *Subdivision Act 1988*, the *Sale of Land Act 1962* and the *Victorian Civil and Administrative Tribunal Act 1998* to implement major reforms to the building regulatory framework.

The main purposes of the Bill are to:

- integrate domestic building regulatory functions into the Victorian Building Authority (VBA) by
 - conferring the function of administering Part 4 of the Domestic Building Contracts Act on the VBA instead of the Director of Consumer Affairs Victoria, and
 - transferring the Victorian Managed Insurance Authority's (VMIA) domestic building insurance business to the VBA and provide that DBI must be obtained solely from the VBA;
- enhance financial protections for consumers through the establishment of a Statutory Insurance Scheme (SIS) to be administered by the VBA to provide domestic building insurance on a first-resort basis for domestic buildings with a rise in storeys of three or less;
- introduce new financial protections for consumers through a developer bond scheme for apartments with a rise in storeys of more than three;
- restrict the sale or occupancy of apartment buildings above three storeys with serious defects that have not been rectified or if the developer has not complied with the requirements of the developer bond scheme;
- enhance the VBA's enforcement powers including by empowering the VBA to order the rectification of building work that is incomplete, defective or non-compliant both prior to and after the issuing of an occupancy permit; and
- make miscellaneous, consequential and technical amendments.

This Bill is the first step to implement the Building Reform Program to support delivery of Victoria's Housing Statement. The Building Reform Program responds to numerous reports to government including the Cladding Taskforce Report, the Building Confidence Report and Expert Panel on Building Reform reports. The government intends that further Bills will be introduced in this term of Parliament to build on the initiatives in this Bill. When fully implemented, the Building Reform Program will transform the building

regulatory system with a new legislative structure and changes to arrangements for the regulator, insurance, monitoring building work among other changes.

Many of the reforms proposed by the Bill are modelled closely on regulatory measures that are operating successfully in other states.

Integrated regulatory model

Responsibility for domestic building functions is fragmented across various agencies. Each is vested with different responsibilities, such as monitoring and enforcing compliance with the Building Act, providing dispute resolution functions and domestic building insurance. Fragmented regulatory responsibilities create confusion for consumers, who may not know which agency to turn to when a building work issue arises. Consumers are often passed around agencies before finding the right one to investigate or resolve their problem, leading to lost time and additional costs. Sometimes consumers give up and choose to incur costs to rectify building work themselves rather than pursue the builder for work that should have been done correctly the first time.

It is evident that the fragmented nature of the building regulatory system, combined with complex, costly and slow dispute resolution processes and limited enforcement powers for the regulator to order defective building work to be rectified quickly has not met community expectations and weakened confidence in the building sector.

This Bill addresses fragmentation by bringing regulatory functions under the Building Act, dispute resolution functions under the Domestic Building Contracts Act and domestic building insurance into the VBA.

By combining these domestic building regulatory functions, the Government's policy goal is to deliver a 'one-stop-shop' building regulator that will be more effective at resolving building work issues quickly. It closely links the new statutory insurance scheme for domestic building work with the VBA's enforcement and disciplinary powers together with dispute resolution services.

Linking these functions as proposed by the Bill creates a strong incentive on builders to rectify building work when ordered to do so because failure to comply with the regulator's rectification orders can lead to the immediate suspension of the builder's registration. If a builder's failure to rectify has resulted in a consumer making a successful domestic building insurance claim, the VBA will be able to recover the cost of the insurance response from the builder. The links between domestic building insurance, enforcement powers, discipline, cost recovery and dispute resolution are critical to the regulator's effectiveness and the success of the first-resort insurance scheme.

Importantly not all regulatory functions will be integrated into the VBA. The functions of the Municipal Building Surveyor (MBS) and Private Building Surveyor (PBS) will not be altered with the establishment of the integrated regulator. Both the MBS and PBS will continue to play significant roles in the domestic building sector. Similarly, the role of the Architects Registration Board of Victoria with the registration of architects, and Consumer Affairs Victoria with respect to the registration of engineers, will continue without change.

Domestic building insurance and the Statutory Insurance Scheme

The Bill makes significant reform to domestic building insurance, which will be implemented over two stages. The first stage of reform will cover 'last-resort' domestic building insurance that currently operates in Victoria. The second stage of reform will introduce more significant change with the introduction of the new SIS, which will provide domestic building insurance on a 'first-resort' basis for domestic buildings three storeys and below.

Last-resort domestic building insurance

The first stage of insurance reform will deliver the integration of the VMIA's domestic building insurance business into the VBA, provide for the VBA to undertake a domestic building insurance business and introduce enabling provisions to close the domestic building insurance market to private insurers. The Bill does this by conferring a function on the VBA to carry on an insurance business relating to domestic building work. The Building Act will be amended to replace the VMIA with VBA as a designated insurer for domestic building insurance.

The Bill provides transitional arrangements to ensure building owners with domestic building insurance policies written by VMIA will continue to receive the same coverage under those policies after the transfer to the VBA takes place. All assets, liabilities, rights and other matters associated with VMIA's domestic building insurance business will transfer to the VBA. An insurance account will be established in the Building Act into which payments for domestic building insurance purposes are to be made. Payments can be paid out of the insurance account to meet domestic building insurance liabilities. The account must be managed in accordance with prudential requirements.

The transition to these arrangements will be subject to detailed implementation work by departments and agencies. Affected insurers and builders will be consulted as part of implementation work, including if the government chooses to close the last-resort domestic building insurance market. Information will be available to industry and the public ahead of the commencement of these new requirements.

The Statutory Insurance Scheme

The Bill's second reform to domestic building insurance is the establishment of a new SIS. The introduction of the SIS is a significant initiative supporting the Bill's policy objective to improve consumer protection by delivering the rectification of incomplete, defective or non-compliant building work quickly and, in the case of the SIS, removing the consumer from any requirement to participate in dispute resolution processes. The integrated model, together with rectification orders and insurance reform, are critical to delivering this policy outcome for domestic buildings under three storeys.

The SIS will provide domestic building insurance on a 'first-resort' basis for buildings under three storeys. Domestic building owners will be able to make an insurance claim even when the builder is operating in the building industry and without needing to undertake a dispute resolution process. The existing last-resort insurance triggers allowing for claims in cases where the builder has died, disappeared or become insolvent, will continue to apply under the new arrangements.

The SIS will be administered by the VBA as a government monopoly. This is essential to ensure a close link between insurance, the regulator's enforcement powers, disciplinary powers and cost recovery powers. These links incentivise builders to rectify building work when ordered to do so and are critical to the financial viability of the SIS. This is because the SIS depends on the regulator's power to order builders to rectify building work to reduce demand for insurance payout. If insurance responds due to a failure by the builder to rectify building work, the regulator is empowered to take disciplinary action or cost recovery action against the builder.

The Bill provides important aspects of the SIS and heads of power for detailed matters to be prescribed in regulations. The SIS will cover insurable domestic building contracts where the value of the work is \$20,000 or above. Building owners will be entitled to make a claim if they have suffered loss in connection with domestic building work that is incomplete or defective or non-compliant. Developers and builders, including those engaged in speculative domestic building work, will not be entitled to claim assistance, reflecting the policy objective of strengthening consumer protections for the end user or owner occupier. The VBA will be responsible for preparing a Premium Order, which will set out premiums to be paid for insurance cover. The VBA will also be able to tender for the rectification of building work covered by the SIS if the builder has failed to comply with an order to rectify the work.

The SIS will extend insurance coverage to building owners – known as deemed cover – even if the builder has not purchased an insurance policy. This amendment protects consumers from practices exposed with the collapse of Porter Davis homes. The existence of deemed cover permits flexibility for builders to pay the applicable insurance premium after an insurable domestic building contract has been entered into. The Bill provides this flexibility by giving builders 10 business days to pay the premium after entering a contract. Deemed cover and the flexibility given to builders mean offences in the Domestic Building Contracts Act against builders demanding or receiving money without ensuring the domestic building work is covered by domestic building insurance are no longer required and will be repealed by the Bill.

Detailed terms of insurance cover will be prescribed in regulations. The regulations will include matters such as the maximum amounts of cover available to a building owner under an insurance contract, periods of insurance cover and any exclusions, among other matters. The terms of optional additional cover will also be prescribed.

Orders for the rectification of building work

The Bill strengthens the VBA's enforcement tools by giving it the power to order the rectification of incomplete, defective and non-compliant building work. The VBA will be able to issue a rectification order to a person who carried out the building work and developers. The scope of who carried out the building work is to be broadly interpreted and can include registered domestic or commercial builders as well as builders without building practitioner registration, subcontractors and others responsible for carrying out incomplete, defective or non-compliant building work. A rectification order can be issued with respect to any building class and at any time during the construction phase of the build and up to 10 years after the issuing of an occupancy permit.

The rectification order process closes a significant gap in the VBA's enforcement powers. Prior to this Bill, the VBA was not able to order builders to rectify defective building work after the issuing of an occupancy permit and had limited power to order the rectification of defects during construction. It was not able to order

builders to complete incomplete work. And it was not able to order developers to rectify building work. The rectification order process closes these gaps.

The rectification order power is designed to allow the VBA to respond quickly and order the rectification of defective building work at both pre- and post-occupancy permit stages. Those issued a rectification order must comply within specified timeframes and cannot seek a stay to the operation of the order. In the case of defective building work, it is intended that the VBA provide the relevant person a period of time, for example 14 days, to respond to the VBA's intent to issue an order and raise any issues with the VBA. The VBA will also produce guidance documents on the use of rectification orders for defective work to provide transparency for all parties. These will be required by Ministerial Direction.

Rectification Orders play a critical role with respect to various functions the Bill confers on the VBA. It will be a core feature of the SIS in that builders will be ordered to rectify or complete building work subject to a building owner's insurance claim. Failure to comply with a rectification order in this context will trigger an insurance response. Failure to comply with a rectification order for serious defects can lead to restrictions on the sale, occupancy or registration of plans of subdivision for apartments with a rise in storeys of more than three. Reflecting the VBA's greater consumer protection role under the integrated model, the rectification order can be used to order the rectification of incomplete and defective work. These powers bolster the VBA's existing role in monitoring compliance with the Building Act, Regulations and the National Construction Code.

The ability to issue rectification orders will only be available to the VBA and will not affect enforcement powers available to MBS or PBS. Rather, the rectification order power complements those powers by enabling the regulator to step in when the powers of the MBS or PBS are not suitable for resolving the building work issue.

Developer bond scheme

Another significant consumer protection measure in the Bill is the introduction of a developer bond scheme. A gap currently exists with respect to financial protections for home owners in apartment buildings with a rise in storeys of more than three because these buildings are not covered by domestic building insurance. The bond will address this gap in the interim ahead of the introduction of decennial liability insurance for these apartments in future.

The developer bond scheme is modelled on the Strata Building Bond and Inspections Scheme in NSW. A developer of an apartment with a rise in storeys of more than three will need to secure a bond of two percent against the cost of the building work for the purpose of funding defect rectification costs. The bond will be lodged before the developer applies for an occupancy permit. The VBA will be responsible for approving access to the bond. The bond itself can take the form of a bank guarantee or a bond issued by an insurer approved by the VBA, or any other form prescribed in the regulations.

An inspection regime will be introduced to support the bond. The first inspection will occur 15 to 18 months after the issuing of an occupancy permit. The second inspection if required will occur between 21 to 24 months after the issuing of the occupancy permit. If defects are identified during the first inspection and are not rectified by the second inspection, the owners corporation will be able to apply to the VBA to obtain access to the bond to rectify identified defects. Details such as the method for how the cost of building work is to be calculated; the registers of persons qualified to be appointed as building assessors; and the form and contents of an interim and final report produced by an assessor, will be prescribed in the Regulations.

Assessments will be carried out by building assessors nominated by the developer, and approved by the owners corporation or appointed by the Building and Plumbing Commission. Assessors will be required to act impartially and will be given necessary powers to enter premises to carry out inspections.

Restrictions on the issuing of occupancy permits, registration of plans of subdivision and rescission of off-the-plan contract sales

To support the developer bond scheme, the Bill introduces restrictions on the occupancy, subdivision or sale of apartments if serious defects have not been rectified.

Developers will be required to notify the VBA of their intent to apply for an occupancy permit between six and twelve months in advance. This will enable the VBA to conduct an inspection of the apartment building where the construction time is greater than 6 months; or 30 days in advance if the construction time is less than 6 months. If the VBA inspection identifies the existence of serious defects and issues a rectification order, the developer will not be able to apply for an occupancy permit, nor register a plan of subdivision, nor complete an off-the-plan sale until the rectification order has been complied. Purchasers under an off-the-plan contract will also be able to rescind the contract if an occupancy permit has not been issued or a developer bond has not been paid. These restrictions create an incentive for the developer to improve quality controls to

avoid delays to the completion of building work and, if a serious defect is identified, quickly rectify the building work.

Miscellaneous amendments

The Bill makes miscellaneous amendments. The Bill includes provisions to prescribe minimum financial requirements for builders. The purpose is to support the VBA's underwriting activities connected with its insurance functions. This means minimum financial requirements will replace eligibility for domestic building insurance as a requirement to be satisfied by all registered domestic builders. Regulations will prescribe these requirements and will be subject to stakeholder consultation. The Bill makes consequential changes to various sections of the Building Act, reflecting the change from domestic building insurance eligibility to satisfaction of minimum financial requirements.

The Bill introduces new VCAT review jurisdiction with respect to decisions made in relation to the SIS, rectification orders and developer bonds.

The Bill makes various other technical and consequential amendments.

I commend the Bill to the house.

Ingrid STITT: I wish to make a brief statement on the amendment to the Building Legislation Amendment (Buyer Protections) Bill 2025. The amendment fixes a drafting error between the second-reading speech and the bill. The second-reading speech in the Assembly stated that the percentage of the developer bond would be 2 per cent, whereas the body of the bill says 3 per cent. The percentage in the second-reading speech is the correct figure, and the amendment corrects that.

David DAVIS (Southern Metropolitan) (17:42): I move:

That debate on this bill be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Transport Legislation Amendment (Vehicle Sharing Scheme Safety and Standards) Bill 2025

Introduction and first reading

The PRESIDENT (17:42): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Road Safety Act 1986** in relation to vehicle sharing schemes and offences involving electric scooters and the **Transport (Compliance and Miscellaneous) Act 1983** in relation to vehicle sharing schemes and for other purposes.'

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:43): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Ingrid STITT: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:43): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Transport Legislation Amendment (Vehicle Sharing Scheme Safety and Standards) Bill 2025 (the **Bill**).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter. I have this opinion for the reasons outlined in this statement.

Overview

The purpose of the Bill is to amend the *Road Safety Act 1986* (the **Road Safety Act**) to repeal provisions of that Act relating to vehicle sharing schemes and to make further provision for offences involving electric scooters, including by providing for traffic infringement notices to be issued.

The Bill also amends the *Transport (Compliance and Miscellaneous) Act 1983* (the **Transport Compliance Act**) to insert provisions relating to vehicle sharing schemes, including the approval of vehicle sharing scheme operators, authorising agreements to operate a vehicle sharing scheme, and related offences.

Human rights issues

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

- the right to privacy and reputation (section 13 of the Charter);
- the right to freedom of expression (section 15); and
- the fair hearing right (section 24(1)).

Applications for vehicle sharing scheme operator approvals

Clause 8 of the Bill inserts into the Transport Compliance Act new Part VIA, which provides for:

1. a person to apply to the Secretary for approval to be an ‘approved category A scheme operator’ (ie, of a category A vehicle (eg, an electric scooter) sharing scheme) (new section 206; the Secretary’s determination of a person’s application being made under new section 207A);
2. an approved category A scheme operator to apply to the Secretary for renewal of their approval (new section 207C);
3. the Secretary to revoke an approved category A scheme operator’s approval, if the Secretary is satisfied of specified matters (new section 207D), and a requirement that notification of such a decision be published on the Department’s Internet site (new section 207F);
4. a requirement that the Secretary maintain a register of approved category A scheme operators (new section 207G); and
5. an approved category A scheme operator, or a person who proposes to operate a category B vehicle sharing scheme, to enter into an agreement with a municipal council to operate a relevant vehicle sharing scheme within the municipal district of that council (new section 207L).

These amendments are relevant to the rights to fair hearing (section 24(1)), privacy (section 13) and freedom of expression (section 15).

Fair hearing

Section 24(1) of the Charter relevantly provides that a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. A ‘civil proceeding’ is not limited to a proceeding decided by judicial decision-makers; it may encompass the decision-making procedures of administrative decision-makers with the power to determine private rights and interests. While recognising that Charter rights should be interpreted broadly, the terms ‘proceeding’ and ‘party’ suggest that section 24(1) was intended to apply only to decision-makers who conduct proceedings with parties.

In my view, the administrative decisions provided for in clause 8 of the Bill do not involve the conduct of proceedings with parties, so as to engage section 24(1) of the Charter. Further, it is understood that, unless a decision determines existing rights, the fair hearing right in section 24(1) is unlikely to apply. In the context of this Bill, decisions determining existing rights would be limited to the revocation of an approved category A scheme operator’s approval under new section 207D.

If, however, a broad reading of section 24(1) were adopted and it was understood that the fair hearing right was engaged by this Bill, this right would not be limited. The right to a fair hearing is concerned with the procedural fairness of a decision. The entire decision-making process, including the availability of review, must be examined to determine whether the right in section 24(1) is limited. In my view, section 24(1) is not limited because of the following key procedural fairness safeguards provided for in the Bill:

- if the Secretary refuses to approve an applicant to be an approved category A scheme operator, or refuses to renew an approval, or revokes an approval, the written notice for the decision must include a statement of reasons and must inform the applicant that they may seek review of the decision (new sections 207A(5), 207C(4) and 207D(4));
- further, before the Secretary makes a decision to revoke an approved category A scheme operator's approval, the Secretary must give written notice (new section 207E);
- a person may apply for internal review of each of the Secretary's decisions outlined above (see paragraphs 1, 2, and 3) – ie, to refuse to approve, refuse to renew, or revoke the person's approval to be an approved category A scheme operator (new section 207H);
- the Secretary must appoint a delegate, who did not make the original decision, to determine the application for internal review (new section 207J); and
- if the original decision is affirmed at the conclusion of the internal review, a person may apply to the Tribunal for review of that decision to affirm it (new section 207K).

Privacy and reputation, and freedom of expression

Section 13(a) of the Charter prohibits unlawful or arbitrary interferences with a person's privacy. Arbitrary interferences are those that are capricious, unpredictable or unjust, as well as unreasonable because they are not proportionate to a legitimate aim sought. An interference with privacy can still be arbitrary even though it is lawful.

Section 13(b) of the Charter prohibits unlawful attacks on a person's reputation.

Finally, section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds (including freedom from being compelled to provide information).

New section 206(2) of the Bill provides that applications must include certain details about the person applying for approval (or renewal, pursuant to new section 207C(4)), and any prescribed information. Further, new section 207G requires the Secretary to maintain a register of approved category A scheme operators, including prescribed information in respect of those operators, which must be available for inspection on the Department's Internet site.

By requiring applicants to provide certain information in their applications for approval to be an approved category A scheme operator, and by requiring the Secretary to publish on the Department's Internet site certain information, the Bill may engage sections 13 and 15(2) of the Charter, to the extent that these provisions affect natural persons. I note that these provisions will largely apply to companies.

To the extent that these requirements do interfere with the right to privacy, any interference would be in accordance with law and proportionate to the legitimate aim of determining that an applicant is a fit and proper person. Further, the exact extent and nature of any interference will be determined by the content of any future regulations, which will be subject to the requirement on the Minister to produce a Human Rights Certificate, certifying its compatibility with the Charter. The Secretary's power to request further information under new section 207 is necessary to facilitate the proper discharge of assessing applications, and is limited in scope to relevant information. Further, the Secretary will be obliged to act compatibly with an applicant's right to privacy when exercising their functions under the Bill, including when requesting information.

Finally, new section 207F of the Bill requires the Secretary to ensure that notification of a decision to revoke approval is published on the Department's Internet site. I do not consider that this requirement would engage the right to privacy in section 13(a) of the Charter, and the right not to have a person's reputation unlawfully attacked in section 13(b). This is because such a notification would not include personal information of a private nature and would serve the legitimate and important purpose of making it known to the public that a vehicle scheme operator has had their approval revoked.

Hon Harriet Shing MP

Minister for the Suburban Rail Loop

Minister for Housing and Building

Minister for Development Victoria and Precincts

Second reading

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:43): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

The use of e-scooters provided under sharing schemes has proven to be popular in Victoria, with Melbournians, in particular, taking up the devices in high numbers. E-scooters made available via sharing schemes are a useful and popular mode of transport for people wanting to travel short distances. They help to ease congestion, are an affordable mode of transport and provide first and last mile access to public transport.

With a view to ensure the safety of e-scooter riders, pedestrians and other road users, the Victorian Government undertook a trial of the use of e-scooters throughout Victoria under certain conditions. This trial commenced in December 2021 in Ballarat and, from 1 February 2022, in select Melbourne council areas. E-scooter riders using these devices as part of the trial were required to follow the Road Rules, which include requirements for the wearing of helmets, restrictions on speed and requirements for where the e-scooters are able to be lawfully ridden.

On 19 July 2024, the Allan Labor Government announced that the trial would conclude in October 2024, permanently allowing sharing scheme and private e-scooters to operate across Victoria. The Government also announced that new legislation will be introduced in 2025 setting out new requirements for e-scooter share hire operators applying to councils to operate in their municipalities, with minimum standards to be enforced through a pre-approval scheme. This Bill fulfills that commitment.

The e-scooter trial shows us that e-scooters provide the community with a low cost and emission-reducing form of alternative transportation. Many Victorians have used them to successfully make millions of trips over the past three years. While e-scooters have become a staple form of transport, they are still new devices to many in the community. The Government has observed that compliance with the rules for the use of e-scooters could be improved. To support better enforcement of these rules, the Bill also enables Protective Service Officers (PSOs) to issue infringements for certain e-scooter offences.

The Bill makes important changes to deliver on the Government's commitment to improving e-scooter safety and compliance and provide greater certainty to councils and sharing scheme operators which will make e-scooter use safer and enable the better management of parking and amenity issues.

Pre-approval requirement for share hire e-scooter operators

The Bill will provide local governments with better support to select vehicle sharing schemes within their local government areas by introducing a pre-approval requirement for prospective vehicle sharing scheme operators and imposing improved safety and technology standards on those operators. The Bill amends the *Transport (Compliance and Miscellaneous) Act 1983* to introduce a new regulatory framework for operators of vehicle sharing schemes. The regulatory model will initially cover e-scooter sharing schemes, with powers to prescribe other vehicle types as new vehicle types are provided as part of vehicle sharing schemes.

These measures are intended to improve safety and accessibility of e-scooters, and improve amenity in public spaces. Whilst e-scooters provide many benefits in terms of transport and mobility, there have been issues with e-scooters, hired as part of a sharing scheme, being ridden on footpaths or parked in a way that blocks access, introduces tripping hazards, or otherwise creating an impact on the use or amenity of public spaces. The sharing scheme standards will address these issues by requiring operators of sharing scheme to implement systems, technologies and other safety measures.

The pre-approval process will be overseen by the Department of Transport and Planning. Operators will apply to the Secretary to the Department and provide evidence that the operators can comply with the scheme standards and that they are a fit and proper person.

The sharing scheme standards, which will be prescribed in regulations following the passage of the Bill, may include the following matters:

- Helmet use and verification, including measures to ensure that a helmet is made available to a hirer of an e-scooter and to verify that riders are wearing a helmet.
- Zone management, including capabilities to detect the location of sharing scheme vehicles and to slow or stop devices based on the location of the vehicle.
- Parking management, including measures to ensure that vehicles are parked appropriately at the end of a hire.

- Footpath detection, including requirements for sharing scheme vehicles to be fitted with technology to detect footpaths and take appropriate actions, such as playing an audio warning, or slowing or stopping the vehicle, when the vehicle is detected being ridden on a footpath.
- the detection of intoxicated riders and verification that riders are not otherwise impaired, including “cognitive reaction testing”.
- vehicle requirements, including vehicle identification, speakers for audio warnings and alerts, topple detection and other safety features.

The existing legislative provisions relating to the regulation of vehicle sharing scheme operators are set out in the *Road Safety Act 1986*. This includes the requirement for sharing scheme operators to enter into agreements with local councils before they commence operations in that local government area. These provisions will be repealed from the *Road Safety Act 1986* and re-enacted in the *Transport (Compliance and Miscellaneous) Act 1983* to form a comprehensive approach to regulating vehicle sharing scheme operations.

Enabling Protective Service Officers to issue infringements for certain e-scooter offences

The Bill will also provide the ability for PSOs to issue traffic infringement notices for e-scooter related offences. Currently, only police officers are able to enforce offences under the Road Rules that relate to e-scooters by issuing infringement notices to riders who are in breach of the Road Rules. This change is consistent with existing powers that PSOs have under the *Road Safety Act 1986* to issue parking infringement notices and traffic infringement notices to motorists that occur in the vicinity of designated places PSOs have been assigned to protect. As e-scooters often provide the first and last mile connection to public transport services, providing PSOs with these additional powers will serve to improve enforcement capability within existing resources, and, in turn, support improved compliance by e-scooter riders with safety rules.

Conclusion

The Bill represents the Government’s continued commitment to improve transport options for the community but also its commitment to ensure that they are safe, accessible and improve the amenity of the community.

I commend the Bill to the house.

David DAVIS (Southern Metropolitan) (17:43): On behalf of my colleague Mr Mulholland, I move:

That debate on this bill be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Bill 2025

Introduction and first reading

The PRESIDENT (17:44): I have received a further message from the Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **Victorian Energy Efficiency Target Act 2007** and for other purposes.’

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:44): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Ingrid STITT: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:44): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Bill 2025 (the **Bill**).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter. I have this opinion for the reasons outlined in this statement.

Overview of the Bill

This Bill amends the *Victorian Energy Efficiency Target Act 2007* so that the Victorian Energy Efficiency Target Scheme, also known as the Victorian Energy Upgrades (VEU) program, can continue to support energy efficiency in Victorian households and businesses. The Bill does this by extending the operation of the VEET Scheme to the end of 2045, allowing the VEU program to provide incentives for mandated upgrades, increasing the flexibility of Victorian Energy Efficiency Certificate surrender deadlines and providing the regulator, the Essential Services Commission, with a range of new and expanded enforcement tools to encourage and enforce compliance with the Act and regulations made under the Act.

The VEET Scheme regulates the participation of accredited persons and scheme participants. These entities are often businesses, body corporates and sole traders. However, to the extent that accredited persons and scheme participants are natural persons, the following amendments in the Bill may engage human rights contained in the *Charter of Human Rights Act 2006*:

- The prescription of several existing, and new, requirements under the VEET Act as civil penalty requirements for the purposes of the *Essential Services Commission Act 2001*.
- The new proposed power of the Essential Services Commission to issue an improvement notice to former or current accredited persons and scheme participants, or persons that hold themselves out to be acting under or in accordance with the VEET scheme.
- The new proposed power of the Essential Services Commission to issue a prohibition notice to scheme participants, or persons that hold themselves out to be acting under or in accordance with the VEET scheme.
- The new requirement for scheme participants to undertake training and provide evidence of that training to the accredited person they are undertaking the prescribed activity or regulated action on the behalf of, before undertaking that activity or action.
- The inclusion of new matters the Essential Services Commission may consider when determining whether a person applying for accreditation is a fit and proper person and new grounds on which the Essential Services Commission may suspend or cancel a person's accreditation.
- The new proposed power of the Essential Services Commission to require an accredited person to provide consumer information in, or attached to, a Victorian Energy Efficiency Certificate.
- The expansion of information that the Commission (or a person authorised by the Commission) may divulge or communicate to accredited persons.

Human rights

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

Right to freedom from forced work (section 11)

Section 11 of the Charter provides that a person must not be held in slavery or servitude, or made to perform forced or compulsory labour. 'Forced or compulsory labour' does not include work or service that forms part of normal civil obligations.

Right to privacy and reputation (section 13)

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

The fundamental values which the right to privacy expresses are the physical and psychological integrity, the individual and social identity and the autonomy and inherent dignity of the person. The right to privacy may

be engaged in circumstances where there is a sufficient impact upon a person's capacity to experience a private life, maintain social relations or pursue employment.

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

Right to property (section 20)

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

The Charter does not define the term "property" and very little Victorian jurisprudence exists with respect to the meaning of "property" under the Charter. The rights recognised as possessions under the European Convention on Human Rights may inform how a court will understand property under section 20. Patents and licenses have before been recognised as possessions.

Right to a fair hearing (section 24(1))

Section 24(1) of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers, but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. The right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided. However, the entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

Rights in criminal proceedings (section 25)

Section 25 of the Charter provides a number of rights related to criminal proceedings. Subsection 25(1) provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. Subsection 25(2)(k) provides that a person charged with a criminal offence is entitled without discrimination to not be compelled to testify against themselves or to confess guilt (referred to within this Statement as the protection against self-incrimination).

Right not to be tried or punished more than once (section 26)

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which he or she has already been finally convicted or acquitted in accordance with the law. The right is relevant where legislative provisions may impose trial and punishment more than once for the same offence. However, the right does not prevent other non-penal consequences from flowing from the same conduct that gave rise to a criminal conviction and punishment. The right must consider whether the provision is penal in nature rather than the type of proceeding involved.

Human rights issues***Civil penalty requirements: clauses 16, 23, 30, 33 and 36 of the Bill***

Clauses 16, 23, 30, 33 and 36 of the Bill all amend the Table in Schedule 1 to the VEET Act. That Table, as provided for by section 40B of the VEET Act, sets out civil penalty requirements for the purposes of the *Essential Services Commission Act 2001*, in addition to the regulated entity the civil penalty requirement relates to and the civil penalty amount.

The clauses of the Bill described above provide for some existing, and some new, requirements contained in the VEET Act to be civil penalty requirements. This applies the *Essential Services Commission Act 2001* enforcement and civil penalty regime to the provisions of the VEET Act specified as civil penalty requirements in the Table in Schedule 1 to the VEET Act. The enforcement and civil penalty regime provides the Essential Services Commission with a range of civil enforcement tools. Some of these requirements are also current or new offences under the VEET Act.

Right to not be tried or punished more than once (section 26)

To the extent that the new civil penalty requirements are also existing or new offences, these clauses engage the right to not be tried or punished more than once under section 26 of the Charter, as on the face of the clauses, there appears to be a possibility that a natural person who has been tried and finally convicted of an offence may be subsequently tried for a civil penalty and/or subject to a civil penalty order for the same underlying conduct.

However, in my view and as explained below, the right not to be tried or punished more than once is not limited by clauses 16, 23, 30, 33 and 36.

First, section 54K of the *Essential Services Commission Act 2001* prohibits a court from making a contravention order against a person if the person has been convicted of an offence constituted by conduct that is substantially the same as the conduct alleged to constitute the contravention.

The right may also be engaged because criminal proceedings can be commenced after a contravention order has been made against a person for substantially the same conduct, as provided by section 54M of the *Essential Services Commission Act 2001*. However, section 54N of that Act provides that the same evidence used in the proceedings for the contravention order is inadmissible in evidence in that subsequent criminal proceeding.

Further, section 40D of the VEET Act expressly provides that a contravention of a civil penalty provision is not an offence.

Moreover, any civil penalty imposed by a court under the *Essential Services Commission Act 2001* does not serve a punitive or penal function, as section 54(2) of that Act requires a person who is subject to a civil penalty order to pay the civil penalty amount into the Essential Services Commission Enforcement Fund, which supports the regulatory functions of the Commission (section 54ZQ(b) of that Act).

I am therefore satisfied that the prescription of existing and new requirements under the VEET Act as civil penalty requirements for the purposes of the *Essential Services Commission Act 2001* does not limit the right to not be tried or punished more than once.

New improvement notice power: clause 20 of the Bill

Clause 20 of the Bill inserts new section 40AB into the Act, which introduces a new power for the Essential Services Commission to issue an improvement notice to a person who is or was at any time an accredited person, is or was at any time a scheme participant, or has at any time held themselves out to be an accredited person or a scheme participant or otherwise to be acting under or in accordance with the VEET scheme.

The Essential Services Commission may only issue an improvement notice if it believes on reasonable grounds that the person is contravening or has contravened a provision of the VEET Act or the regulations in relation to the undertaking of a prescribed activity, or the undertaking of a regulated action in relation to a prescribed activity, or if the person in undertaking a prescribed activity has provided an appliance, equipment or service that has caused or is likely to cause harm to human health or safety, or damage to property.

It is an offence to not comply with the notice and compliance with the notice is a civil penalty requirement.

Right to freedom from forced work (sections 11(2), 11(3)(c))

The right under section 11(2) is engaged by the new improvement notice power, because a person subject to one of these notices may be required to take any action that the Essential Services Commission reasonably considers necessary to remedy the contravention or anything causing the contravention or to remedy the activity that has caused or is likely to cause harm to human health or safety or damage to property. This could be viewed as requiring a person to perform forced or compulsory labour.

However, in my view the right to freedom from forced work is not limited, as any labour required under these provisions would form part of normal civil obligations and is therefore specifically excluded from the scope of section 11(2) by section 11(3)(c) of the Charter.

I am therefore satisfied that the right to freedom from forced work in section 11(2) of the Charter is not limited by clause 20 of the Bill.

Right to a fair hearing (section 24)

The right to a fair hearing under section 24 of the Charter may be engaged by the new improvement notice power, because a broad reading of the right may encompass the decision-making procedures of administrative decision-makers, such as the Essential Services Commission.

The right to a fair hearing is concerned with the procedural fairness of a decision.

The power to issue an improvement notice under new section 40AB of the Act as inserted by clause 20 requires the Essential Services Commission to provide the affected person with the grounds on which the notice is given and the date the person must comply with the notice, in addition to other information as specified in section 40AB.

I note that the Essential Services Commission is not required to give the affected person prior notice that they will be subject to an improvement notice, nor does it provide an opportunity for a person to provide reasons to the Essential Services Commission as to why the notice should not be issued. In my view, any limitation to procedural fairness and therefore the right to a fair hearing caused by the absence of prior notice or

opportunity for the affected person to provide reasons is justified, as this will enable the Essential Services Commission to act quickly, including to mitigate safety risks to the community and remedy contraventions of the Act and Regulations.

Further, any limitation caused by the absence of an ability to provide reasons to the Essential Services Commission as to why the notice should not be issued is reasonable, as a person can apply to the Essential Services Commission for an internal review of the decision and to the Victorian Civil and Administrative Tribunal for review of the decision, as provided for in clauses 21 and 22 of the Bill. The requirement to comply with an improvement notice does not apply during any period that the operation of the relevant notice is stayed by the Tribunal.

Further, an improvement notice does not in and of itself impose a penalty. While it is an offence under new section 40AB(5) inserted by clause 20 of the Bill to not comply with an improvement notice, and compliance with this requirement is also a civil penalty requirement, prosecution of an offence or the commencement of a civil proceeding by Essential Services Commission must comply with all relevant court processes and rules, which provides the affected person with procedural fairness.

Therefore, if a broad reading is adopted and the right to a fair hearing is engaged, I am satisfied that the right to a fair hearing is not limited by clause 20 of the Bill.

New prohibition notice power: clause 27 of the Bill

Clause 27 of the Bill inserts new section 40AC into the Act, which introduces a new power for the Essential Services Commission to issue a prohibition notice to a person who is or was at any time a scheme participant, or has at any time held themselves out to be a scheme participant or otherwise to be acting under or in accordance with the VEET scheme.

The Essential Services Commission may only issue a prohibition notice if it believes on reasonable grounds that the person is contravening or has contravened a provision of the VEET Act or the regulations in relation to the undertaking of a prescribed activity, or the undertaking of a regulated action in relation to a prescribed activity, or if the person has engaged in or proposes to engage in an activity that has caused or is likely to cause harm to human health or safety, or damage to property and, having regard to the nature of the contravention or the activity, prohibiting the person from undertaking a prescribed activity or a regulated action is necessary to prevent harm to human health or safety or damage to property.

Further, new section 40AE provides for the Essential Services Commission to, on its own initiative, revoke a prohibition notice or vary a prohibition notice if the Essential Services Commission receives or otherwise becomes aware of information that relates to the grounds on which the prohibition notice was issued and was not known to the ESC at the time the notice was issued.

It is an offence to not comply with the notice and compliance with the notice is a civil penalty requirement.

Right to freedom from forced work (sections 11(2), 11(3)(c))

The right under section 11(2) is engaged by the new improvement notice power, because a person subject to one of these notices issued under section 40AC or amended under section 40AE may be required to take any action that the Commission reasonably considers necessary to remedy the contravention or anything causing the contravention or to remedy the activity that has caused or is likely to cause harm to human health or safety or damage to property. This could be viewed as requiring a person to perform forced or compulsory labour.

However, in my view the right to freedom from forced work is not limited, as any labour required under these provisions would from part of normal civil obligations and is therefore specifically excluded from the scope of section 11(2) by section 11(3)(c) of the Charter.

I am therefore satisfied that the right to freedom from forced work in section 11(2) of the Charter is not limited by clause 27 of the Bill.

Right to a fair hearing (section 24)

The right to a fair hearing under section 24 of the Charter may be engaged by the new prohibition notice power and the power to vary or revoke the notice, because a broad reading of the right may encompass the decision-making procedures of administrative decision-makers, such as the Essential Services Commission.

The right to a fair hearing is concerned with the procedural fairness of a decision.

The power to issue a prohibition notice under new section 40AC of the Act as inserted by clause 27 requires the Essential Services Commission to provide the affected person with the grounds on which the notice is given, what the person must not do, any actions the person must take and the date the person must comply with the notice.

I note that the Essential Services Commission is not required to give the affected person prior notice that they will be subject to a prohibition notice.

However, a person may apply to the Essential Services Commission under new section 40AD inserted by clause 27, to revoke a prohibition notice that applies to the person, to vary the period for which a prohibition notice applies, or to vary the action (if any) required by the notice. This application must include evidence of a relevant change in circumstances since the prohibition notice was issued and evidence demonstrating that the person is suitable to undertake the conduct the notice prohibits them from undertaking. When making its decision, the Essential Services Commission must consider such an application, consider the information and evidence provided in the application and any conduct of the applicant when it issued the prohibition notice and then inform the affected person of its decision.

If the Essential Services Commission proposes to vary or revoke the prohibition notice under new section 40AE, they must give the person subject to the notice written notice advising of the Essential Services Commission's proposed action and inviting written submissions from the person affected, which the Essential Services Commission must consider before making the decision. Once the Essential Services Commission makes its decision, it must give the affected person notice of that decision.

In my view, any limitation to procedural fairness and therefore the right to a fair hearing caused by the absence of prior notice or opportunity for the affected person to provide reasons before an initial notice is issued under new section 40AC is justified, as this will enable the Essential Services Commission to act quickly and mitigate safety risks to the community.

Any limitation caused by the absence of an ability to provide reasons to the Essential Services Commission as to why the initial notice should not be issued is reasonable, as a person can apply to the Essential Services Commission to vary or revoke the notice and for an internal review of the decision and to the Victorian Civil and Administrative Tribunal for review of the decision, as provided for in clauses 28 and 29 of the Bill. The requirement to comply with an improvement notice does not apply during any period that the operation of the relevant notice is stayed by the Tribunal.

A person can also seek an internal review and a review by the Victorian Civil and Administrative Tribunal of the Essential Services Commission's decision to not vary or revoke the notice upon application under section 40AD.

Further, a prohibition notice does not in and of itself impose a penalty. While it is an offence under new section 40AC(4) inserted by clause 27 of the Bill to not comply with a prohibition notice, and compliance with this requirement is also a civil penalty requirement, prosecution of an offence or the commencement of a civil proceeding by Essential Services Commission must comply with all relevant court processes and rules, which provides the affected person with procedural fairness.

Therefore, if a broad reading is adopted and the right to a fair hearing is engaged, I am satisfied that the right to a fair hearing is not limited by clause 27 of the Bill.

Right to privacy (section 13(a))

As discussed above, the right to privacy may be engaged in circumstances where there is a sufficient impact upon a person's capacity to experience a private life, maintain social relations or pursue employment. The new power to issue a prohibition notice that may prohibit the affected person from undertaking prescribed activities or regulated actions may engage the right to privacy under section 13(a) of the Charter, because the person who is subject to the prohibition notice may be restrained from carrying on their business, or working as a scheme participant, which may impact their capacity to pursue employment.

However, in my view, any interference with the right will not be unlawful because it is authorised by an accessible and precise legislative framework, nor arbitrary, because it has a legitimate purpose of protecting community safety.

I am therefore satisfied that the right to privacy under section 13(a) of the Charter is not limited by clause 27 of the Bill.

New requirement for scheme participants to provide evidence of training to accredited persons: clause 34

Clause 34 of the Bill requires a scheme participant to provide evidence to the relevant accredited person of the completion of mandated training under new sections 14FA(1) and (2), inserted by clause 34 of the Bill. Provision of this evidence is a civil penalty requirement.

Right to privacy (section 13(a))

To the extent that the information which a person must provide to the Essential Services Commission under clause 34 may contain personal information, this clause may engage the right to privacy in section 13(1) of the Charter.

However, in my view, any interference with the right will not be unlawful because it is authorised by an accessible and precise legislative framework, nor arbitrary, because it has a legitimate purpose of ensuring

scheme participants are adequately trained and competent before undertaking prescribed activities and regulated actions in homes and businesses. This will in turn support consumers.

I am therefore satisfied that the right to privacy under section 13(a) of the Charter is not limited by clause 34 of the Bill.

Power to consider additional matters in a fit and proper person test and competent and capable person test: clauses 18 and 25

Clause 18 inserts new section 10C(ga) into the Act, which provides for the Essential Services Commission to be able to consider whether an improvement notice has been issued to the person and, if so, whether the person has complied with the notice, when determining whether a person is a competent and capable person for the purposes of accreditation.

Clause 25 inserts new section 10B(k) into the Act, which provides for the Essential Services Commission to be able to have regard to a contravention by the person of section 40AC(5), when determining whether a person is a fit and proper person. New section 40AC(5), inserted by clause 27, makes it an offence for an accredited person to require or authorise any other person to undertake, on the accredited person's behalf, a prescribed activity of any part of a prescribed activity or a regulated action in relation to a prescribed activity if the accredited person knows, or reasonably ought to know, that the other person is prohibited from undertaking that prescribed activity or regulated action.

Section 9 of the Act provides that an application for the grant or renewal of accreditation must include a declaration that the applicant is, for the purposes of accreditation, a fit and proper person and a competent and capable person. The Essential Services Commission can require an applicant to provide evidence to support these declarations under section 10A and must refuse an application if the Essential Services Commission is not satisfied that the person is a fit and proper person, or a competent and capable person under section 11.

Existing section 14D goes on to provide that an accredited person must not, without reasonable excuse, fail to disclose to the Essential Services Commission any adverse matter within 14 days of becoming aware of that matter. An adverse matter means, if the Essential Services Commission were to have regard to it, the Essential Services Commission would determine the person is not a fit and proper person or a competent and capable person for the purposes of accreditation.

Right to privacy (section 13(a))

To the extent that the information which a person must provide to the Commission under existing sections 9, 10A and 14D due to the amendments contained in clauses 18 and 25 of the Bill may include personal information, these clauses may engage the right to privacy in section 13(a) of the Charter.

However, in my view, any interference with the right will not be unlawful because it is authorised by an accessible and precise legislative framework, nor arbitrary, because it has a legitimate purpose of ensuring accredited persons are fit, proper, competent and capable to participate in the VEET Scheme.

Furthermore, existing section 65 of the VEET Act contains an important privacy safeguard, by making it an offence to disclose confidential information obtained during the exercise of powers or functions under, or in connection with, the VEET Act, except in limited circumstances.

I am therefore satisfied that the right to privacy under section 13(a) of the Charter is not limited by clauses 18 and 25 of the Bill.

Presumption of innocence (section 25(1)) and protection against self-incrimination (section 25(2)(k))

Due to the amendments in clauses 18 and 25, an accredited person may be required under section 14D to disclose whether they have not complied with an improvement notice or contravened new section 40AC(5). It is an offence to not comply with an improvement notice and new section 40AC(5) is an offence.

It is therefore relevant to note that, while section 14D is an existing section of the Act, it engages the presumption of innocence because the 'reasonable excuse' exception places an evidential burden on a person accused of the offence. However, it does not transfer the legal burden of proof to the accused. Once the accused has adduced (or pointed to) evidence of a reasonable excuse, which will ordinarily be particularly within their knowledge, the burden shifts back to the prosecution to prove the essential elements of the offence. I do not consider that an evidential onus of this kind limits the right to be presumed innocent in section 25(1) of the Charter.

It is also relevant to note that section 14D of the Act engages the protection against self-incrimination, to the extent that a person may be required to disclose information which could tend to incriminate them, new section 14D may engage the protection against self-incrimination under section 25(2)(k) of the Charter.

In my view, however, the right is not limited because the duty to disclose is subject to a 'reasonable excuse' defence, which expressly includes under existing section 14E that it is a reasonable excuse for the

purposes of existing section 14D(1) for a person to refuse or fail to disclose an adverse matter within the meaning of that section if the disclosure of the adverse matter would tend to incriminate the person.

Additional grounds related to suspending or cancelling a person's accreditation: 19 and 26

Clause 19 and 26 insert new sections 14(1)(ga) and (gb) respectively into the Act, which provide for the Essential Services Commission to suspend or cancel a person's accreditation, or cancel a person's accreditation and prohibit a person from applying for accreditation for a maximum period of five years, if the Essential Services Commission believes on reasonable grounds that a person has failed to comply with an improvement notice or has contravened section 40AC(5).

While section 14 is existing, meaning the Essential Services Commission already has the power to take the actions described above, as the Bill will add additional grounds on which the Essential Services Commission can exercise these powers, it is relevant to discuss the human rights engaged by section 14 as amended.

Privacy (section 13(1))

Restrictions upon a person's ability to work may engage the right to privacy in circumstances where they have a sufficient impact upon a person's capacity to experience a private life, maintain social relations or pursue employment. Therefore, clauses 19 and 26, amending section 14, may empower the Commission to interfere with a person's right to privacy.

The additional grounds inserted by clauses 19 and 26 are appropriately tailored to the objective of enabling the Commission to ensure accredited persons are of good character and to protect the reputation and integrity of the VEET scheme. There are express time limits on suspension or disqualification in existing section 14.

Moreover, a person may apply for the Commission to reconsider a decision made under section 14 and apply to VCAT for review of any such decision. This offers further protection against any arbitrary interferences with privacy under section 14 as amended by clauses 19 and 26.

Property (section 20)

Insofar as an accreditation could be characterised as 'property' under section 20 of the Charter, the Commission's powers to suspend or cancel an accreditation or account may be considered to affect a deprivation of a person's property.

However, I do not consider that section 14 as amended by clauses 19 and 26 limit the Charter right to property because any deprivation of property made pursuant to the sections inserted into the VEET Act by those clauses will be 'in accordance with law'. In particular, the detailed list of grounds pursuant to which the Commission may suspend or cancel an accreditation protects against arbitrary exercises of the Commission's powers.

Fair hearing (section 24)

As discussed above, a person may apply to the Commission to reconsider any decision of the Commission under existing section 14 and may apply to VCAT for review of any such decision.

Therefore, if a broad reading is adopted and the right to a fair hearing is engaged, I am satisfied that the right to a fair hearing is not limited by clauses 19 and 26 of the Bill.

Power to require an accredited person to provide consumer information in, or attached to, a Victorian Energy Efficiency Certificate: clause 38

Clause 38 inserts new sections 21(4) and (5) into the Act, to provide that the Essential Services Commission may require a certificate to contain, or an accredited person to provide to the Essential Services Commission, the consumer's contact details, the address of the premises at which the prescribed activity was undertaken and the name, ABN and contact details of any scheme participant involved in the activity or regulated actions. A certificate must already contain the name of the consumer of electricity or gas.

This information that the Essential Services Commission may request under section 21(4) will already have been provided to the accredited person during the course of undertaking the prescribed activity.

The requirement to provide this information when requested by the Essential Services Commission engages the right to privacy with respect to the consumer of electricity or gas, and the scheme participant (if that scheme participant is a natural person).

In my view, any interference with the right will not be unlawful because it is authorised by an accessible and precise legislative framework, nor arbitrary, because it has a legitimate purpose of ensuring the Essential Services Commission is able to contact consumers and scheme participants where issues arise and monitor compliance with the code of conduct contained in Schedule 6 to the Victorian Energy Efficiency Target Regulations 2018.

Furthermore, any interference with a person's privacy will be modest, as there is a reduced expectation of privacy in the context of a regulated industry like the VEET scheme. Persons participating in the scheme do

so voluntarily, and so any decision to disclose personal information to an accredited person is ultimately at the discretion of the consumer or scheme participant. In addition, in the Commission is a ‘public authority’ under the Charter, so it must act in accordance with human rights (including the right to privacy) when disclosing personal information (section 38 of the Charter).

Expansion of information that the Commission (or a person authorised by the Commission) may divulge or communicate to accredited persons: clause 51

Clause 51 substitutes existing section 66(1)(m) of the Act, to provide that that Division 3 of Part 8 does not prevent the Essential Services Commission or person authorised by the Essential Services Commission from divulging or communicating information to an accredited person for the purpose of informing the accredited person of the details of any improvement notice or prohibition notice issued to a person, a scheme participant’s conduct when undertaking a prescribed activity or regulated action or a scheme participant’s compliance with this Act and the regulations, in addition to the existing power to provide information to accredited persons regarding a scheme participant’s compliance with the code of conduct.

To the extent that the information which the Commission may provide to these persons and bodies includes personal information, clause 51 will engage the right to privacy in sections 13(a) of the Charter. However, in my opinion, the right is not limited as any interference with privacy effected pursuant to section 66 (as amended) will be lawful, as the section is accessible and precisely formulated, and non-arbitrary.

To the extent that this information may constitute an attack on a person’s reputation, clause 51 will engage the right to privacy in section 13(b) of the Charter. However, in my opinion, the right is not limited as any attack on a person’s reputation will be lawful, as the section is accessible and precisely formulated, and for the purpose of ensuring that accredited persons can make informed decisions related to engaging persons who have been issued improvement notices or prohibition notices, or are prohibited from engaging in certain activities or from undertaking certain regulated actions under the VEET Scheme.

Furthermore, any interference with a person’s privacy will be modest, as there is a reduced expectation of privacy in the context of a regulated industry like the VEET scheme. Persons participating in the scheme do so voluntarily, and so any decision to disclose personal information to the Commission is ultimately at the discretion of the participant. In addition, the Commission is a ‘public authority’ under the Charter, so it must act in accordance with human rights (including the right to privacy) when disclosing personal information (section 38 of the Charter).

Conclusion

I am therefore of the view that the Bill is compatible with the Charter.

Hon Ingrid Stitt MP
Minister for Mental Health
Minister for Ageing
Minister for Multicultural Affairs

Second reading

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:45): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into Hansard:

The Victorian Government is committed to supporting Victorians with the cost of living, reducing emissions, managing the impacts of climate change and growing our economy. Supporting energy efficiency is at the heart of this approach, saving energy consumers money, making them more comfortable in their homes and businesses and reducing emissions from the energy sector. Energy efficiency schemes also encourage investment, employment and technology development in industries that supply goods and services which reduce the use of electricity and gas.

The Victorian Energy Upgrades (VEU) program is the largest energy efficiency scheme in the country. It is a major contributor to the achievement of Victoria’s interim emissions reductions targets, established under the *Climate Change Act 2017*.

Since the program commenced in 2009, over 2.5 million households and businesses have participated in the program. To date, it has reduced Victoria’s greenhouse gas emissions by over 88.1 million tonnes. In 2024, more than 488,000 households and 22,000 businesses received discounted energy efficiency products and services through the VEU program. On average, households that undertake energy efficiency upgrades under VEU save \$110 and businesses save \$3,700 on their annual energy bills. Businesses who have undertaken

bespoke energy efficiency upgrades have saved tens of thousands of dollars off their operating costs, significantly reducing their emissions and their energy bills.

To date, the VEU program has created benefits for both participating and non-participating households and businesses through the reduced demand for energy brought about by improved energy efficiency, which puts downward pressure on retail energy prices. Between 2021 and 2025, the VEU program will avoid \$3.8 billion in energy system costs, so even those who do not participate in the program will save on their bills. The scheme has been a major contributor to Victorians enjoying the benefits of some of the lowest wholesale electricity prices in the national energy market.

A two-year strategic review of the VEU program is currently underway, with a particular focus on ensuring the program is fit for purpose for the future and can enable electrification at scale. This includes understanding any barriers to participation that households and businesses face, industry challenges, and the effectiveness of current regulation, metrics and activities. While the review will inform the VEU program's direction with interim findings and recommendations, the program is continually undergoing changes to ensure that it is best positioned to support Victorian energy consumers. This Bill progresses time-critical changes to the VEET Act to ensure the continued effectiveness of the program while the review is underway.

This Bill will extend the VEU program's legislated end date from 2030 until 2045, to align with our State's net zero emissions target, ensure continued support for more Victorian energy consumers to make the switch to electricity and provide continued certainty for businesses to invest in the program. Making the switch to electric appliances helps our homes and businesses to shift away from the more expensive to run gas appliances and is a significant factor in reducing Victoria's emissions.

Work is currently underway in Victoria on several regulatory measures which could drive the replacement of more than 1.4 million gas appliances by 2030. This could include new minimum energy efficiency standards for rented homes and requirements for new residential buildings to be all-electric, in addition to commercial buildings.

Reducing the upfront costs for energy consumers throughout this transition is vital. Therefore, the Bill will amend the Act to clarify the 'additionality requirement' and explicitly allow for activities that may be mandated by another law or regulation to be prescribed under the VEU program in future. This will allow consumers to continue receiving discounts for energy upgrades in their homes and businesses, and facilitate the uptake of mandated activities when deemed necessary. This will facilitate a smooth transition under any new regulatory requirements and in turn allow the program to remain fit for purpose in the future of electrification.

Without changes to the existing additionality requirements, VEU may not be able to support potential new building minimum standards in the future, which will provide broader whole of system benefits to all Victorians – for example by taking pressure off limited gas supplies for gas-dependent customers.

In the absence of a VEU financial discount to reduce the capital costs for replacing gas appliances and undertaking efficiency upgrades, some households and businesses, especially those with low incomes, are likely to either delay replacement, or purchase cheaper but less efficient electric appliances. This may lock households and businesses into higher energy bills, delay the transition from gas to electricity, and put upward pressure on energy prices.

By amending the additionality requirements, the long-term energy savings under VEU will result in greater emissions reductions, in addition to reductions in ongoing energy demand, therefore reducing the need to build new energy infrastructure in Victoria, contributing to lower wholesale electricity costs. Avoiding a need to build new infrastructure will prevent these associated costs from being passed through to Victorian energy consumers.

The Bill also enables the program's targets for the years 2026 and 2027 to be set in regulations, rather than in a five-year tranche, to allow targets beyond this to incorporate the findings of the strategic review. This will ensure that the program's annual targets best reflect the current market conditions, while supporting energy consumers and climate change mitigation goals.

Consumer protection, safety and integrity are essential to ensure public trust in the program and that its benefits continue to be realised. The Bill will introduce new provisions to modernise and expand the program regulator's compliance and enforcement powers to be consistent with other regulatory schemes. This includes enabling the regulator, the Essential Services Commission, to mandate training requirements for installers and issue improvement and prohibition notices to non-compliant scheme participants. Improvement and prohibition notices will strengthen the enforcement mechanisms available to the Commission.

Currently the Commission's powers are principally focused on accredited persons, with limited powers to take action against scheme participants who may perform activities on behalf of accredited persons. The Bill will also introduce new civil penalty requirements which will provide the Commission with discretion in how

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best to enforce compliance. These reforms are necessary to ensure that the Commission can more effectively administer the scheme, minimise non-compliance and pursue effective enforcement.

The Bill will also make it easier for obligated parties – electricity and gas retailers – to comply with their obligations to buy and surrender certificates by making the scheme more flexible – removing technical restrictions on the creation and surrender of certificates to enable energy retailers to meet obligations under the VEU program and ensure the program's yearly targets are met.

Finally, the Bill provides the ability to allow for future VEU program discounts to be created specifically for vulnerable and low-income consumers. This will enable greater access to participate in the VEU program in future, especially as cost-of-living pressures continue.

I commend the Bill to the house.

David Davis: On a point of order, President, the minister might want to explain: is there a section 85 statement for this bill or not? There is not – is that right?

The PRESIDENT: I am not aware of it myself.

Ingrid Stitt: Not that I am aware of, Mr Davis.

David DAVIS (Southern Metropolitan) (17:45): I move:

That debate on this bill be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Adjournment

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:45): I move:

That the house do now adjourn.

Portland Diversification Fund

Jacinta ERMACORA (Western Victoria) (17:45): (1577) My adjournment matter is for the Minister for Regional Development Jaclyn Symes. Since 2021 the Portland Diversification Fund has facilitated diversification of the economic base of the Glenelg shire. My request for the minister is to provide details of how the fund is backing the growth and ongoing development of Portland and the Glenelg shire in my electorate.

Pakenham road maintenance

Renee HEATH (Eastern Victoria) (17:46): (1578) My adjournment tonight is for the Minister for Transport Infrastructure, and the action that I seek relates to the Pakenham roads upgrade package, which was originally promised at the beginning of 2019 by the federal coalition government. The project is to be delivered in three stages. While construction began in February last year and more than \$160 million has been spent on the project so far, stage 1 works are still yet to be completed. The result has been the ongoing disruption to both individuals and businesses in Pakenham and Officer for more than a year and a half. Every morning traffic on the M1 grinds to a halt as cars queue up at the Pakenham turn-off. Local businesses have been reporting losses of dozens and dozens of customers per day because of the roadwork. These disruptions have only worsened since the inbound entry ramps for the freeway have been reduced to one lane while other works are taking place. Meanwhile, despite the building of new lanes on the Healesville-Koo Wee Rup Road, I am told that just last night the very same road was riddled with potholes. Minister, I am aware that this project was fully funded by the former coalition government, despite your recent press release trying to claim some credit. However, as the project is being delivered by Major Road Projects Victoria, the action that I seek is for the minister to outline when we will finally see an end to these relentless roadwork disruptions across Pakenham and Officer.

Solar panel e-waste

David LIMBRICK (South-Eastern Metropolitan) (17:48): (1579) My adjournment matter this evening is for the attention of the Minister for Environment and is related to solar panel recycling. There has been a lot of talk about nuclear waste over the last couple of years, including the national embarrassment of senior members of the Labor Party, both state and federal, posting *Simpsons* memes in their anti-science crusade against safe and reliable nuclear power. As the legendary economist Thomas Sowell once said, there are no solutions, only trade-offs. This is certainly true in energy policy.

Solar energy is a great thing for people who want to install panels on their roof, especially in conjunction with a battery, to become energy-independent – hardly a thing for libertarians to oppose. One of the trade-offs with photovoltaic rooftop solar, however, is how to manage the waste stream. In 2019 the government banned solar panels from going to landfill, instead investing in about 120 new sheds to store e-waste. I have asked questions about this several times over the course of my time here. In October 2019 I was told that Victoria is developing a national stewardship approach for solar panels, with environment ministers expected to endorse a product stewardship program by the end of 2020. In March 2023 I was told that Breakthrough Victoria, the Victorian government's venture capital fund, were running a competition to develop a preferred approach but we could not be told about it due to commercial in confidence. Six years ago, on 1 April 2019, Minister Jennings responded that Sustainability Victoria was leading the development of this and making good progress – a nice April Fools' Day joke, perhaps. If you go onto their website now, there is a short section on recycling solar panels. It encourages you to go to your council website, helpfully linking to them on the website. Then, when you click through the links, many do not have information on e-waste at all and none seem to have information on solar panel recycling, and when you click through for more information on e-waste, you are directed back to Sustainability Victoria. People may be left to wonder whether the taxpayer got good value for money from the work of Sustainability Victoria in developing a product stewardship scheme.

Then yesterday the Auditor-General's report on recycling stated that:

the department has limited or no information on some waste flows, such as e-waste and emerging material streams (for example, wind turbines and solar panels).

It has every appearance of six years of work producing no outcome. Where are the solar panels going? Is there actually a plan for dealing with this waste stream? My request to the minister is to provide an update on progress for a solar panel recycling scheme.

Homeschool Academy Australia

Ann-Marie HERMANS (South-Eastern Metropolitan) (17:50): (1580) My question tonight is for the Minister for Education, and I will unfold the action that I am seeking. Minister, Homeschool Academy Australia, HSA, determines as its primary focus the provision of essential learning and online support services, particularly for vulnerable children and young people who may be at risk or are struggling with the current education system and schools. The question remains then why the VRQA, Victorian Registration and Qualifications Authority, was able to inform clients and families that it was acting as an illegal and unregistered school when it has been fully compliant with the relevant provisions of the Education and Training Reform Act 2006 and has been formally approved by the VRQA.

The action that I am seeking, Minister, is for you to step in to restore the reputation of this small business and education service that provides a wonderful opportunity for learning for many people not just in the south-east but throughout Victoria. This business is actually run by a single mother who herself required this particular service for her own son during COVID lockdowns. This has put her into a situation where she is under tremendous pressure.

The HSA is a respectful organisation. It that has been requesting that the VRQA publicly acknowledge and correct this error as their actions have unjustly impacted it and the broader homeschooling

community. The allegations are that it was illegally operating, has damaged its long-standing reputation and has instilled fear in both previous families and new homeschooling families in Victoria, resulting in a loss of over half of its business. Many of them are feeling that they cannot return until they know that this government is actually approving of it and understands that Homeschool Academy Australia is not a school.

There are so many families that are resorting to homeschooling – it is very interesting to look at the printout. There are more families right now accessing homeschooling in Victoria than ever before. It has risen to 7716 families. There are also over 11,000 students who are currently being homeschooled, which is only a fraction lower than what it was at the end of COVID lockdowns. Minister, I have met with the owner of this particular business. This particular business has been operating and has not been considered a school. It does not offer all eight learning areas. It does provide support to many families in the area. They are longing to return, and they just need to know that it is endorsed, that it is compliant and that the VRQA has backed off.

Duck hunting

Katherine COPSEY (Southern Metropolitan) (17:53): (1581) My adjournment is to the Premier, and the action I seek is that she cancels the 2025 duck-shooting season. Call it off. According to the most recent Eastern Australian Waterbird Aerial Survey, waterbird numbers have almost halved in the last 12 months due to a lack of rainfall, leaving them little habitat to breed. But this year the Victorian government has ignored this robust research, wilfully ignoring 40-plus years of scientific data showing catastrophic declines in waterbird populations. Instead, it is using its own experimental, unproven modelling. Even the Game Management Authority admits that because of drought stubble quail populations fell by 20 per cent in 2024 and again by a staggering 50 per cent in 2025. Kerrie Allen from the Regional Victorians Opposed to Duck Shooting says:

We thought it couldn't get any worse, but this is a whole new level ...

Quail can't fly away like ducks do, so they can't escape.

Once-healthy grasslands have died off, leaving the tiny birds nowhere to hide in the paddocks. While state and federal governments are spending millions of dollars proactively trying to safeguard wildlife from the looming threat of bird flu – the H5N1 strain of avian influenza – you are allowing, Premier, every shooter to disrupt and disperse birdlife from our wetlands and to kill nine ducks every day of this season. Almost half a million native birds could be maimed and killed between March and June.

This week campaigners from the Coalition Against Duck Shooting placed dead birds outside your office – 255 bodies of dead and abandoned waterbirds. Among them, as we see every year, were illegally shot threatened species, including freckled ducks, blue-winged shovellers and one blue-billed duck. These were recovered from just two sites. Because of the drought, ducks were clustering this year around some of the bigger wetlands that still contained water. They sought safety, but Premier, thanks to you, they found a slaughter.

Victoria is years behind the progress of other states. Duck shooting was banned in WA, New South Wales and Queensland in the 1990s to early 2000s on animal cruelty and environmental protection grounds. A ban in Victoria is long overdue. It is beyond madness to spend millions of dollars of public funds to support the inhumane recreation of duck shooters, who make up less than 0.2 per cent of the state's population, while locking other Victorians out of our wetlands. In a year of drought a full 90-day shooting season with an increased bag limit is a reckless – a heartless – decision and it does not represent what most Victorians want: to see our wildlife properly protected for good. Premier, cancel the duck-shooting season.

Gippsland train services

Melina BATH (Eastern Victoria) (17:56): (1582) My adjournment matter this evening is for the Minister for Public and Active Transport in the other place, and it relates to the shambolic bus replacement service on the Gippsland rail line. Minister, Gippsland rail commuters have suffered

delays, cancellations and replacements for the past 10 years, with no net material gain – only pain. The action I seek is for the minister to fund replacement coaches that terminate in CBD stations instead of dumping Gippsland passengers at the East Pakenham station and letting them fend for themselves to catch a Metro train – if they can – some hundreds of metres away. For 10 years we have had train pain. It has dragged on, and we did not think it could get any worse, but it has. Locals are suffering this half-baked rail replacement coach service. Why? Because Labor is penny-pinching on regional people to pay for its cost blowouts in city-centric projects.

Due to Metro rail upgrades, Gippslanders are forced to exit the coach on the countryside of East Pakenham station and then board a city-bound train. The Pakenham bus stop is some 300 metres from the train platform. It is in the elements – there is heat, rain – it is dark and unsafe in the evening, and certainly signage is inadequate. Elderly people and those with mobility issues struggle to walk carrying luggage, having to navigate this most unsatisfactorily. People are missing medical appointments, and those who commute to the city for work are furious. The 145-k journey between Traralgon and Melbourne, for example, has taken some of my constituents between 3½ hours and 6 hours, and apparently they were told this will continue until the end of winter. The problem could be avoided if the government actually chose to coach everybody, as they should, down to the city and Southern Cross station. So my colleagues – and I thank them – Danny O'Brien, Martin Cameron and the Honourable Tim Bull have all raised this substandard Gippsland V/Line service for many weeks and months and it feels like years. We have got cost blowouts in the city. Country people continue to have to wear the pain of this. Adding insult to injury, the PTV app and the V/Line journey planner do not match up, so people who are trying to navigate their way from East Pakenham into the city have got conflicting information from state government agencies.

Lastly, I say again: get your act together, Minister, please: actually designate and fund the bus service all the way into town. We know that Labor cannot manage money and cannot manage projects, and again Gippsland V/Line passengers are paying the price.

Gender services

Aiv PUGLIELLI (North-Eastern Metropolitan) (17:59): (1583) My adjournment matter tonight is for the Premier. Given that we have recently marked Trans Day of Visibility, I ask for a firm commitment to invest in and expand comprehensive gender-affirming health care in our state. Trans Day of Visibility was celebrated on 31 March. I attended the rally at the State Library and heard the calls of the community, the community instead choosing to refer to this day as the 'Trans Day of Action'. Members of the trans and gender-diverse community are having difficult conversations at the moment about what it means to be visible. Visibility should be a sign of progress, but increasingly for many trans and gender-diverse people visibility is a gateway to violence. Visibility is not enough. Visibility does not put food on your table. Visibility does not pay your rent or your medical bills. Many in this community have the lived experience of poverty. Visibility certainly does not protect you from the obscene hate crimes we have seen thrown at the trans and gender-diverse community in recent times. While some people have material means to protect themselves from the worst impacts of visibility, by far the majority do not. It is not enough to just fly a flag, to add pronouns to your bio, to make the same statement of support every year – it is not good enough anymore. The community has made it clear: this community needs action. They need expansion and investment into the health care and services that they rely on.

St Joseph's Christian College

Evan MULHOLLAND (Northern Metropolitan) (18:01): (1584) My adjournment matter is to the Minister for Planning, and the action I seek is for the minister to end the uncertainty and the stress for the Assyrian Church of the East community in my electorate and call in the decision to approve St Joseph's Christian College in Yuroke on Mickleham Road and finally allow this school to be built. The church community have complied with every request made by the state government – they have downsized; they have agreed to change an intersection – but they have been told they cannot build

there because of a tree. They are still waiting on a VCAT decision after battling with the minister's representative and her department in a long and protracted case with the Department of Transport and Planning. And when Labor members of Parliament and Labor ministers are asked to show their support for the school, they whisper platitudes about general support but shirk blame onto an independent planning process – except it is not. The Minister for Planning has the power to call this in, a ministerial power she is happy to use and should now.

I will go through a few examples of how the minister has used this power in the past. She overrode the City of Melbourne over the development of Shell House; called in a controversial rezoning of Sandown racecourse for a 7500-home estate; ignored Bayside council and rezoned the former Xavier College site in Brighton; made Whitehorse council lodge an FOI request to find out she had approved a 50-storey development in Box Hill; approved a massive solar farm near Little River and blocked the right of residents to appeal; called in and approved a significant project in historic Humffray Street in Ballarat; and waited until the day Merri-bek council voted against an apartment building before calling it in and approving it – and the list goes on.

Clearly the minister is not afraid to call things in, so it is time to approve this school. The minister, Labor MPs and Labor ministers and members in the northern suburbs cannot say this is an independent planning process, because we know they have used the powers before in ways that are not independent. Unfortunately, this process – which has seen the church spend over \$300,000 in legal fees in a long, protracted case – that you are putting the Assyrian community through is a choice, and we know it is a choice because the minister has these powers. I was at the Assyrian New Year festival in Craigieburn over the weekend with about 4000 people from the community speaking with one voice about how they want the minister to approve this school. So I seek the action of the minister again: stop being so contemptuous and approve the school.

Early childhood education and care

Anasina GRAY-BARBERIO (Northern Metropolitan) (18:04): (1585) My adjournment matter this evening is for the Minister for Children. Minister, the action I seek is for you to advocate to federal colleagues to support the federal Greens' call for an independent early education and care commission to strictly enforce quality standards and keep our kids and babies safe. Tragically, discussions about harm to children have dominated the media and airwaves over the past few weeks. The ABC's *Four Corners*, with support from my fellow Greens colleague Abigail Boyd in the New South Wales Legislative Council, exposed horrific abuse in child care. Emily's four-year-old son disclosed sexual abuse by a childcare worker. She reported it to the centre and the police, but crucial CCTV footage was erased and parents were never informed. This is not an isolated incident. Over 26,000 serious childcare breaches were reported in 2024. Missing children, injuries, abuse – this cannot be normal. The investigation revealed the consequences of childcare privatisation, with underpaid, overworked staff pressured to meet financial targets – unchecked abuse, putting profits over children's safety.

The *Saturday Paper* exposed another disturbing failure of accountability: *Bird v DP*. This case involved a man sexually abused at age five by a priest. The High Court overturned previous court rulings and determined the Catholic Church is not responsible for clergy crimes because priests are not employees. Survivors deserve justice, not loopholes. As a result, thousands of survivors in Australia have no legal path to justice. Instead of taking responsibility, the church used the courts to shield its assets. Other countries – Canada, the UK and Ireland – have strengthened laws to hold institutions accountable. Australia's High Court, however, is falling behind.

Outrageously, the church are happy to claim whenever it suits them. The church took \$627 million in JobKeeper payments during COVID by claiming clergy as employees but now denies responsibility for clergy abuse. The hypocrisy is staggering. The law states that organisations take 'reasonable precautions' to prevent child abuse under their care, but instead they are moving through loopholes that prevent victims from getting justice. It is devastating to see institutions dodge responsibility while

victims suffer. This is wrong and it has to change. Institutions that fail to protect children must be held accountable – no exceptions, no excuses.

Regional infrastructure

Gaelle BROAD (Northern Victoria) (18:07): (1586) My adjournment is for the Premier. This week we had the Select Committee on the 2026 Commonwealth Games Bid inquiry report released, and it showed a failure of planning, a lack of transparency and significant waste of taxpayer funds. Following the cancellation of the games, we were all advised that there would be legacy projects. It has been nearly two years since the cancellation. I do note Engage Victoria on their website in March invited community feedback about the Bendigo stadium and Bendigo showgrounds projects. That closed on 3 April, so it seems very brief indeed. I did receive correspondence from a constituent that said:

If you want an example to show that state government planning processes are a farce, this is it.

No public or user group consultation on major works before the planning application was submitted and tender shortlisted, no application process for the funding, no right to object to or appeal any of the planning decisions, fake consultation when works have been set in stone ... No funding amount has been disclosed – the latest information available puts the project at \$20 million to \$30 million.

I know in Bendigo at the site that was meant to have a lot of additional housing built in Flora Hill there is still temporary fencing around it, so we are yet to see much progress.

There are a number of projects that were talked about – expanding the Bendigo stadium to include a new two-court annex and upgrading two existing courts, and at the Bendigo Bowls Club and Bendigo Croquet Club refurbishing four bowls greens and two croquet greens. I know they were meant to close down. I heard on the radio this morning on ABC Central Victoria they were talking about shutting down for 18 months, but we would appreciate further details. We also heard about the multipurpose pavilion at the Bendigo showgrounds and the redevelopment of the arena and upgrades to all four entrances and perimeter fencing. The showground is still waiting for works to commence, but they talked about ‘a prime venue for cultural and agricultural events for years to come’.

On the Regional Housing Fund, with the cancellation of the games, the government talked about \$1 billion and they talked about 1300 additional social and affordable homes. Over a year ago I was advised that confirmation of the locations and the types of new homes to be built under the Regional Housing Fund will be made in due course. So I am wanting to get an update from the Premier on the progress of each of these projects – on the cost of each project, on the completion date of each project – and certainly when it comes to delivering hundreds of new townhouses I am keen to know how many will be built in northern Victoria and their locations.

Ballarat crime

Joe McCACKEN (Western Victoria) (18:10): (1587) I feel like a bit of a broken record tonight because my adjournment matter is for the Minister for Police because yet again another Ballarat business has been broken into. This time thieves made off with over \$30,000 worth of products from a battery supply store in Wendouree. Footage captured two men appearing to break through the door of Ballarat Battery Service on Howitt Street at 2:30 am on Sunday 23 March. Products that were stolen included generators, power stations, solar panels, inverters and jump-starters. Co-owner Nick Robson said, ‘It has set us back a couple of months.’ Some of the items that were stolen were specifically custom-made for orders with specific requirements. ‘We run a small family-owned business,’ he said.

How does the government think that a small business can operate under these circumstances? Why would any staff even want to turn up to a workplace that has been smashed into? How does a small business operator try and grapple with the ongoing costs of increased insurance premiums, upgrades to security cameras and protective measures instore from all the incidents that are no fault of their own – never mind the inconvenience of actually being broken into, the mental impact on the owners and the employees and the shock to customers.

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Two men, a 32-year-old man from Sebastopol and a 42-year-old man from Sebastopol, have been released on bail – no surprise there, is there? It must be all those big new tough bail laws that have been introduced, striking fear into the criminals. It comes as crime statistics show that the number of non-aggravated burglaries at non-residential properties in Ballarat, which are effectively businesses, has skyrocketed by over 36 per cent.

The action I seek from the minister is simple: reform our criminal justice system so that these sorts of crimes are not commonplace in our communities. Criminal actions should be met with proportionate criminal consequences. Penalties for criminal activities are too weak in Victoria, and the government are seen as a joke. Work with your colleagues to empower Victoria Police to protect our communities instead of dismissing their legitimate concerns, because if you do not, what are the consequences? More businesses will be broken into and more businesses are going to pack up shop because they cannot rely on the state to maintain a lawful and orderly society where they can operate a business in peace. It is a basic function of government to maintain law and order. We are not asking for anything special. This is core business of government that is clearly not being met. My constituents of Ballarat are not unique. This happens right across the state and all too regularly. I hope the government does take action before another small business is broken into and decides it is all too hard and gives up.

Forsyth Creek P-6 school

Trung LUU (Western Metropolitan) (18:13): (1588) My adjournment matter is to the Minister for Planning regarding the possibility of rezoning a government-owned site for a proposed school to a residential area in Truganina. The action I seek is for the minister to commit to delivering the much-needed Forsyth Creek P-6 school in my electorate of Western Metropolitan Region and reject the proposed planning change.

It has been reported that the change to the planning zone has been proposed by the developer. If approved by the Minister for Planning, it would allow the land to be used for housing instead of education. This is a disgraceful turn of events for the community in my electorate. During the recent Wyndham council meeting councillors expressed their outrage at this proposed change, with Cr Singh saying it is very disappointing that this happened, while Cr Gilligan described this as a complete act of cowardice.

The Woods Road site has long been listed as essential to meeting local education needs. According to council population data, Truganina's population is forecast to grow from 34,574 in 2021 to more than 52,800 by 2041. Council-commissioned research found that five government primary schools would be needed in the suburb by 2026, but only four are currently planned. This Forsyth Creek P-6 school was supposed to help meet the growing needs and the demand. However, this proposed backflip will place many families in jeopardy of not receiving quality education for their children. The Allan Labor government's failed housing policy is now causing families in the western suburbs to lose access to quality education.

It is time the government listened to residents of Truganina and delivered them the school infrastructure they need and deserve. Minister, could you please commit to delivering the much-needed Forsyth Creek P-6 school and reject the proposed planning change? It is not delivering our vital school infrastructure to make the west more livable for all residents living in the west.

Budget 2025–26

Wendy LOVELL (Northern Victoria) (18:15): (1589) My adjournment is for the Treasurer, and the action that I seek is for the Treasurer to provide funding in the upcoming 2025–26 state budget for numerous projects that are vitally important to communities in northern Victoria. This is one of the last sitting weeks before the 2025–26 state budget is handed down, and I take this opportunity to remind the Treasurer about a few of the critical projects that need to be delivered in my electorate of Northern Victoria, which also happens to be the Treasurer's electorate. Our constituents are desperate to see these projects funded.

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First, regional roads in Northern Victoria are in a disgraceful condition. The Treasurer must increase funding for general maintenance and repairs for regional roads. We also need a firm commitment from the Victorian government that funds will be made available for bypasses in Shepparton, Rutherglen and Kilmore. Residents in the growth suburbs of Melbourne's north are also calling out for crucial investment, and in particular the Treasurer must urgently allocate the state's share of funding for the duplication of Donnybrook Road.

Access to comprehensive health services is one of the greatest concerns of my constituents, and the Treasurer must recognise this priority by providing full funding for the completion of the Goulburn Valley Health redevelopment and additional funds to enable a new hospital to be built on a greenfields site in Wodonga. The Minister for Health has neglected her own constituents in the district of Macedon and failed to deliver any funding for the Daylesford hospital redevelopment. The Treasurer must step up and make available at least a \$75 million commitment for this critical investment.

After roads and health, school safety is one of the biggest priorities for residents in Northern Victoria. We urgently need money for upgrades to make drop-off and pick-up points safer for parents and kids at Epsom Primary School in Bendigo, Grahamvale Primary School in Shepparton and Kialla West Primary School, which also needs a safety upgrade to its pedestrian crossing. Banmira Specialist School in Shepparton has half-opened, but it is stuck with empty buildings that students cannot use because the Labor government has not given it enough money. The Treasurer must plug this gap with sufficient funding and also invest in the future of students at risk of homelessness by building Education First Youth Foyers in Bendigo and Mildura.

As crime skyrockets, the Treasurer needs to secure the safety of residents in the northern suburbs by funding a modern replacement police station for Whittlesea and by establishing a new police station in the Donnybrook–Kalkallo area. The Victorian government must also invest in facilities that enable communities to gather and enjoy themselves, with a new sports and event centre in Shepparton and a new swimming pool for Rochester, which the Treasurer has publicly supported and must now match with real funding.

Finally, the Treasurer must protect the vital horticultural industry in Northern Victoria by funding the Goulburn Murray Valley fruit fly project.

Budget 2025–26

Richard WELCH (North-Eastern Metropolitan) (18:18): (1590) My adjournment matter this evening is for the Premier. The budget is coming up next month, and it will be a very difficult budget for the government. Right now we can see that we are in a federal election, which might as well be known as the bail-out election, where any number of state responsibilities are being bailed out kindly by the taxpayers of New South Wales, Queensland and South Australia. Thank you very much for fixing our roads, because we have got no money. More than that, we heard all this week about the cost of the Suburban Rail Loop. We heard all about the lack of funding for the SRL, we heard about how flawed the value capture process for the SRL is and we heard how Infrastructure Australia are saying we should develop an exit strategy from the SRL because it is going to bankrupt us. And Standard & Poor's told us that of course it is going to affect our credit rating. But you will not do any of that because you have painted yourself into such a small corner that you will always choose the SRL over Victorians.

You had a choice between funding the health services and the SRL, and you chose the SRL. You had a choice between funding the police and the SRL, and you chose the SRL. You had a choice between ambulance services and the SRL, and you chose the SRL. You had a choice for bail laws that worked, but you did not choose that, you chose the SRL, because you cannot afford to fix the prisons. You had a choice for Landcare funding and you had a choice for the right of objection and tree canopy in my community, but you chose the SRL. You had a choice between the SRL and infrastructure for our outer communities, and you chose the SRL. You had a choice for female change rooms in my community; you did not choose that, you chose the SRL. You had a choice between the state's debt

and our expanding interest payments and the SRL, and you chose the SRL. You had a choice between the state's credit rating and the SRL, and you chose the SRL. You had a choice for Donnybrook Road, Yan Yean Road and Mickleham Road, and you chose the SRL. In fact in every walk of life in Victoria every problem that we face now you can trace back one way or another to your choice to choose the SRL over Victorians. Premier, the action I seek from you is to do the right thing for Victorians and choose Victorians over the SRL. Cancel the SRL.

Medical research

Georgie CROZIER (Southern Metropolitan) (18:21): (1591) My adjournment matter this evening is for the attention of the Minister for Health, and I am raising this issue again. I have just been listening to Mr Welch, who did a very passionate and excellent adjournment matter around the priorities that this government is choosing, whether it is all of those aspects that he raised or the Suburban Rail Loop. One area he did not talk about was medical research, and that is the issue I want to raise tonight. I have raised this in this place before, asking the Treasurer and the minister to ensure that there is appropriate funding in this year's budget to assist with medical research institutes. I have said before they are at risk of going broke. Sixty million dollars they are saying today that they need to cover costs for things like IT and laboratory maintenance, so it is just basic things like equipment. These institutes do lifesaving work. Their research is critical within our health system, and it is a major contributor to our economy. But what is really alarming is that the government is providing the lowest level of support for indirect costs for the medical research institutes compared to funding that is provided in other states. Also, with this lack of funding being provided there are job losses. As reported today, at least 200 jobs have been lost in the last 12 months, including 130 research roles. These research roles are critical to saving patients' lives, as I have said, they are critical to assisting our healthcare system and they are critical to the Victorian economy. So the action I seek is: what impact are these job losses having on the future viability of our medical research institutes in this state?

Victorian Electoral Commission

Bev McARTHUR (Western Victoria) (18:23): (1592) My adjournment matter is for the Premier in her capacity as minister responsible for the Victorian Electoral Commission. It concerns the Werribee by-election count and the October local government elections. Firstly, I should say there are some serious concerns surrounding the vote counting at Werribee, but I think those are best addressed by the upcoming Electoral Matters Committee inquiry. I do want to talk about the vote-counting venue, however, which was seriously subpar. At times it was boiling hot; there was no proper air conditioning and the portable AC units were next to useless. At other points the roof leaked. The whole place was utterly overcrowded. Being a hardened political volunteer, I am used to this kind of thing, but I felt for the staff. As a work environment it was a disgrace. Frankly, if a private employer put on this kind of accommodation for staff, our Labor colleagues here would be straight on the phone to WorkSafe Victoria. All the while over the road we looked out at the palatial splendour of Wyndham council offices. Can the VEC really not stretch to a fit-for-purpose voting centre? I would be interested to know what the budget was for the facility we were all in.

I was reminded of this when I learned today that the VEC hand-deliver hard copies of all local election reports to every corner of the state. Yes, that is right. They are hand-delivering in person hard copies despite the fact we have a functioning postal service and despite the fact they are, in any case, emailed days earlier. What on earth is the justification? I am not talking about a taxi trip to councils inside the tram tracks. I mean serious journeys across regional Victoria. Quite apart from the waste of staff resources, how much is this costing? In addition to the time and travel, there will be undoubtedly accommodation and meal allowances and probably paid time off in lieu.

Premier, if the VEC's recent operation at Werribee was so shambolic with just two elections that day, how on earth will the next state election with 88 elections on one day be run adequately? The action I seek from the Premier is release of the full reckoning of the cost of hand-delivering local election

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reports statewide and a direction to the VEC to instead spend this money on running elections in a manner which would not shame a Third World banana republic.

Responses

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (18:26): There were 16 adjournment matters to 10 separate ministers, and written responses will be sought in accordance with the standing orders.

The PRESIDENT: The house stands adjourned.

House adjourned 6:26 pm.