



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Wednesday 1 November 2023**



# 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

Georgie Crozier

### 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	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, Gaele	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 <sup>1</sup>	Western Metropolitan	IndLib	Ratnam, Samantha	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem	Northern Metropolitan	DLP
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Heath, Renee	Eastern Victoria	Lib	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tierney, Gayle	Western Victoria	ALP
Limbrick, David <sup>2</sup>	South-Eastern Metropolitan	LP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Lovell, Wendy	Northern Victoria	Lib	Watt, Sheena	Northern Metropolitan	ALP

<sup>1</sup> Lib until 27 March 2023

<sup>2</sup> LDP until 26 July 2023

### Party abbreviations

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

Greens – Australian Greens; 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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**Wednesday 1 November 2023**

**The PRESIDENT (Shaun Leane) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.**

*Petitions*

**Hydrogen Energy Supply Chain**

**Sarah MANSFIELD** (Western Victoria) presented a petition bearing 2473 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that a consortium of businesses is proposing a highly polluting brown-coal-to-hydrogen project in the Latrobe Valley and that the Treasurer has expressed that the Government will further assess the feasibility of the project.

The Hydrogen Energy Supply Chain project would turn brown coal into hydrogen for export to Japan, while proposing to use carbon capture and storage technology to store carbon dioxide (CO<sub>2</sub>) in disused offshore gas wells, a technology that has not been proven to work at this scale anywhere in the world. Amid a climate crisis, this new coal project would extend the life of Australia's dirtiest fossil fuel and according to The Australia Institute, create between 2.9 to 3.8 million tonnes of CO<sub>2</sub> per year.

The petitioners therefore request that the Legislative Council call on the Government to stop the Hydrogen Energy Supply Chain project in the Latrobe Valley and begin the urgent phase out of all existing coal projects with appropriate support for workers and communities.

**Sarah MANSFIELD:** As this is a petition qualifying for debate under standing order 11.03(10), I give notice that I intend to move 'That the petition be taken into consideration' on Wednesday of next sitting week.

*Papers*

**Magistrates' Court of Victoria**

*Report 2022–23*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:36): I present, by direction of the Governor, the Magistrates' Court of Victoria report 2022–23. I move:

That the report be tabled.

**Motion agreed to.**

**Judicial College of Victoria**

*Report 2022–23*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:36): I move, by leave:

That the Judicial College of Victoria report 2022–23 be tabled.

**Motion agreed to.**

**Victoria Law Foundation**

*Report 2022–23*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:37): I move, by leave:

That the Victoria Law Foundation report 2022–23 be tabled.

**Motion agreed to.**

**Victorian Veterans Council***Report 2022–23*

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (09:37): I move, by leave:

That the Victorian Veterans Council 2022–23 report be tabled.

**Motion agreed to.**

**Department of Energy, Environment and Climate Action***Sustainability Fund Activities Report*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (09:37): I move, by leave:

That the 2022–23 *Sustainability Fund Activities Report* be tabled.

**Motion agreed to.**

**Visit Victoria***Report 2022–23*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (09:37): I move, by leave:

That the Visit Victoria Ltd report 2022–23 be tabled.

**Motion agreed to.**

**Parliamentary departments***Reports 2022–23*

**Wendy LOVELL** (Northern Victoria) (09:38): I move, by leave:

That the Department of the Legislative Council report 2022–23 and the Department of Parliamentary Services report 2022–23 be tabled.

**Motion agreed to.**

**Parliamentary Budget Office***Report 2022–23*

**Michael GALEA** (South-Eastern Metropolitan) (09:38): Pursuant to section 28 of the Parliamentary Budget Officer Act 2017, on behalf of the Public Accounts and Estimates Committee, I table the Parliamentary Budget Office report 2022–23.

**Papers****Tabled by Clerk:**

Accident Compensation Conciliation Service (Workplace Injury Commission) – Report, 2022–23.

Adult, Community and Further Education Board – Report, 2022–23.

Adult Parole Board Victoria – Report, 2022–23.

Agriculture Victoria Services Pty Ltd – Report, 2022–23.

Alexandra District Health – Report, 2022–23.

Alfred Health – Report, 2022–23.

Alpine Health – Report, 2022–23.

AMES Australia – Report, 2022–23.



Auditor-General – Domestic Building Oversight Part 1: Regulation, November 2023 (*Ordered to be published*).

Austin Health – Report, 2022–23.

Australian Centre for the Moving Image (ACMI) – Report, 2022–23.

Australian Health Practitioner Regulation Agency (AHPRA) – Report, 2022–23.

Bairnsdale Regional Health Service – Report, 2022–23.

Ballarat General Cemeteries Trust – Report, 2022–23.

Barwon Health – Report, 2022–23.

Barwon Region Water Corporation – Report, 2022–23.

Bass Coast Health – Report, 2022–23.

Beaufort and Skipton Health Service – Report, 2022–23.

Beechworth Health Service – Report, 2022–23.

Benalla Health – Report, 2022–23.

Bendigo Health – Report, 2022–23.

Boort District Health – Report, 2022–23.

Breakthrough Victoria Pty Ltd – Report, 2022–23.

Calvary Heath Care Bethlehem Ltd – Report, 2022–23.

Casterton Memorial Hospital – Report, 2022–23.

Cenitex – Report, 2022–23.

Central Gippsland Region Water Corporation – Report, 2022–23.

Central Highlands Region Water Corporation – Report, 2022–23.

Central Highlands Rural Health – Report, 2022–23.

Cohuna District Hospital – Report, 2022–23.

Colac Area Health – Report, 2022–23.

Coliban Region Water Corporation – Report, 2022–23.

Commission for Children and Young People – Report, 2022–23 (*Ordered to be published*).

Confiscation Act 1997 – Asset Confiscation Operations Report, 2022–23.

Consumer Affairs Victoria – Report, 2022–23 (*Ordered to be published*).

Corangamite Catchment Management Authority – Report, 2022–23.

Coroners Court of Victoria – Report, 2022–23.

Coronial Council of Victoria – Report, 2022–23.

Corryong Health – Report, 2022–23.

Court Services Victoria – Report, 2022–23.

Criminal Organisations Control Act 2012 – Report, 2022–23, under section 133 by Victoria Police.

Dairy Food Safety Victoria – Report, 2022–23.

Dental Health Services Victoria – Report, 2022–23.

Development Victoria – Report, 2022–23.

Dhelkaya Health – Report, 2022–23.

Disability Services Commissioner – Report, 2022–23.

Docklands Studios Melbourne Pty Ltd – Report, 2022–23.

East Gippsland Catchment Management Authority – Report, 2022–23.

East Gippsland Region Water Corporation – Report, 2022–23.

East Grampians Health Service – Report, 2022–23.

East Wimmera Health Service – Report, 2022–23.

Eastern Health – Report, 2022–23.

Echuca Regional Health – Report, 2022–23.

Education Department – Report, 2022–23.

Emergency Services Superannuation Scheme (ESSSuper) – Report, 2022–23.

Emergency Services Telecommunications Authority (ESTA) – Report, 2022–23.

Energy, Environment and Climate Action Department (DECCA) – Report, 2022–23.

Energy Safe Victoria (ESV) – Report, 2022–23.

Essential Services Commission (ESC) – Report, 2022–23.

Evidence (Miscellaneous Provisions) Act 1958 – Report, 2022–23, under section 42BI by the Australian Criminal Intelligence Commission.

Families, Fairness and Housing Department (DFFH) – Report, 2022–23.

Film Victoria (VicScreen) – Report, 2022–23.

Financial Management Act 1994 – Assistant Treasurer reports that 2022–23 Reports have not been received, together with an explanation for the delay, under section 46(3)(a) of the Act –

Albury Wodonga Health.

Ambulance Services Victoria.

Architect Registration Board of Victoria.

Australian Grand Prix Corporation.

Central Gippsland Health Service.

Cladding Safety Victoria.

Commissioner for Environmental Sustainability.

Country Fire Authority.

Fire Rescue Victoria.

Fire Services Implementation Monitor.

Gippsland Southern Health Service.

Great Ocean Road Coast and Parks Authority.

Great Ocean Road Health.

Harness Racing Victoria.

Heritage Council.

Kerang District Health.

Mental Health Complaints Commissioner.

Northeast Health Wangaratta.

Omeo District Health.

Portland District Health.

Remembrance Parks Central Victoria.

Robinvale District Health Service.

Rural Northwest Health.

State Electricity Commission.

Surveyors Registration Board of Victoria.

Swan Hill District Health.

Trust for Nature.

VicForests.

Victorian Aboriginal Heritage Council.

Victorian Building Authority.

Victorian Collaborative Centre.

Victorian Curriculum and Assessment Authority.

Victorian Equal Opportunity and Human Rights Commission.

Victorian Fisheries Authority.  
Victorian Institute of Forensic Medicine.  
Victorian Institute of Forensic Mental Health.  
Victorian Legal Services Board.  
Victorian Planning Authority.  
Victorian Professional Standards Council.  
Victorian Responsible Gambling Foundation.  
Forensic Leave Panel – Report, 2022.  
Game Management Authority (GMA) – Report, 2022–23.  
Geelong Cemeteries Trust – Report, 2022–23.  
Geelong Performing Arts Centre Trust – Report, 2022–23.  
Geoffrey Gardiner Dairy Foundation – Report, 2022–23.  
Gippsland and Southern Rural Water Corporation – Report, 2022–23.  
Glenelg Hopkins Catchment Management Authority – Report, 2022–23.  
Goulbourn Broken Catchment Management Authority – Report, 2022–23.  
Goulburn–Murray Rural Water Corporation – Report, 2022–23.  
Goulburn Valley Health – Report, 2022–23.  
Goulburn Valley Region Water Corporation – Report, 2022–23.  
Government Services Department (DGS) – Report, 2022–23.  
Grampians Health – Report, 2022–23.  
Grampians Wimmera Mallee Water Corporation (GWMWater) – Report, 2022–23.  
Greater Metropolitan Cemeteries Trust – Report, 2022–23.  
Greater Western Water Corporation – Report, 2022–23.  
Greyhound Racing Victoria (GRV) – Report, 2022–23.  
Health Department – Report, 2022–23.  
Health Purchasing Victoria (HealthShare) – Report, 2022–23.  
Heathcote Health – Report, 2022–23.  
Hesse Rural Health Service – Report, 2022–23.  
Heywood Rural Health – Report, 2022–23.  
Infrastructure Victoria – Report, 2022–23.  
Inglewood and Districts Health Service – Report, 2022–23.  
Jobs, Skills, Industry and Regions Department (DJSIR) – Report, 2022–23.  
Judicial Commission of Victoria – Report, 2022–23.  
Justice and Community Safety Department (DJCS) – Report, 2022–23.  
Kardinia Park Stadium Trust – Report, 2022–23.  
Kilmore District Health – Report, 2022–23.  
Kooweerup Regional Health Service – Report, 2022–23.  
Kyabram District Health Service – Report, 2022–23.  
Labour Hire Licensing Authority – Report, 2022–23.  
Latrobe Regional Health – Report, 2022–23.  
Legal Practitioners’ Liability Committee – Report, 2022–23.  
Legal Services Council and Commissioner for Uniform Legal Services Regulation – Report, 2022–23.  
Library Board of Victoria – Report, 2022–23.  
Lower Murray Urban and Rural Water Corporation – Report, 2022–23.  
Mallee Catchment Management Authority – Report, 2022–23.

Mallee Track Health and Community Service – Report, 2022–23.  
Mansfield District Hospital – Report, 2022–23.  
Maryborough District Health Service – Report, 2022–23.  
Melbourne and Olympic Parks Trust – Report, 2022–23.  
Melbourne Arts Precinct Corporation – Report, 2022–23.  
Melbourne Convention and Exhibition Trust – Report, 2022–23.  
Melbourne Health – Report, 2022–23.  
Melbourne Market Authority – Report, 2022–23.  
Melbourne Port Lessor Pty Ltd – Report, 2022–23.  
Melbourne Recital Centre – Report, 2022–23.  
Melbourne Water Corporation – Report, 2022–23.  
Mercy Hospitals Victoria Ltd – Report, 2022–23.  
Mildura Base Public Hospital – Report, 2022–23.  
Mildura Cemeteries Trust – Minister’s report of receipt of the 2022–23 Report.  
Monash Health – Report, 2022–23.  
Moyne Health Services – Report, 2022–23.  
Murray–Darling Basin Authority – Report, 2022–23.  
Murray Valley Wine Grape Industry Development Committee – Minister’s report of receipt of the 2022–23 Report.  
Museums Board of Victoria – Report, 2022–23.  
National Gallery of Victoria (NGV) – Report, 2022–23.  
National Health Funding Pool – Report, 2022–23.  
National Health Practitioner Ombudsman and Privacy Commissioner – Report, 2022–23.  
NCN Health – Report, 2022–23.  
North Central Catchment Management Authority – Report, 2022–23.  
North East Catchment Management Authority – Report, 2022–23.  
North East Link State Tolling Corporation – Report, 2022–23.  
North East Region Water Corporation – Report, 2022–23.  
Northern Health – Report, 2022–23.  
Office of the National Rail Safety Regulator – Report, 2022–23.  
Office of the Public Advocate – Report, 2022–23 (*Ordered to be published*).  
Orbost Regional Health – Report, 2022–23.  
Parks Victoria – Report, 2022–23.  
Peninsula Health – Report, 2022–23.  
Peter MacCallum Cancer Centre – Report, 2022–23.  
Phytogene Pty Ltd – Minister’s report of receipt of the 2022–23 Report.  
Police Registration and Services Board – Report, 2022–23.  
Port of Hastings Corporation – Report, 2022–23.  
Ports Victoria – Report, 2022–23.  
Post Sentence Authority – Report, 2022–23.  
Premier and Cabinet Department (DPC) – Report, 2022–23.  
PrimeSafe – Report, 2022–23.  
Public Interest Monitor – Report, 2022–23.  
Public Record Office Victoria (PROV) – Report, 2022–23.  
Queen Elizabeth Centre – Report, 2022–23.

Racing Integrity Commissioner – Report, 2022–23.  
Radiation Advisory Committee – Report, 2022–23.  
Respect Victoria – Report, 2022–23.  
Road Safety Camera Commissioner – Report, 2022–23.  
Rochester and Elmore District Health Service – Report, 2022–23.  
Rolling Stock Holdings (Victoria) Pty Limited – Report, 2022–23.  
Rolling Stock Holdings (Victoria-VL) Pty Limited – Report, 2022–23.  
Rolling Stock (VL-1) Pty Limited – Report, 2022–23.  
Rolling Stock (VL-2) Pty Limited – Report, 2022–23.  
Rolling Stock (VL-3) Pty Limited – Report, 2022–23.  
Royal Botanic Gardens Board – Report, 2022–23.  
Royal Children’s Hospital – Report, 2022–23.  
Royal Victorian Eye and Ear Hospital – Report, 2022–23.  
Royal Women’s Hospital – Report, 2022–23.  
Safe Transport Victoria – Report, 2022–23.  
Serious Offenders Act 2018 – Review of the *Serious Offenders Act 2018*, under section 348 of the Act.  
Seymour Health – Report, 2022–23.  
Shrine of Remembrance Trustees – Report, 2022–23.  
South East Water Corporation – Report, 2022–23.  
South Gippsland Hospital – Report, 2022–23.  
South Gippsland Region Water Corporation – Report, 2022–23.  
South West Healthcare – Report, 2022–23.  
Southern Metropolitan Cemeteries Trust – Report, 2022–23.  
St Vincent’s Hospital (Melbourne) Limited – Report, 2022–23.  
State Sport Centres Trust – Report, 2022–23.  
State Trustees Limited – Report, 2022–23.  
Suburban Rail Loop Authority (SRL) – Report, 2022–23.  
Surveillance Devices Act 1999 – Reports, 2022–23, under section 30L, by the –  
    Australian Criminal Intelligence Commission.  
    Department of Energy, Environment and Climate Action.  
    Environment Protection Authority.  
    Game Management Authority.  
    Victorian Fisheries Authority.  
    Victoria Police.  
Tallangatta Health Service – Report, 2022–23.  
Terang and Mortlake Health Service – Report, 2022–23.  
Timboon and District Healthcare Service – Report, 2022–23.  
Transport Accident Commission (TAC) – Report, 2022–23.  
Transport and Planning Department (DTP) – Report, 2022–23.  
Treasury and Finance Department (DTF) – Report, 2022–23.  
Treasury Corporation of Victoria – Report, 2022–23.  
Tweddle Child and Family Health Service – Report, 2022–23.  
Veterinary Practitioners Registration Board of Victoria – Minister’s report of receipt of the 2022–23 Report.  
Victims of Crime Assistance Tribunal – Report, 2022–23.  
Victoria 2026 Pty Ltd – Report, 2022–23.

Victoria Legal Aid – Report, 2022–23

Victoria Police – Report, 2022–23.

Victoria State Emergency Service Authority (SES) – Report, 2022–23.

Victorian Academy of Teaching and Leadership – Report, 2022–23.

Victorian Arts Centre Trust – Report, 2022–23.

Victorian Assisted Reproductive Treatment Authority – Minister’s report of receipt of the 2022–23 Report.

Victorian Assisted Reproductive Treatment Authority – Report, 2022–23, under section 114 of the Assisted Reproductive Treatment Act 2008.

Victorian Civil and Administrative Tribunal (VCAT) – Report, 2022–23.

Victorian Disability Worker Commission and Disability Worker Registration Board of Victoria – Report, 2022–23.

Victorian Environmental Assessment Council (VEAC) – Report, 2022–23.

Victorian Environmental Water Holder – Report, 2022–23.

Victorian Funds Management Corporation (VFMC) – Report, 2022–23.

Victorian Gambling and Casino Control Commission – Report, 2022–23.

Victorian Government Purchasing Board (VGPB) – Report, 2022–23.

Victorian Health Promotion Foundation (VicHealth) – Report, 2022–23.

Victorian Institute of Sport Trust – Report, 2022–23.

Victorian Institute of Teaching – Report, 2022–23.

Victorian Law Reform Commission – Report, 2022–23 (*Ordered to be published*).

Victorian Managed Insurance Authority (VMIA) – Report, 2022–23.

Victorian Marine and Coastal Council – Report, 2022–23.

Victorian Pharmacy Authority – Minister’s report of receipt of the 2022–23 Report.

Victorian Plantations Corporation – Report, 2022–23.

Victorian Public Sector Commission – Report, 2022–23.

Victorian Racing Integrity Board – Report, 2022–23.

Victorian Rail Track (VicTrack) – Report, 2022–23.

Victorian Registration and Qualifications Authority – Report, 2022–23.

Victorian Small Business Commission – Report, 2022–23 (*Ordered to be published*).

Victorian Strawberry Industry Development Committee – Minister’s report of receipt of the 2022–23 Report.

Victorian Veterans Council – Minister’s report of receipt of the 2022–23 Report.

Victorian WorkCover Authority (WorkSafe Victoria) – Report, 2022–23.

V/Line Corporation – Report, 2022–23.

Wannon Region Water Corporation – Report, 2022–23.

West Gippsland Catchment Management Authority – Report, 2022–23.

West Gippsland Healthcare Group – Report, 2022–23.

West Wimmera Health Service – Report, 2022–23.

Western District Health Service – Report, 2022–23.

Western Health – Report, 2022–23.

Westernport Region Water Corporation – Report, 2022–23.

Wimmera Catchment Management Authority – Report, 2022–23.

Witness Protection Act 1991 – Report, 2022–23, under section 20R of the Act by Victoria Police.

Yarra Valley Water Corporation – Report, 2022–23.

Yarram and District Health Service – Report, 2022–23.

Yarrawonga Health – Report, 2022–23.

Yea and District Memorial Hospital – Report, 2022–23.

Youth Parole Board – Report, 2022–23.

Zoological Parks and Gardens Board (Zoos Victoria) – Report, 2022–23.

### ***Business of the house***

#### **Notices**

#### **Notices of motion given.**

### ***Members statements***

#### **Electorate office interns and volunteers**

**John BERGER** (Southern Metropolitan) (09:47): Today I rise to commend the work of three remarkable young people. The first is Benjamin Seskis. Benjamin was a semester 2 intern in my office thanks to the parliamentary intern program. As part of the program, Ben wrote a report entitled *Improving the Engagement of Older Australians in the Democratic Process*. I asked Ben to write this report as I know that in the online age older people often struggle to access resources that government provides them, from polling stations to Services Australia and more. I hope to use this report to better engage older Australians in my community of Southern Metro.

The second person I want to talk about is Parvathy Balakrishnan. Parvathy was a semester 1 intern in my office and wrote a report entitled *Regulating the Gig Economy: Risk Incentives and Regulatory Trends*. As everyone in this place knows, I come from the Transport Workers' Union, and as a former branch secretary I know the troubling trend of gigifying the transport sector, so I greatly appreciate the contribution Parvathy has made to this space. As well as writing this report, Parvathy also volunteered once a fortnight in my office, where my team showed her what a day is like in the life of a political staffer. I hope she found it to be beneficial.

The third person I want to thank is Tali Reich. Tali volunteers in my office most Wednesdays, and her presence is greatly appreciated. She lives in Malvern, just around the corner, and her energy, intelligence and insight into the community are a great asset when I see her.

#### **Kevin Tolhurst**

**Bev McARTHUR** (Western Victoria) (09:48): I rise to farewell Dr Kevin Tolhurst AM, one of our country's leading bushfire and forestry scientists, who died recently. Based in Creswick for 40 years, Kevin devoted his professional life as a forester to understanding the role of fire in the Victorian ecology. He is one of a small group who used the powerful tools of science to achieve a healthy and safe forest environment. His loyalty to the processes of government and his natural, sincere, respectful and courteous manner were universally appreciated. His knowledge of bushfire science was first class, and he tirelessly worked to place his expertise at the disposal of colleagues and those responsible for Victoria's fire policies and practices. When the heat was on, most notably during Black Saturday, his fire impact predictions were provided rapidly and with the best possible precision. His real-time fire behaviour predictions equipped those responsible for the safety of Victoria with the best information possible. Kevin's passing has left us with the loss of a professional who knew his stuff and always acted to provide fearless and frank advice that was not always welcome. I thank David Packham, his friend and colleague, for assisting in this tribute and extend my deepest sympathies to Kevin's wife Rosemary, his children Michael, Christopher and Gen and their families. Vale, Kevin Tolhurst.

#### **International Drug Users Day**

**David ETTERSANK** (Western Metropolitan) (09:50): Today, 1 November, is International Drug Users Day. This is an annual global day of action when we see those who have been impacted by illicit drug use, their own or that of a loved one, band together to advocate for the rights of people who use drugs and for a better societal response to drug use. It is a good day to highlight not only the

importance but the success of health-led harm minimisation approaches to drug use. It is also appropriate to reflect on the failure of and the harms associated with drug criminalisation. The barriers and stigma around drug use contribute to too many preventable deaths in our community. Our community needs better and more accessible services, such as those offered at the North Richmond medically supervised injecting room: life-saving buprenorphine, onsite hep C testing and wraparound services to support the intravenous drug-using community. Legalise Cannabis Victoria urges the government to act decisively to commission the second safe injecting room in the CBD, to initiate trials of long-acting hydromorphone as a heroin alternative and to establish a community- and event-based program of pill testing. We need to end the criminalisation of drugs. We need to regulate it, stop the stigmatisation and address problematic use as a health issue rather than simply a criminal justice issue. That is how we save lives and protect the community.

#### **Carlton Gardens Primary School**

**Sheena WATT** (Northern Metropolitan) (09:52): Victoria truly stands as the Education State as we commit to record-breaking investments across all education levels. I recently had the honour of joining Deputy Premier Ben Carroll on his first school opening as the Minister for Education as we unveiled the brand new teaching and learning centre at Carlton Gardens Primary School. This remarkable facility, purpose-built to serve countless current and future students, is a shining testament to the tireless commitment of the Allan Labor government to delivering for this state. Our mission is crystal clear: to provide top-tier educational facilities to future generations of Victorians, nurturing young minds and igniting a lifelong passion for learning. This dedication spans across the entire Northern Metro and of course the entire state, but remember that a building is only as impactful as the educators who bring it to life. Our teachers, driven by their boundless passion, exceptional expertise and unwavering devotion, are the heartbeat of this dynamic learning community. A special shout-out to Ryx and Mira, the two inspiring student leaders who gave us an exciting tour. They could hardly contain their excitement about using the new building, especially the fantastic slide connecting classrooms to the playground. Minister Carroll and I politely declined the offer of trying out the whiz-bang slide for ourselves, and it is probably for the best. Thank you to Ryx and Mira again.

#### **Türkiye Republic Day**

**Evan MULHOLLAND** (Northern Metropolitan) (09:53): Sunday 29 October was a special day in the calendar of the Turkish citizens here in Victoria and around the world, commemorating the declaration of the Turkish republic in 1923 by Mustafa Kemal Atatürk in the aftermath of the First World War and the Turkish War of Independence. My electorate in Melbourne's north is home to the bulk of Victoria's Turkish-Australian population, and on Monday evening I had the great pleasure of joining with the Consul General of the Republic of Türkiye Mr Dogan Isik and Mrs Yasemin Isik and members of the Turkish community to celebrate the 100th anniversary of the proclamation of the Republic of Türkiye. I thank the Consul General and Mrs Isik for their warm welcome and hospitality and thank the broader Turkish community for their warm friendship since my election to the Victorian Parliament. I am very proud to be the co-convenor of the Victorian Parliament's Parliamentary Friends of Türkiye group, and I congratulate the Turkish-Victorian community on the centenary of the Turkish republic.

#### **Gunbower forest flooding**

**Rikkie-Lee TYRRELL** (Northern Victoria) (09:54): My question is for the Minister for Water. Over the past four years the Gunbower state forest has been unnecessarily flooded under the pretence of saving it with environmental flows. Are we doing constituency questions?

**The PRESIDENT:** No, it is members statements. Sorry.

**Rikkie-Lee TYRRELL:** Sorry, this is a constituency question. I did my members statement yesterday.



**The PRESIDENT:** That is all right. It is on the list. Anyway, we know what your constituency question is going to be now.

### **Feed Me Surf Coast**

**Sarah MANSFIELD** (Western Victoria) (09:55): Last week I headed to Feed Me Surf Coast to join the volunteers there. Feed Me Surf Coast rescues food waste from supermarkets seven days a week. An amazing team of passionate volunteers sort produce, bakery goods and perishables that would have otherwise ended up in landfill. It is made available to shoppers in a Feed Me market or repurposed for Feed Me's very own catering business. The market has a no-questions-asked policy. People can take what they need, and it relies on the generous donations of those who can afford to pay to cover the costs of those who cannot. Just last week 1045 shoppers rescued 6871 kilos of food from the Surf Coast market and saved it from landfill. While I was there I jumped in a van with a volunteer. We rescued two vans full of food from four supermarkets. Then I joined the wonderful team of volunteers sorting the food back at the warehouse to get it ready for the market. Feed Me is an amazing example of the power of community and the passion of people who are committed to tackling food waste and ensuring that everyone has access to food regardless of their means, which is a fundamental human right.

### **Southern Peninsula Community Support**

**Tom McINTOSH** (Eastern Victoria) (09:56): Last week I attended the Southern Peninsula Community Support annual general meeting, and it was an absolute full house. There were those on the board, members, volunteers and friends of Southern Peninsula Community Support. It is incredible work they do and hats off to all involved there: family support; help with bills, budgeting and income; and NILS, the no-interest loan scheme, that enables families to get simple things they need around the house, whether it is whitegoods or a car, without them racking up further debt just to get the basics that they need. They also keep people in their homes with their support. There is such a big team for support, and there are so many rooms. They are engaging all their volunteers to help the community in so many ways. Fresh food – there is an incredible team ensuring that packs of food are going out to the community on a daily basis and it is equitable in its nature. They are ensuring there is a fair spread of good-quality food. Everybody that comes in walks away with food that they can go home and cook a nutritious meal at home with. Their crisis support for homelessness is incredibly impressive with the work they are doing, whether it is ensuring people have something to sleep in at the foreshore – a tent or a swag or something along those lines – or the SPLaSh program, the southern peninsula laundry and shower program, or with the mobile showers and washing machines to ensure that people can go in and have a shower, get freshened up and get on with their lives. I just want to again acknowledge everybody and the incredible work they are doing to keep people in their homes going well and support people that are in crisis and without one.

### **Chisholm Institute adult migrant English program**

**Lee TARLAMIS** (South-Eastern Metropolitan) (09:58): Recently I had the pleasure of visiting Chisholm's Dandenong campus to celebrate the 75th anniversary of the adult migrant English program. This is a remarkable milestone for a program that helps students feel included and empowered through culturally safe education. I congratulate Chisholm Institute and their community partners for their longstanding involvement and commitment to this important program. I would also like to thank every dedicated student and passionate teacher for their contribution to this program's success and for enriching Victoria's multicultural community. We work hard to foster an inclusive, engaged and harmonious multicultural community in Victoria where everyone can contribute and belong, and this program certainly aids in this endeavour.

The program provides trauma-sensitive support alongside comprehensive English language skills training, and I cannot overstate the difference this program makes to the lives of so many who have newly arrived in the south-east. As well as English language skills, the program offers information about Australian society and connections to communities and local industry. Students also have an

opportunity to meet with other new arrivals to Australia who understand what it is like to build a new life in a new country. All this helps them to feel included, supported and at home in Australia and empowers them to succeed in whatever they choose to do next.

The wonderful and vibrant celebration included a parade of students in their cultural attire, singing and musical performances, an art display of works by students and of course delicious food. I loved hearing from the dedicated students who participate in this program as well as the passionate teachers who support and guide them. I want to again thank everyone involved in this program for helping to foster our state's diversity and contributing to the harmonious and inclusive society of which we are all so proud.

#### **Rivercrest Christian College**

**Michael GALEA** (South-Eastern Metropolitan) (09:59): Last week I visited Rivercrest Christian College in Clyde North with my colleagues Mr Tarlamis and the member for Bass. We were there to officially open the campus's new STEM and performing arts facilities, delivered with an investment of \$5 million from the Victorian government through the Non-government Schools Capital Fund. I want to thank principal Brendan Kelly and head of college Jonathan Shrapnel and all the students for making us feel welcome.

On another visit to the same school last week I also had the opportunity, along with the member for Bass, to see the grade 5 *Future Issues* project showcase. We met with Diya Ak, a grade 5 student, who showed us her petition to have people who are not Australian or New Zealand citizens have access to Medicare services. Diya has already met with the member for Bass, and we are helping to facilitate a meeting with her local federal member Cassandra Fernando. It was great to talk to her and see her passion at such a young age for ensuring that more people have access to adequate, affordable health care. Diya is understandably and admirably concerned with the health of her local community and people across Australia, and I applaud her advocacy. Thank you, Diya.

#### **Bus Awareness Week**

**Michael GALEA** (South-Eastern Metropolitan) (10:00): On another matter, last week was also Bus Awareness Week, which is a fantastic week for us all to celebrate. Buses are an awesome way for us all to get around, whether it be in metropolitan Melbourne or regional Victoria, and I had great pleasure in joining the member for Monbulk in Belgrave as well as the member for Mordialloc along with Kingston mayor Hadi Saab in Mordialloc to check out local bus services and make sure people are using them – it was great to see that they definitely are. *Victoria's Bus Plan* is in the process of transforming our state's bus network and will continue to do so with further investment.

#### **Seymour Show**

**Rikkie-Lee TYRRELL** (Northern Victoria) (10:01): My members statement today is dedicated to all of our constituents involved in the organisation and running of the local agricultural shows that our regional communities have each year. With the show season upon us, many communities are coming together to exhibit their homegrown produce and handcrafts and enjoy the friendly competition local shows offer. The local show is a highlight on any regional town's annual calendar that offers community unity, enjoyment and a morale-boosting experience for all who attend. Just recently I had the honour of being a part of the official grand opening at the Seymour agricultural show with my children, and we enjoyed the festivities immensely. I would like to thank the committee for inviting me and for the wonderful tour the show's president Anne Davidson provided on the day. I hope to see this great Australian tradition continue for many generations to come.

#### **Dashain**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (10:02): Last Thursday I had the pleasure of attending the Dashain festival with Melbourne's Nepalese community. The festival was hosted by Melbournepal, which

supports Nepalese youth in our state. I was joined at the festival by my parliamentary colleague in the other place the Minister for Youth. The Dashain festival is the most significant and widely celebrated Hindu festival in Nepal. It is celebrated over 15 days and with many public holidays. That is why it was a pleasure to take part in the festivities in Melbourne.

In Melbourne's north we have a growing Nepalese community. It was an honour to meet many members of the community contributing in a wide array of fields. Whether it be in blue-collar professions or whether it be in white-collar professions, the Nepalese community is making a real impact in my electorate in the north. The food, the singing and the dancing brought us all together irrespective of our cultural heritage, and it was further proof that our multicultural communities make us a stronger society. It was truly an honour to represent the government at this event, and I had the honour of lighting the flame for the auspicious tika ceremony.

I want to express my gratitude to all the organisers at Melbournepal and all the volunteers. I especially wish to thank Shailesh Ghimire and Sagar Pandey, our MC on the evening. I also want to give a special thankyou to Tarzon Budhathoki, who invited me to the event. Without your hard work and preparations the night could not have been such a big success.

### *Bills*

#### **Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023**

##### *Statement of compatibility*

**Rachel PAYNE** (South-Eastern Metropolitan) (10:04): 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 Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023.

In my opinion, the Bill as introduced to the Legislative Council, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

##### **Overview of bill**

The purpose of the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023 is to amend the *Drugs, Poisons and Controlled Substances Act 1981* to make it lawful for an adult to possess a small quantity of cannabis or tetrahydrocannabinol for personal use, to make it lawful for an adult to use cannabis or tetrahydrocannabinol, to make it lawful for an adult to cultivate not more than 6 cannabis plants for personal use, and to permit an adult to give cannabis by way of a gift to another adult, and related changes.

##### **Human rights issues**

Human rights protected by the Charter that are relevant to the Bill:

The Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023 does not limit any human right, rather it engages and promotes the right to equality before the law set out in section 8 of the Charter and the right to liberty as set out in section 21 of the Charter.

Consideration of reasonable limitations – section 7(2):

As the Bill does not limit any human rights, it is not necessary to consider section 7(2) of the Charter.

##### **Conclusion**

I consider that the Bill is compatible with the Charter.

**Rachel Payne MP**

**Member for the South-Eastern Metropolitan Region**

**Legalise Cannabis Victoria**

*Second reading*

**Rachel PAYNE** (South-Eastern Metropolitan) (10:04): I move:

That the bill be now read a second time.

We can drastically reduce law enforcement and justice system costs.

We can take multimillion-dollar profits out of the hands of organised crime.

We can stop the disproportionate negative impacts on Aboriginal and Torres Strait Islander Victorians and young people.

We can reduce harm and we can educate.

We can turn the consequence of stigma on its head.

We can, by responsibly regulating the adult use of cannabis.

Over one-third of Victorian adults have consumed cannabis in their lifetime. More young people consume cannabis than tobacco. Decades of prohibition have not succeeded in denting demand or supply; it is failed policy.

As a community we are benefiting from cannabis as a lawful medicine for a range of serious medical conditions. And modern research is showing us that the harms associated with cannabis have been misrepresented and overstated historically.

Cannabis is significantly less harmful than both alcohol and tobacco.

A majority of ordinary Victorians support legalised cannabis and the vast majority, around 78 per cent, believe that possession of cannabis should not be a crime.

In Victoria, in the year to September 2021, there were almost 9000 people charged with cannabis use and possession offences – accounting for 92 per cent of all cannabis offences in Victoria during that period.

In the three years to June 2019, 11,498 people were sentenced in the Magistrates' Court of Victoria for simple possession and over 1100 of those people were jailed – over 1100 Victorians jailed just for possessing cannabis. Let that sink in.

The cost of enforcement is massive. Nationally, in 2015–16, more than \$1.7 billion was spent on cannabis-related law enforcement, including \$1.1 billion on imprisonment, \$475 million on police, \$62 million on courts, \$52 million on legal aid and prosecution, and \$25 million on community corrections.

It doesn't have to be this way.

But cannabis reform is about much more than money.

The human cost of a drug conviction on a young person's future can be devastating.

Research shows that First Nations people, and others from socially disadvantaged groups, are at greater risk of harm from the criminalisation of cannabis.

People sourcing cannabis through illicit markets may be exposed to violence and the true 'gateway' – the dealers who are giving them access to more dangerous drugs.

There is a safer way of regulating cannabis, which is why leading economies around the world are moving to legalise cannabis consumption – letting adults be adults and grow and consume cannabis in the privacy of their own homes.

The responsible regulation of cannabis in Victoria will reduce harm, particularly for young people and Indigenous Victorians. It will save money by reducing the costs of law enforcement, and it will promote consumer safety by taking cannabis off the illicit market and out of the hands of organised crime.

That is why today I introduce the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023.

This bill will allow the adult personal possession of small quantities of cannabis and tetrahydrocannabinol, or THC; allow adults to grow up to six cannabis plants at home, with a maximum of six plants per residence; allow the adult consumption of cannabis or THC, but not in a public place; and allow adults to gift a small quantity of cannabis or THC.

It will remain an offence for children under the age of 18 to access cannabis or to be supplied with cannabis.

In many respects, this is not a big paradigm shift, even for Australia. Cautioning and diversion programs currently exist in this state to achieve the same end and have done for decades, but they have huge limitations.

The Northern Territory and South Australia have decriminalised minor cannabis use and possession and now treat it as a civil matter, not a criminal one.

The Australian Capital Territory has legalised cannabis possession, use and cultivation. Arrests for low-level cannabis offences plummeted following these reforms, and data demonstrates there have been no negative effects on public health.

Today, I ask this Parliament to do the same. This bill adopts a similar approach to that introduced in the ACT, while addressing its legislative shortfalls.

Turning to the detail of the bill, clause 1 sets out its purpose, clause 2 provides for the bill's commencement and clause 3 provides that, for the purposes of the bill, the principal act is the Drugs, Poisons and Controlled Substances Act 1981.

Clause 4 inserts new part IVC, 'Personal adult use of cannabis', into the principal act. The new clauses contained within that part give effect to the purposes I have outlined and are fulsomely explained in the explanatory memorandum.

Clause 5 amends the principal act to clarify that the possession of a small quantity of cannabis or THC is only an offence if committed by a person under the age of 18.

Clause 6 provides for the automatic repeal of the amending act.

Research evidence indicates that this approach to cannabis reform will reduce the costs to society, will reduce the social costs to individuals and does not increase cannabis use.

This is intelligent reform that allows for the safe and responsible adult use of cannabis.

I, on behalf of Legalise Cannabis Victoria, commend the bill to the house.

**Lee TARLAMIS** (South-Eastern Metropolitan) (10:11): I move:

That debate on this bill be adjourned for two weeks.

**Motion agreed to and debate adjourned for two weeks.**

**The PRESIDENT:** I acknowledge in the gallery former member of this chamber Fiona Patten.

**Charter of Human Rights and Responsibilities Amendment (Protection from Torture and Slavery) Bill 2023***Statement of compatibility*

**David LIMBRICK** (South-Eastern Metropolitan) (10:11): 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, I make this statement of compatibility with respect to the Charter of Human Rights and Responsibilities Amendment (Protection from Torture and Slavery) Bill 2023.

In my opinion, the Charter of Human Rights and Responsibilities Amendment (Protection from Torture and Slavery) Bill 2023, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter Act. I base my opinion on the reasons outlined in this statement.

This Bill will perform 3 key functions. The first is to enshrine non-derogation safeguards to the following rights within the Charter:

- S 9: Right to Life;
- S 10: Protection from torture and cruel, inhuman, or degrading treatment, and;
- S 11: Freedom from forced work.

When the Charter was created, it drew inspiration from international treaties of which Australia is a signatory. These treaties include the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights. Both instruments call for recognition of some rights to be universally recognised and not subject to any limitation. These include, but are not limited to, the rights included within this bill.

Australia has obligations to meet under these treaties and is regularly reviewed by international covenants to evaluate performance in protecting rights. By elevating these rights to a non-derogable state, Victoria moves closer to becoming a globally recognised leader in protecting human rights.

While this function itself will not directly engage any Charter rights, it may be argued that its impact could transform current situations within society into events that do engage these rights. These changes will enshrine the rights as they are legislated, which includes their exceptions. For example, correctional actions which engage exclusions such as section 3(a) of the 'Freedom from forced work' right would not be seen as derogations, as these exceptions are fundamentally part of the right within the Charter. I am therefore satisfied that this function does not engage any rights within the Charter.

The second key function enhances the existing requirements of members of Parliament and the Scrutiny of Acts and Regulation Committee to declare instances where non-derogable rights are engaged by bills within their statement of compatibility, human rights certificates, and SARC reports respectively.

This procedure does bring much change to the existing Charter practises of SARC and Ministers presenting bills and statutory rules. It will require the declaration of non-derogable rights engaged to be identified accordingly. As such, I am satisfied that this function will not engage any rights within the Charter.

The third function improves Parliament compliance with the charter by repealing the Parliament override provision. For human rights to be protected in an effective and meaningful way, the legislation which enshrines these rights must also have its own protections. A human right is not truly a protected right if it can be ignored at the government's discretion. I am therefore satisfied that this function does not engage any rights within the Charter.

I consider that the Charter of Human Rights and Responsibilities Amendment (Protection from Torture and Slavery) Bill 2023 is compatible with the Charter Act because it does not raise any human rights issues.

*Second reading*

**David LIMBRICK** (South-Eastern Metropolitan) (10:11): I move:

That the bill be now read a second time.

Today I am introducing the Charter of Human Rights and Responsibilities Amendment (Protection from Torture and Slavery) Bill 2023 for consideration.

In Australia we are fortunate to live in a country where we do have a lot of protections against the kinds of human rights abuses that are routine in so many parts of the world. Political dissidents and opponents aren't routinely tortured here. While slavery might not be completely abolished, it is rare

and universally abhorred. The state doesn't routinely execute those perceived as troublemakers. While we should appreciate and enjoy these freedoms we shouldn't be complacent.

Complacency may lead to the slow erosion of these rights, or, at a minimum, create inertia and maintain the status quo that has been demonstrated as inadequate. Throughout the pandemic I was very critical of the government's approach to human rights considerations. I thought they had the balance wrong. Over the last couple of years there have been several other examples of core human rights having inadequate protections in Victoria. This bill seeks to remedy that situation.

The coronial inquiry into the death of Veronica Nelson revealed the following breaches of human rights: the right to life, the right to protection from cruel and inhumane treatment, the right to equality and the right to humane treatment when deprived of liberty.

Most importantly, the coroner found that her death was preventable had these and many other breaches not been committed against her. Forcing someone to undergo opiate withdrawal without medical supervision is a form of torture and should never have happened.

This bill improves the protection from torture to ensure that what happened to Veronica will never happen again to any other Victorian.

The Victorian Ombudsman's report into the snap lockdown of the 33 Alfred Street commission towers found the occupants suffered a breach of their protection from cruel and inhumane treatment when deprived of their liberty. The Department of Health and Human Services claimed these limitations complied with the charter. However, the deputy chief health officer is on record as admitting not enough time was given for a suitable human rights assessment, which the Supreme Court have made clear places human rights at risk of inadequate consideration.

Further, DHHS did not consider any less restrictive means. This was identified as being the result of a decision made in a crisis cabinet meeting of which the details, including human rights considerations, have still not been released to the public. The Ombudsman also recommended that the least the government could do for breaching their human rights is apologise for it. The Alfred Street residents are still waiting for their apology.

Locking people in their homes with unacceptably short notice and no access to food, medicine, sunlight, or fresh air is an act of torture. This bill will provide better protections against the repeat of those rights breaches.

Following the Royal Commission into Victoria's Mental Health System, the Victorian government began implementing a reform agenda for state mental health services. They commissioned the Victorian Mental Illness Awareness Council to provide an advice report on harms to patients within the system. The report found multiple instances of 'gross human rights violations'. They described the consistency of these breaches as 'breached with such regularity that rights are rendered illusory'.

This report was conducted and completed through the hard work and lived experience of many talented researchers, including Simon Katterl. When he presented this damning report to the state government, not only did they reject the report, but they also demanded he either change it or be prevented from publishing it. The report detailed multiple instances of cruel and inhumane treatment of patients within the mental health system. This bill will protect those vulnerable Victorians from such devastating acts of cruelty.

The bill has been drafted with a very simple intention: to strengthen protections for three human rights categories within the Charter of Human Rights and Responsibilities. These are: section 9, 'Right to life'; section 10, 'Protection from torture and cruel, inhuman or degrading treatment'; and section 11, 'Freedom from forced work'.

This bill introduces a human rights descriptor from the charter's ICCPR source material to it: the descriptor of non-derogation. A non-derogable right is separate and distinct from an absolute right. An

absolute right cannot be restricted or limited in any way and will be prescribed in such a manner. A non-derogable right cannot be restricted beyond its prescription. This is observable in the right to life, which is limited by ensuring that a person not be arbitrarily deprived of life. The limiting of the right to life may not be arbitrary, such as instances of medically assisted euthanasia. This would be a limitation on a right which is not a derogation of that right.

Legislation protecting rights can be positive or negative in their application. These terms define how these rights should be upheld. The International Covenant on Economic, Social and Cultural Rights is an example of rights which are positive in nature. These rights compel signatories to perform specific actions as part of their obligations to protect and uphold rights.

The International Covenant on Civil and Political Rights is an example of rights which are negative in nature. These rights place limitations on what a signatory can do for the purpose of protecting and upholding prescribed rights. One compels action, while the other limits action.

The charter took inspiration and modelling from many documents, but none more than the ICCPR. The protection of rights within the charter are either negative in their application, or neutrally recognise a right without compelling any action. This is the approach used in the ICCPR. It is the intention of the provisions within this bill to maintain that application of negative rights to limit what the government can do when engaging with non-derogable rights.

The only thing worse than breaching obligations under the charter would be sidestepping them entirely. This was done multiple times over the course of the pandemic using pandemic orders. From the perspective of a reasonable person, when something looks like a duck, sounds like a duck, and acts like a duck, there is little room for doubt that the creature before them is indeed a duck. So, when the government issues public health orders to the state that look like legislative instruments, sound like legislative instruments, and act like legislative instruments, it raises alarm bells when those orders are enforced under the claim that they are not legislative instruments.

As instruments, they should have been considered by Parliament and the Scrutiny of Acts and Regulations Committee to ensure the freedoms, rights, and liberties of Victorians were upheld with full transparency. This bill provides further protections of human rights under legislative instruments and statutory rules by requiring members to make further considerations of impacts these provisions will have on non-derogable rights and provide instruction on the obligations of members when these rights do engage a non-derogable right.

Similar provisions will apply to the legislative process for statements of compatibility. In instances where a proposed bill would impact on a non-derogable right, the member will have obligations to consider if these engagements will limit a non-derogable right and, if they do, will be obligated to make a declaration of limitation on a non-derogable right. This procedure exists to ensure compatible operation of this bill with the constitutional powers of lawmaking bestowed to this Parliament. It is my sincere hope that this provision is never utilised by this or any future member of Parliament.

There were no pandemic orders more disturbing than the vaccine mandates. Medical procedures which concern what goes into our bodies are and should always have been a personal choice. Section 10(c) of the charter describes protection from torture as including:

A person must not be –

...

subjected to medical or scientific experimentation or treatment without that person's full, free and informed consent.

The *Australian Immunisation Handbook* details the importance of practitioners establishing valid consent and describes valid consent as requiring four elements. The second element is this:

It must be given voluntarily in the absence of undue pressure, coercion or manipulation.



No person in their right mind would describe a mandate as being free from pressure, coercion, or manipulation. Yet the government regularly skirted around this obvious fact with mental gymnastics, backwards rationalisation, and relied heavily on precedent from international jurisdictions which do not follow the Australian requirements for establishing valid consent. This was not even mentioned in the minister's statement. This bill will ensure no derogation of that fundamental right is used by the government to justify subjecting the entire state of Victoria to medical experimentation without consent.

This bill also removes the override provision in the human rights charter. This government has broken this trust time and time again with unsatisfactory or no explanation for doing so. Until the government has repaired this broken trust by acknowledging its breaches of the charter and apologises to Victoria for doing so, it would be unconscionable for the government to retain the override powers under section 31 which this bill repeals.

When applying further protections to human rights, precautions must be taken to avoid creating conflicts between them. In their submission to the United Nations committee for review's draft general comment of the ICCPR right to life under article 6, the Australian government outlined the importance of interplay between rights by saying:

In Australia's view, the draft General Comment draws overly broad connections between compliance with Article 6 of the Covenant and other human rights obligations. Australia considers that not all human rights violations are connected to the right to life. Rather, each provision of the Covenant should be interpreted and applied independently.

Further, they add to this distinction:

... Australia does not agree with the characterisation of Article 6 as 'the supreme right'. Australia's position is that there is no hierarchy of rights; all human rights are universal, indivisible and interdependent ...

This sentiment is adopted in the intention of this bill. Non-derogable rights are not to be seen as being any more or less important than a derogable right, and their non-derogable status should not be used as a justification for limiting any other right.

Earlier this year Australia joined Rwanda as among the only countries to have had visits cancelled by the United Nations subcommittee on the prevention of torture. Their visit was intended to provide external oversight of how people detained in Victoria are treated. I was supportive of this, but the failure to adequately facilitate this visit is yet another example of how we are falling short on human rights protections in Victoria.

We can, and we should, do better.

I commend this bill to the house.

**Lee TARLAMIS** (South-Eastern Metropolitan) (10:22): I move:

That debate on this bill be adjourned for two weeks.

**Motion agreed to and debate adjourned for two weeks.**

### **Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023**

#### *Second reading*

**Debate resumed on motion of Aiv Puglielli:**

That the bill be now read a second time.

**John BERGER** (Southern Metropolitan) (10:23): Today I rise to speak on the Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023. It is a wideranging bill, but at its crux it is about renters, so I want to begin by talking about my experience in this. As many in this chamber would know, I am a renter. It was only last week when I visited Camberwell in my electorate of Hawthorn, which I know dearly misses its hardworking and dedicated Labor member of Parliament

Mr John Kennedy. But when I visited I was joined by the Minister for Planning in the other place Minister Kilkenney. The minister was coming to my community to see what the government is doing in partnership with our local government partners to unlock spaces in Southern Metro and deliver more housing for locals, to get things done, to utilise the existing space and to build better homes and communities for the 21st century. As we know, a few weeks ago our government signed the affordability partnership with industry partners in recognition of the team Victoria's effort needs to fight the housing crisis. They will help clear the backlog of planning permits, give builders, buyers and renovators a better idea of how long approvals will take and importantly streamline dispute resolution. Minister Kilkenney said:

We'll boost housing supply ... and give industry greater certainty with a planning system that works for Victorians – not against them.

That is what we on this side of the chamber are doing – boosting supply, getting things done. Our landmark housing package on 20 September is clear. The goal is clear. We have a plan to boost housing supply and increase affordability, and it is part of that affordability partnership to build 800,000 Victorian homes. It is Australia's biggest and one of the biggest reforms to our housing sector in generations. We are the fastest growing state in Australia, and our population is going to hit 10.3 million by 2051. But that means we need to build, and that is what we will do, including 2.24 million homes and a target of 420,000 across regional and rural Victoria. *Victoria's Housing Statement: The Decade Ahead 2024–2034* is bold. It is doing what matters.

Now to deal with the matter at hand: perhaps the Greens do believe that this will lead to a relieving of housing stress in Victoria, despite all evidence suggesting otherwise, but the fact of the matter is this is not what Victoria needs. Those that support this move in Victoria will often cite other similar experiences across the world. It is good to look to far horizons to see how we can make our home a better place to live. Supporters of a rent freeze or a rent cap often forget that every city has a unique history, a unique infrastructure and unique conditions that make up their individual needs and strengths. Melbourne is a very different place from, say, New York, which is a very different place from London, and so on. These other jurisdictions have widely different infrastructure to Melbourne and completely foreign reasons for needing to control their rent, and sadly, the rent freeze experiments rarely work.

New York is probably the most infamous example of a rent freeze, and how well did that turn out for them? When I say 'New York, New York', do the words 'affordable housing' come to mind? A knee-jerk, poorly thought out rental policy has led to New York being the face of the housing crisis across the world, and the Greens would like to bring that to our city. How can we forget San Francisco? A similar story to New York, San Francisco's rental controls have all but killed supply for the city and forced prices up to a ridiculous ceiling, but both these cities face high rates of homelessness. They are each an example of how poor approaches to housing supply and demand have a direct effect on homelessness, specifically driving people out of homes and onto the street.

This should remind everyone that the stakes in the housing policy game are much higher than just rental stress. Because of this, we must be careful. We must be measured, and we must not take directives to unveil policies that could well have the exact opposite effect of what we want. Homelessness has a direct impact on individuals' health and wellbeing. It is harder for an unhoused individual to find a job, leaving them in a vicious cycle of poverty. Drug use, abuse and victimhood are higher for those facing homelessness, and it is not just a matter of financial insecurity; it is a matter of life and, in many tragic cases, death.

For that reason we cannot be so frantic. We cannot risk taking steps that have so many times backfired across the world. While the Allan Labor government is one of the most progressive governments that Victoria and Australia have seen, we are not going to take great leaps forward on policies knowing that the outcome may be detrimental to vulnerable Victorians. Unless you have the infrastructure to support drastic measures like rent freezes, the rent freeze will cause the supply of housing to dry up,

leaving many people not just without affordable housing but without any housing at all. Really what this bill wants this government to do is go back in time and build infrastructure that does not exist in the present, which is exactly why the Allan Labor government's housing statement is building homes to address supply.

I have been very critical of rent controls and have discussed several examples of rent freezes and their results, but it would be apt to speak about one more rent freeze: Melbourne's rent freeze in 2020. That is right – we cannot forget that we had a rent freeze as an emergency measure during the COVID-19 pandemic and in recognition of the severe financial hardship many Victorians faced to keep each other safe. The then Andrews Labor government put forward the COVID-19 Omnibus (Emergency Measures) Act 2020. This introduced several urgent temporary measures, including a rent freeze. These were introduced to deal with an actual crisis, not an ongoing one. Solutions that will leave Victorian housing affordability better off for generations to come must be sustainable, not mimic the failed model of the most expensive city in the world. This means encouraging the industry to participate, as Victoria's housing statement does, not making Victoria an unattractive place to develop in the long term. The freezing of rents during COVID-19 was an emergency measure. At the time it was the right thing to do, but it is the last thing we need in 2023 and going forward. During COVID-19 we needed a bandaid. If all we do is keep slapping on the bandaid, then nothing will be fixed and our rapidly increasing population will have no place to live.

The key issue is supply. Housing affordability is an urgent matter; no-one is denying it, but in the scheme of things homelessness is much worse. What good will a freeze on rents be if more Victorians are sleeping rough? Much of the cause of the housing crisis in Victoria is our ever-increasing population. As I mentioned earlier, we are expecting to surpass Sydney in population soon and hit over 10 million by 2051. In many ways this is exciting. Many of these future Victorians will be coming here for better opportunities. What good is a rent freeze if these future Victorians have nowhere to live? If we fail to address the housing supply, then we will see a much grimmer Victoria than the one we are in now, and let me tell you, this is exactly why we need to work with both the public and the private sector to ensure that the most possible homes are built in Victoria as quickly as possible. This is basic economics: if there is less of something, then demand goes up, and as the demand goes up so do the prices. Prevent the illness; do not just treat the symptoms.

In short, this bill is severely misguided. This government is serious about the housing crisis in Victoria, and this government is serious about long-term results for Victorians. This government is serious about getting on with the job at hand and getting the most social and affordable housing for Victorians. The housing statement will bring a boom in investment into our state housing that will see demand managed and prices brought down. This is a long-term solution for what may well be a long-term issue across the world. We are putting together regulatory reforms that will ensure that Victorian housing and land will be used for what is needed. It is this government that introduced the rent increase cap which limits rent increases in Victoria to once every 12 months. Prior to this, tenants were vulnerable to rent being increased once every six months, leaving them in vulnerable positions, often needing to look for new housing. The 12-month cap on rent increases ensures that tenants can enjoy the same stability without fear of an increase every six months.

While we are discussing the vacant residential land tax, the State Taxation Acts and Other Acts Amendment Bill 2023 currently before the house seeks to introduce an expanded vacant residential tax to include unimproved land – 'unimproved land' is defined as land without a residence. This reform has reasonable exemptions and a window of time long enough for owners to be able to improve their land. This is not a punishment, it is a motivation. This is an incentive for home owners to engage with the rental market. With more houses on the market, there is more supply and lower demand. And then of course we are supporting the building of enough houses to house current and future Victorians.

Whilst the housing statement is the newest and most ambitious arm of the Allan Labor government's housing platform, we have been committed to improving housing in Victoria from day one. We know that this is a multipronged approach. The Home Stretch campaign is something the staffers in my

office know a lot about, and that has extended out-of-home care until the age of 21 – not kicking out a young child under that age in the state. This is making a real difference to homelessness levels. With this, I hope the chamber will indulge me associating myself with the words of the Minister for Children Minister Blandthorn, who yesterday announced that the Premier will make a formal apology in Parliament on behalf of the government to the survivors of all the abuse in institutional settings, in the last week of November, because where someone lives – their home – should be safe, and we are a government that recognises that. We have invested \$300 million annually into fighting homelessness, and this year's budget, the 2023–24 budget, included \$67.6 million over four years to continue this response, which includes multidisciplinary support, as I noted previously, which is vital to provide support for rough sleepers and those who continue to experience homelessness.

Back to the Big Housing Build, which is bringing homes and jobs to thousands of Victorians, in my electorate of Southern Metro there are several Big Housing Build projects underway. As I mentioned earlier when I was talking about Minister Kilkenny's visit to Southern Metro, we have the Bills Street housing project in my community of Hawthorn, and down in Prahran right near my office we have the Bangs Street project. These housing projects are delivering supply for those who need it most.

The housing statement is also a commitment to refurbishing the dilapidated and dangerous public housing blocks across Melbourne. Built in the postwar boom to handle the population and migrant boom, many of these apartments are not fit to be lived in, and they have got to go. The Allan Labor government is replacing them with brand new blocks with more flats and better facilities. The housing statement is also delivering housing for regional communities across Victoria. Over the next 10 years the Allan Labor government is set to deliver 425,000 homes across regional Victoria. This government is serious about housing and housing affordability. We know how to bring prices down, and that is through building more homes.

To wrap up my contribution on this bill, I would also like to quote another minister from this place, Minister Shing, who yesterday in question time after a question about housing said that although sometimes the Greens political party engage in good faith, most of the time the Greens political party do not – they try to score points from cheap shots. This will not deliver results for Victorians, it will deliver publicity for the Greens political party, and it is disappointing to see them hide behind one of the most pressing issues of our time. If the bill were to pass, the Greens political party would claim it. However, this side of the chamber is about doing the work – the policy building and the action work. The minister said yesterday that her department is willing and able to assist – the department, with specific concerns raised, can endeavour to solve issues. Minister Shing rightly called out the use of individual concerns to weaponise the situation we are in, weaponisation which seeks to create a false narrative. Minister Shing said clearly that she is happy to engage with anyone around this space and the other chamber, even the Greens political party – happy to engage with you when you are operating in good faith. But yet again this bill is another distraction. It is not what Victorians voted for; it is not what the Allan Labor government has a mandate for. We are not about TikTok; we are about governing. We are not about cheap sound bites; we are about delivering real results. The Allan Labor government is committed to taking care of housing supply in a way which will deliver long-term results, not a kneejerk reaction that has proven to be a failure in so many jurisdictions. We will continue to get on with it.

**Evan MULHOLLAND** (Northern Metropolitan) (10:36): I rise to speak on the Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023, proposed by the Greens political party. They have been calling for a rent freeze in Australia for some time now. In August 2022 the Greens called for a nationwide two-year rent freeze to protect renters from what they deemed a rental crisis, and I would agree with that characterisation.

The bill aims to amend the act to prevent excessive rent increases and evictions. It proposes a two-year rent freeze period starting from the day after the bill receives royal assent during which rent cannot be increased above the amount payable on 1 January 2023 or a certain percentage of median rent for the area and type of premises. It aims to limit the rate of rent increases after the rent freeze period to

2 per cent every two years, unless there are exceptional circumstances such as capital improvements or approval by the director of Consumer Affairs Victoria or the tribunal; prohibit residential rental providers from giving renters notice to vacate because a fixed-term residential rental agreement has ended; give renters more rights to challenge excessive rent proposals; and empower the director of consumer affairs to determine median rents for different postcode areas and types of premises and to approve or refuse applications for rent increases above the median rent.

As the Greens party have identified, Melbourne rents have been significantly increasing in recent months and years. In fact according to SQM Research, rents for all dwelling types in Melbourne have increased by 17.8 per cent in the past year alone. It is easy to understand the instinctive appeal of this bill. After all, rents are increasing and becoming more unaffordable, and the goal of this bill seems to be to limit those increases. Despite this superficial appeal, this is a very bad bill, if implemented, and it would likely – in fact certainly – have devastating consequences for Victorians.

Rent freezes and caps are not a new idea, not even remotely. They have been tried in many parts of the world and at best are ineffectual and at worst have serious negative consequences. I will come back to that in a moment, but I want to explain the economic effects a little. The bill fixes rents for two years and limits rent increases to under 2 per cent every two years. Rents are frozen in nominal terms, so that means the real effect of this bill is to reduce rents by the rate of inflation in the first two years. After that, the effect of the bill is to limit the rents by 2 per cent less inflation in real terms. Since inflation in recent years has been well over 2 per cent, this will likely also represent a reduction in real terms. The effect of this bill is to bring in a form of price ceiling to the rental market, and because of inflation the ceiling is lower than it may appear at first glance. It is not simply freezing rents or limiting increases but likely mandating a decrease.

Fundamentally, prices in the free market are determined by the interaction between supply and demand. Bringing in a price ceiling does nothing to either increase supply or reduce demand, so this bill does nothing to alter the fundamentals of the rental market. It simply drives a wedge between supply and demand and artificially suppresses the real price. Perversely, what you end up with is less rentals on the market, because the asking price is lower and more people are looking for rentals because the price is lower. I am sure someone will say that the rental market is not a perfect market – or something like that – and to an extent that is probably true. However, it certainly is not true to the extent that it needs to justify this bill, as shown by real-world experiences, which are almost exactly as expected. It is well understood in the field of economics that price controls lead to shortages and other negative consequences, and in the case of the rental market these include a reduction in the supply of rentals, reduced economisation of renters, reduced quality of rentals supplied and a reduction in investment in rentals, including the quality of rental stock. For example, if the rent is lower, people may decide not to have a flatmate. This does nothing to help with the rental crisis. As I mentioned earlier, rent controls have been tried across the world and at best are ineffectual because there are huge loopholes, or they may limit rent increases only to very large amounts, or they have negative consequences.

We know that rent controls have actually already been imposed in Australia. In 1939 the Australian government used wartime powers to impose rent controls, which fixed rents at their then level, much like this bill does. According to a paper by Nigel Stapledon at the UNSW School of Economics, this heavily distorted the market. It states that the World War II price controls exacerbated the post-World War II shortage of housing, which then accentuated the subsequent spike in prices. The paper concludes by saying:

... the period of rent and price controls around WW2 ... distorted the market and produced consequences not intended by policy-makers of the time. Those consequences were a significant decline in the stock of rental properties which in turn forced a major shift towards owner-occupation ...

Perhaps that is the Greens' intent with this bill. Perhaps they want to bring in rent controls so they can force more people into home ownership. There are different ways to go about trying to enable more

young people into home ownership. It is certainly not new taxes, and it is certainly not rent controls. Rent controls have also been used in San Francisco for some time, exploiting a change to the law in 1994. Stanford economists in a paper published in the *American Economic Review* found:

... that landlords actively respond to the imposition of rent control by converting their properties to condos and tenancies in common or by redeveloping the building in such a way as to exempt it from the regulations.

And:

In sum, we find that impacted landlords reduced the supply of available rental housing by 15 percent.

And:

This reduction in rental supply likely increased rents in the long run ...

They also found:

... the conversion of existing rental properties to higher-end, owner-occupied condominium housing ultimately led to a housing stock increasingly directed towards higher income individuals.

Perhaps this is a cunning secret plan by the Greens political party to support wealthier people in their electorates. As we know, compared to a lot of parts in my electorate – some are Green electorates – if you look at the scale of income, it is usually at the higher end in the Greens electorates within my electorate. It caused income inequality to actually increase. They are always talking about income inequality over here. We know from the economic evidence, the real-world experience, that actually rent controls cause income inequality to increase.

I am absolutely loath to watch the ABC, but I tuned into *Insiders* recently only to hear the Greens federal housing spokesman Mr Max Chandler-Mather saying that rent caps have been tried around the world and espousing the virtue of rent caps, citing a New Jersey study. And I thought, ‘Very interesting’. The study I believe he is referring to is titled *Thirty Years of Rent Control: A Survey of New Jersey Cities* by John Gilderbloom, University of Louisville. It seems like he did not actually read it, though. It looks like he did not even make it to the first page, which states:

Housing activists and policymakers need to look at new ... approaches to address rental affordability problems.

In the case of New Jersey rent control was very moderate and had loopholes that you could drive a truck through. The study essentially found that rent control policies which do not impinge on the market do not cause negative consequences, which is entirely expected, but do not actually reduce rents. Nonetheless it did also find that:

... rent control seems to reduce the median number of rooms; therefore, when median monthly rent remains the same, rent per room was significantly higher when rent control existed.

I did not see Mr Chandler-Mather mention that on *Insiders*. It seems he likes the titles of studies to refer to but does not actually read them. In metropolitan New York, where over 44 per cent of dwellings are rentals and despite having the largest rent control scheme in the nation, rent-to-income ratio is a staggering 67 per cent, and studies show that rent-controlled properties in New York are more likely to be dilapidated. The economic theory and overwhelming body of international evidence do not support the use of rent freezes, rent caps or the like to improve affordability. The vast bulk of economists do not support these policies, and a vast number of stakeholders and experts recognise this.

I have been listening closely to the views of experts and stakeholders about what the real-world impact will actually be. I asked a number of questions in the inquiry which was put forward by my colleague Mr Limbrick, the inquiry into stamp duty in Victoria, and I know Ms Copey knows about the responses, because she was sitting next to me as I was asking about rent freezes as well. I will just go

through a few comments from a few experts that spoke about this. Brendan Coates from the Grattan Institute, which usually lines up with the Greens political party on all sorts of issues, actually said:

Those that have a rental property that is a rent-controlled apartment, for example – this is widespread in places like New York – do very well, but no-one else can get into the area, so you end up with a two-tier rental market. I think that is something we should really try to avoid.

In an op-ed in the *Age* Brendan and his colleague Joey Moloney went further, stating that:

Ultimately, if we freeze rents, more Australians could become homeless ...

and that would be the end product of this bill. Matthew Kandelaars from the Urban Development Policy Institute of Australia said:

... the, although perhaps very obvious, unintended consequence – that all it would do would be to reduce supply across the market. The incentive for someone to invest as a landlord into making that property available on the rental market, that incentive would be reduced. I think you would probably quite frankly see a lot of properties move into the short-stay accommodation market rather than the permanent rental market which would have again that unintended consequence on rental affordability.

Quentin Kilian from the Real Estate Institute of Victoria said:

We would certainly urge in the strongest terms not to bring in any form of intervention in the form of a rent cap or a rent freeze. There is ample evidence around the world that interventions of that nature do not assist the market; in actual fact they probably again discourage or dissuade investment into the market.

Robert Carling from the Centre for Independent Studies said on rent freezes:

I think it would be very damaging. That is another thing – probably the second thing that most economists could agree on is that rental freezes are not the right way to solve the rental affordability problem. They just damage supply, and it is supply that we need.

Very well said. I will go through another one. Keith Ryan, Housing Industry Association, said:

... a rental freeze would be ... a very drastic move, and it would cause I would expect a great deal of disruption. We need to keep in mind that a lot of the providers of rental stock for housing are mums and dads, people who might own a house or two who are doing it hard with interest rate increases, further regulation, extra costs, and for them a rental freeze would be disastrous ... I appreciate the superficial attraction, but ultimately it would lead to a lack of supply of homes for rental, and that cannot be great for tenants. They are already queueing up by the dozen to get into a house to look at trying to rent it and then having to go into a bidding war potentially in some cases to get that house or home. We certainly do not want to see that continue. We would be very concerned if there was a rental freeze.

Cath Evans, CEO of the Property Council of Australia, said:

... if we moved to a rent-capping environment, that would be a huge disincentive for investment into that asset class. We also want to encourage large institutions like superannuation funds to enter our residential market here as well, and they need certainty for their members about their return on investment. So rental capping would be a complete disincentive for us to attract investment capital into Victoria.

Sam Tarascio from Salta development said:

... from our point of view, if rental capping was to become real, we would no longer be in the residential development space. And I say that because rental capping would need to come along with capping of our land tax and our council rates and – how you would do it, I have no idea – your cost of interest. So you cannot cap the revenue side and leave the cost side uncapped. Basically it is a recipe for going bankrupt, and so why would you invest in that category?

I note that Salta developments has a number of properties in Greens electorates which, probably, Greens voters are living in. So you have more supply, you have people investing in more supply, which ultimately, as I stated earlier, leads to a reduction in rents.

I want to go to YIMBY Melbourne. Jon O'Brien said the overwhelming economic evidence is against rental caps or controls:

Rent control ... benefits the people who are already there ... rent control locks people out of the city ...

I know they are super interested, as am I, in helping people that cannot get into the rental market. Rent caps and rent freezes only help people that are already there, but we see the Greens political party – and I see it in my electorate – go around with their little cards to rental inspections where people are lining up around the corner getting them to sign their rent freeze bill. What on earth will a rent freeze bill do for people lining up around the corner in my electorate? We need more supply, but whenever there is any proposal for new developments in my electorate, we see Greens councillors at the City of Yarra, the City of Darebin and the City of Merri-bek knocking back new developments – and they have done it over a decade. As I said in my maiden speech, at the first sign of any proposal for a new development that would house people of my generation, people and protesters with green triangle placards swoop in quicker than a seagull to a chip on St Kilda Beach. Seriously, the answer to allowing more people that are lining up – they are lining up; it is sad to see, going into a bidding war for a rental. What on earth will a rent freeze do for those people?

*Interjections from gallery.*

**The ACTING PRESIDENT (Sonja Terpstra):** Order! Can I please have silence from the gallery.

**Evan MULHOLLAND:** The Greens political party and its members come to this place, as many other places, lecturing the rest of us, claiming their positions are based on unquestionable international evidence, to listen to the experts. You hear it almost every week: 'Listen to the experts.' They are putting up this bill or this bill: 'Listen to the experts.' But too often these claims, these positions, are simply cover for a more radical agenda. For a party that disparages Donald Trump-style populism, nobody beats the Greens political party. Here they are in this place pushing a policy that has negative consequences, dire consequences, for renters and housing affordability and is not supported by the vast majority of experts and the vast body of international evidence and stakeholders and real-world evidence. It is not imaginary, by some economist. We know this does not work. This exposes I think the Greens as populist demagogues pushing populist policies.

I think the most disgraceful thing about this deceptive campaign – and we see it on the glue posters around Brunswick and Carlton and Richmond: 'Rent freeze now!' – and the push for a rental freeze is that you know that you are wrong. If you are one of those people lining up around the corner in Collingwood because of a lack of rental availability, a rental freeze would make that queue even longer. Who on earth does the Greens party believe invests in those properties to make them available? It is mum-and-dad investors. It is superannuation funds looking to invest in our market, which we know they would not if we had a rent-controlled environment.

I will go to one other thing: why are they doing this? They are pushing this big rental freeze campaign. I thought to myself: why are they doing this? Why are they pushing a policy that they know in their heart of hearts does not work? All the evidence, all the real-world evidence, and all the economists say it does not work. Why are they doing this? And then I saw last week they are now pushing price controls. Woolies and Coles – you are going to intervene in the market.

**A member:** Like Venezuela.

**Evan MULHOLLAND:** Like Venezuela, exactly. I am like, why are they doing this? And then I look at recent –

*Interjections from gallery.*

**The ACTING PRESIDENT (Sonja Terpstra):** Sorry, Mr Mulholland. We will just have a short break while we clear the gallery.

**Public gallery cleared.**



**Evan MULHOLLAND:** That is actually the second time that has happened to me during a Greens debate on renting. The first time somebody actually yelled out, ‘Eff the economists!’ I will not say that full word, but it starts with F. So I find it quite amusing that this is the second time this has happened.

But I want to get back to what I was getting at before: why are the Greens pushing a policy that they know is wrong? Why are they putting up glue posters everywhere saying ‘Rent freeze now’ when all the evidence – including real-world evidence and real experience that has happened around the world and in Australia – every single economist, all the experts and industry associations and people that invest in property to make it available have all said that it is the wrong move? Why do they keep pushing this policy? And then I see them pushing this cost-of-living campaign, and their solution is actually price controls like in Venezuela, which as we know will lead to shortages of food. What is the reason? I had a real think about it, and then I had a look at a lot of the election results and saw a massive eating up of the Greens vote by the Victorian Socialists party. So I think the Greens have made a calculation – I think the wrong one – that they must go even further to the radical extreme fringe left, the soviet left, in order to counter their base on their left flank, because let us face it, the Greens are not the old protest party. The Greens are an establishment political party that are facing a fight from their left flank, so to face off their fight they need to go even further to the left, even though they know in their heart of hearts all those policies have devastating outcomes. We know from real-world experience of price controls as well that that would lead to devastating outcomes for poor people.

The people who will suffer the most under these kinds of policies are younger people and my generation, residents that live in the inner city in places like Brunswick, Northcote and Richmond. I know this because I myself have been a renter in Abbotsford. I know what it is like going into a rental inspection, bidding against 10 or 15 other people and thinking that you are going to get it, over and over again, but you do not. And that is heartbreaking, but I want to see those queues shorter. What I really care about is looking after those people in those rental queues. This bill from the Greens does absolutely nothing to assist the people in those queues – absolutely nothing. What would a rent freeze do for people trying to get into a rental? As I said, it will make the queue absolutely longer – like the breadlines that would result from their price control campaign. It would make the queues longer, because people would get out of their investments, people would turn it into other uses and people would not look for flatmates. We know from the international evidence, the real-world evidence, that that is what actually happens under rent controls: if someone moves out, they do not get a new flatmate.

What we want to see is more supply, but as I was saying earlier, anytime we get a sensible development for more supply the Greens political party knock it back. We see it all the time. We definitely see it at Banyule City Council, where they have got a Greens mayor. We see it at Yarra. We see it absolutely everywhere, and we have seen it over the years. To be honest we see it from the media as well. And I am very glad the *Age* newspaper has now editorialised in favour of more supply, because as my colleague Mr Limbrick would know, the *Age* newspaper has been the chief campaigner for nimbyism for decades – any angry photo of some people with green placards and grey hair looking grumpy outside of a development and the *Age* was there to swoop in and chuck it on the front page. With the policies being espoused now by the government, had they been done under Matthew Guy, there would have been sanctimonious outrage.

We see a massive development around Abbotsford of really, really suitable rentals, which has actually made rentals lower there. Back then you had the Greens pushing back against it, you had the *Age* pushing back against it and you had a whole bunch of people pushing back against it, implying there were dodgy things going on, with no evidence. But what we see with the supply particularly around Victoria Street near Victoria Gardens is that rents are actually lower there than most other places of similar proximity to the CBD, because there is more supply. We know that more supply leads to lower rents, more investment leads to lower rents, whereas rent freezes reduce the supply, reduce investment in the market and only help people that are already in there and do nothing for those people that get handed out little Greens cards about rent freezes who are lining up around the corner of rental inspections. I think this is a cynical policy, and I urge the house to reject this bill.

**David LIMBRICK** (South-Eastern Metropolitan) (11:05): It was the great economist Milton Friedman who said:

One of the great mistakes is to judge policies and programs by their intentions rather than their results.

This is a clear case of that. As surely as night follows day, shortages follow price controls or price caps, and that is exactly what we see here. In the last sitting week of Parliament the Greens were arguing for price controls on food, which of course would result in food shortages or lack of food even being able to be produced, as we have seen in Venezuela, Argentina, the Soviet Union – many of these places. But now we see they are proposing price caps on housing. Of course shortages in this context mean homelessness. What the Greens are proposing is a plan for homelessness.

I do not often have nice things to say about the government, but I will say this about the current state government and the federal government: they have both openly resisted and pushed back against the idea of price caps. I think the Treasurer himself rubbished the idea and spoke about market mechanisms, which I was very happy with. I will say this: the Labor government has not fallen for this extremist idea of central planning and price controls, which is a good thing. As Mr Mulholland eloquently articulated, what reduces prices is more supply. If we want more supply, one thing that we do not do is what is proposed by this bill, and I will quote from the bill itself:

... if the rented premises has not previously been let, or has not been let on or after 1 January 2021 –

the rent will be –

... no greater than 10% more than the median rent determined by the Director under section 41F for the postcode area and type of the rented premises ...

Who on earth is going to build a new house or new apartment that is able to be rented when the rent on that apartment will not be determined by what the market can bear? It will be determined by some bureaucrat who will just take the median price in an area, which is crazy in itself. Can you imagine taking the median price in South Yarra, for example, and then trying to apply that to a cheap apartment that someone was trying to build? It is an absolutely crazy idea.

As has been stated by others, it is not like it is a new idea. This is not something that has not been tried around the world. It has been tried with catastrophic consequences – San Francisco, for heaven's sake. If you want to see how terrible this policy is, look at what is happening in San Francisco right now. Homelessness is absolutely out of control. It is because people do not want to invest in housing because of these controls. Other places like New York and places such as Paris have ended up with decreased supply through rent controls. In Sweden there are chronic housing shortages; in Berlin, the same thing. We have many places throughout the world to look at already.

I will say this: the government at least acknowledges that the problem is supply. I know that the government has spoken about making more streamlined planning controls. I very much look forward to seeing what the government is doing in this space, because I would like to see much easier planning controls. The Greens constantly talk about how they want housing, and yet when was the last time they did anything other than attack developers, the people that build houses? These are the people that build houses, and they are the bad guys. This is absolutely crazy.

I will say this: I commend the government for resisting this craziness. What the Greens are proposing is a recipe for homelessness, just like their policies on groceries are a recipe for food shortages. We have seen this in history, we have seen it throughout the world. This is a terrible plan.

**Jacinta ERMACORA** (Western Victoria) (11:10): The issue of housing affordability and housing supply is definitely a significant challenge in this country. We know that Labor is the only party in a position to take practical action on this issue. I want to acknowledge two prior contributions, from Mr Limbrick and Mr Mulholland – very informative and a very good debate on this topic.

Rental stress and financial stress within households are on the rise, and we continue to face the homelessness challenge. This has not happened in isolation. Housing prices have risen as have interest rates at the same time. The Grattan Institute – and I acknowledge the reading that my colleagues have done; I too have done some reading – have pointed out in their submission to the Productivity Commission review of March 2022 titled *The National Housing and Homelessness Agreement Needs Urgent Repair*:

... housing costs would have risen less if more housing had been built. Australia has not built enough housing to meet the needs of the growing population. Australian cities are not delivering the best mix of housing location and density, given what people would prefer.

This comes to the crux of the matter. We need more housing stock, and the Allan Labor government is taking action on this challenge. The best thing we can do to make rental properties more affordable for Victorians is build more of them.

We also know that everyone deserves the chance to have a safe, secure and affordable home, whether they own it or not. This government has a track record of standing up for Victorian renters. We have introduced 130 reforms to make renting fairer. Victoria has the strongest rental protections in the country, but when it comes to protecting renters' rights, there is always more work to do to make sure renters get a fair deal. That is why this government has worked hard to expand and protect renters' rights, with more than 130 reforms already in place. Through our landmark housing statement this government will make renting fairer by restricting rent increases between successive fixed-term rental agreements, banning all types of rental bidding, protecting renters' personal information and extending notice-of-rent-increase and notice-to-vacate periods to 90 days. This was a bit of a cyclic scam used by owners, in a way, where the notice to vacate was used as a mechanism to increase rent. That now is prevented. We are holding agents and property managers accountable by introducing mandatory training and licensing for industry professionals and introducing tougher penalties for real estate agents and sellers who break the law. We are also supporting renters in need by delivering a rental stress support package, establishing rental dispute resolution Victoria and introducing a portable rental bond scheme.

These initiatives are in addition to our \$5.3 billion Big Housing Build and our housing statement target to build 800,000 new homes across the state over the next 10 years, because when you have more homes they will be more affordable. As Kos Samaras of the RedBridge Group commented in the *Saturday Paper* on 12 August 2023:

... the Victorian government deserves credit for implementing significant reform to tenants' rights in 2017, for a cohort that was largely invisible in politics. Six years ago, their reforms were scoffed at by their political opponents and some in the media. These reforms were ahead of their time, taking bold steps towards addressing the many ailments afflicting renters in Victoria.

We have succeeded in empowering renters to make modifications to their rental properties – to put up a painting or build some shelves without being policed. Victorians no longer have to make that difficult choice between keeping their pet or securing a rental property. And these reforms have importantly set minimum standards to enhance the safety and energy efficiency of rental housing. These reforms ultimately benefit renters yet are also good for landlords, who know their properties are both safer and more sustainable.

The 130 reforms have been bolstered through our landmark housing statement. They have made the rental process fairer. We have established rental minimum standards, and the Allan government is holding agents accountable. This government recognises the critical role their profession plays. Their understanding of their obligations and provision of accurate information and advice will be improved with ongoing training and licensing for industry professionals. These reforms are helping with the rental crisis and subsequent rental stress Victorians are feeling.

The rent freeze idea is really just a sound bite, however thoughtful, and not a long-term policy. It may offer some temporary, short-term relief, but it does not have a track record of success. There are many

examples of rent control attempts or trials failing or falling into pitfalls with changing administrative laws around the world. A current example of this is cited in the *Guardian* on 14 September 2023.

**Evan Mulholland** interjected.

**Jacinta ERMACORA:** I didn't hear you say that one. Did you come up with that one as well? It says:

A loophole in Scotland's temporary rent controls has seen private landlords raise rents for new tenancies more than anywhere else in the UK, data reveals.

The slogan used by the Greens to have a rent freeze is a sound grab with no empirical evidence. Evidence around the world is unconvincing at best. It is populist politics and an easy thing to say, but let us face it, at the end of the day our housing crisis comes down to the fact that as long as housing stock is low, housing prices and rental prices will stay high. This is to do with demand and supply.

The challenge is particularly significant in regional Victoria, and that is why I am so proud of the Allan Labor government's Regional Housing Fund. The Allan Labor government is investing \$1 billion in the Regional Housing Fund to deliver more than 1300 social and affordable homes across the regions for Victorians who need them most. In addition to that, there is the \$150 million Regional Worker Accommodation Fund. This government has committed to working with councils, regional partnerships and local communities to determine the right mix of stock and locations for each region. In my region in the south-west councils are already being proactive and implementing real solutions instead of depending on populist politics. Moyne shire have been incredibly proactive, building key worker accommodation on their council caravan lands. Well built and available as a tourism option when the current pressures ease, these cabins have been an outstanding success. As the *Standard* reported on 14 February 2023:

Moyne Shire Council's worker housing schemes are proving enormously popular as the regional rental crisis continues to bite.

... its worker cabins and Work and Play program have helped scores of workers move to the region.

When it comes to regional labour shortages, as I say, there are always pyjamas involved. It is not a matter of driving from one suburb to another to get to a job. When you get a job in regional Victoria and it is not where you live, you have to move. You have to pack a suitcase to do that. So accommodation is inextricably linked with the ability of the economy to grow and continue to tick along in regional communities. Cabins in both Koroit and Mortlake have been fully booked, meaning the council is able to support businesses right across the shire. I congratulate Moyne shire for their initiative, and I hope that this can be expanded across the state. It is a great idea and should be followed.

This also frees up housing stock for families needing to rent and contributes to an increase in the supply of housing – a practical initiative that is actually happening and that increases supply. I recently travelled to Yarriambiack shire in the Lowan electorate and was so impressed by the work their council is doing. They are building housing units for older people, particularly women. These women are in Murtoa, for example, living in three- and four-bedroom houses and wanting to downsize, but there are no smaller properties available. Again, this is a terrific initiative, and as the *Weekly Advertiser* reported on 4 October:

The Wimmera is set to reap the rewards ... that will see elderly people stay living in the community, while bringing skilled workers and young families to the region ...

because they will then be able to access the three-bedroom family-sized homes that the older people vacate.

These are tangible actions initiated by local government and supported by the Allan Labor government. This is how it gets done in a practical way. There is much more, such as the \$26.5 million over the next four years for agencies to increase access to housing and homelessness support for people across Victoria. The Allan Labor government is the only party that is in a position to take action on

these issues, fixing housing affordability for families, singles, the elderly and young people. There is more work to be done, for sure, but empty policies such as freezing rents should be seen for what they are – an easy sell that makes the Greens look good but is no practical solution for Victoria’s housing supply and certainly does not impact the lives of Victorians.

**Joe McCracken** (Western Victoria) (11:23): I rise to speak on this bill. I recognise the intent to solve a problem, the problem being that rent is unaffordable. I am just not sure that this is the right solution for that problem. The bill aims to amend the Residential Tenancies Act 1997 to prevent excessive rent increases and evictions; introduce a two-year rent freeze period starting on the day after the bill receives royal assent; limit the rate of rent increases after the rent freeze to 2 per cent for a period of two years unless there are exceptional circumstances, such as capital improvements or approval by the director of Consumer Affairs Victoria or the tribunal; prohibit residential rent providers from giving renters notice to vacate because a fixed-term residential rental agreement has ended; and give renters more rights to challenge excessive rent proposals. It also empowers the director of consumer affairs to determine median rents for different postcode areas and types of premises and to approve or refuse applications for rent increases above the median rent.

I do make the point as well that we are currently in the process of an inquiry which is looking into rental and housing affordability. That inquiry has finished the hearings stage but it has not gone into the deliberation stage yet, and I would just lightly make the point that the outcomes of that inquiry have not been, obviously, determined and released. This bill does in a sense pre-empt that, and we would hope that maybe once the inquiry is completed we might be able to see the full suite of recommendations and then consider the options from there.

I do actually sit on that inquiry, as well as a number of my colleagues from the Greens and across the chamber as well, and there has been quite a significant amount of evidence, so I do want to touch on the evidence that has been given today. A couple of points that I want to make more broadly, though: rent caps might be helpful in the short term. I acknowledge that they might be a short-term fix, but I do have a question over the longer term benefit, or perhaps otherwise, to the market in terms of the impact on the supply side of things and perhaps the rental supply from people going into that market. I guess the real challenge is incentivising supply in the market to ensure there is a market-based solution free from distortion. While I have a lot of sympathy with the Greens, who have brought this to the chamber today – I am trying to recognise that there is actually an issue; I agree with you that there is actually an issue – I am not necessarily sure that this is the best solution that might result in an outcome which everyone might desire. But I respect that you are bringing it forward, and I understand what you are trying to do.

Some of the evidence that we heard at the inquiry – I will just talk through a few of the different hearings that we had. We heard from a number of renters, and they had a discussion about a number of factors present within the rental market. Of concern were a number of different things, actually, relating to disputes and how they are resolved. Some talked about the significant backlog at VCAT, which is quite cumbersome, along with the challenges associated with navigating Consumer Affairs Victoria, particularly with notices of complaints, notices of breaches and those sorts of things.

We heard from local councils, and there were a number of points that were raised. One of the more consistent messages that I heard coming through was about the challenges associated with planning schemes, particularly in the sense of allowing more supply to come on line. We heard evidence that sometimes it can take over two years just for a relatively simple planning scheme amendment to go through the system and enable more land to come onto the market, which obviously increases supply. I guess that in itself is a significant factor in reducing the ability of the market to provide more housing at a point in time when it needs to.

We did hear some models that were considered, particularly from Assemble homes and Nightingale homes, and I have since met with Assemble homes. I went to their pilot program in Kensington. It was actually quite remarkable. They have a program which is called ‘Build to rent to buy’, and they support

people in that program. They have a fixed cost of rent over a five-year period per se, and at the end of that five-year period you get the option to buy the property, but if you do not want to, you do not have to. Throughout that five-year period there is support given in terms of financial counselling to reach that goal of purchasing the home if you wish. That is a pretty good model, I think, and maybe something to consider as a way forward, but again I would not want to pre-empt the outcome of the inquiry.

There were a number of groups, such as the Council of Single Mothers and their Children, the Council of the Aged and the student union, that all cited that rental increases are challenging for their respective members and their participants – and no doubt they are. It is a real challenge. I am a renter myself; I understand exactly what that is like.

We also heard from estate agents, who gave evidence that the 2021 rental laws have had a significant impact on reducing supply in the market. We also heard evidence that, despite what some might assert, rent does in fact go up and down. There have been periods of when that has happened more often than not, but it does actually go up and down. When asked about the impact of rental control, the evidence given – and I quote from rental property agents – was that it would be ‘the final nail in the coffin’. When probed on this evidence, it was revealed that rental providers would have even less control over the property that they are putting into the rental market and that rental control might force people to leave the market, therefore reducing supply. This might have an even more detrimental impact on the price of housing, which is in effect rent, so that is what we are talking about in terms of a rent cap. Short term, you might have a benefit, but long term there might be challenges.

The Real Estate Institute of Victoria gave evidence that was very similar. They talked about densification as well, and so that basically means that you have more, denser property closer to infrastructure like public transport, which means you can get more bang for your buck out of the existing infrastructure.

The Property Investors Council gave evidence. They provided a significant amount of data and reports and statistics suggesting that rent caps and controls would be ‘catastrophic’ and would reduce investor demand. It would also drive supply away from the market. They looked at a whole heap of different jurisdictions as well, and they cited the ACT, which also have rent caps there – the highest rental market in the country. So I guess renters end up paying the price for that.

We also heard from the Grattan Institute and the Centre for Independent Studies. Both cited planning as a really big concern and the need to densify, and they also indicated that any rent control or rent cap would probably cause more harm than good to the market.

We also heard evidence from a Swinburne professor who highlighted a number of different issues but noted that the government’s target of 800,000 houses in 10 years was ‘pie in the sky’, which means it is not really deliverable, which means that the private sector is going to have to fill some of the gap. What that gap looks like – well, it is unclear at the moment, because we do not know how many houses of the 80,000 a year are going to actually be delivered.

We also heard from another group, YIMBY, which is ‘Yes In My Backyard’, who are again advocates for densification, particularly in areas with good infrastructure – that is, again, schools, transport links and those sorts of things.

I will finish up there, and I note that the intent behind this is to help people that are finding it really difficult in the rental market. I really understand and appreciate that. It is a big challenge. I just worry that the solution has been jumped to before the outcome of the inquiry has been released. The report has not been written; deliberations have not been gone through. It is a big challenge for renters and rental providers to come to some sort of equilibrium about what is acceptable and what might be challenging, and I am not sure that long term this bill goes to reach that. Again, I do not want to demonise the people like you guys that have brought this forward, because I understand that the intent that you are trying to achieve is not necessarily bad. I just think that this is probably not the right

solution for the problem that is there. So for what that is worth, I at least commend you for raising the issue, and I hope that more broadly we can have the discussion once the inquiry report is released about how this state really does address affordable housing. You know, people in my generation and many others around here as well – Mr McIntosh probably does not need that support. Facetious, I know, but it is a real issue, and I think it does need addressing. But as I say, I am just not sure this is the right solution.

**Sarah MANSFIELD** (Western Victoria) (11:34): I would just like to go to a question that was I think put to us by the opposition, which is: why are we doing this? Because we are listening to our community. And I really acknowledge the distress that these debates can cause for some people, and we have heard and seen that in the chamber today. And I just want to recognise those people who are really struggling at the moment with cost-of-living pressures. I know this is a really difficult subject. We have around a third of Victorians who are renters, and a growing number of them are doing it really tough. Unlimited rent hikes and rents that are rising faster than people's wages are forcing people into record levels of housing stress, homelessness and poverty, and that is what we are talking about. Successive Victorian and federal governments have doggedly pursued policies that have turned housing into a commodity whilst simultaneously failing to invest in public housing. Housing, widely considered as a fundamental human right, has been repackaged as an investment, with special treatment given to property developers and investors who are motivated by profit. While this has certainly benefited some, it has also led to the worst rental crisis we have seen in decades for millions of Australians.

We should keep increasing supply, particularly supply of public housing, but it is interesting hearing Mr Mulholland speak about planning roadblocks hindering development, particularly when the Victorian Liberals took to the last election a policy of restricting housing development subdivisions and preserving local identity through neighbourhood residential zones. Maybe this is another example of a Liberal being able to hold two ideas in their head at once. Meanwhile, the highest increases in housing density since 2011 have been in councils with greater Greens representation. The most Greens council, Yarra, approves 99 per cent of applications. But supply will always lag demand as developers will not build or release properties unless there is a profit to be made. It also does nothing to help the people who are struggling to keep a roof over their head right now.

The Greens believe that to protect those renters from the enduring stress and uncertainty of unlimited rent increases we urgently need rent controls and are calling for a two-year rent freeze followed by ongoing caps on rents. This is not, despite what we are being told, a radical idea. Many places around the world have rent controls that coexist with a healthy housing market. Combined with strong tenant protections and not-for-profit housing construction, the housing market can in fact operate in line with the public interest. Scotland froze rents for 12 months in 2022 and now has an ongoing cap of 3 per cent. Germany has a nationwide cap based on size, location and quality of the property. Certain properties in New York have a permanent freeze on rent increases. There is a 2 per cent cap in rent pressure zones in Ireland. In China urban areas have a 5 per cent cap. Denmark introduced a new 4 per cent cap after an inflation-linked cap saw rents rise too fast. And here in Australia the ACT links rent caps to inflation. The sky did not fall in there; investors continue to enter the market, and even the Real Estate Institute of the Australian Capital Territory has said that rent caps are fine.

This Labor government refuses to acknowledge the evidence available to us and instead has developed a housing policy that fails to disrupt the fundamental driver of the housing crisis: the financialisation of housing as a primary asset. Their policy fails to recognise the urgent need to shift the balance of power between landlords, real estate agents and tenants. The Greens' Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023 aims to do just this by providing greater predictability and stability for people who rent.

Just like the emergency measures act, this bill responds to an unprecedented public emergency – the current rental and housing crisis. The amendments contained in the bill are absolutely necessary to counteract the significant economic and social impacts we are seeing from the housing crisis.

Everywhere we turn in our communities we are hearing it and seeing it – the growing number of people who are experiencing homelessness, people and families falling deeper into poverty, the increased number of people seeking food relief. We can do something about it, and we must. The right to housing is more than simply a right to shelter. The International Covenant on Economic, Social and Cultural Rights clearly states that it is a right to have somewhere to live that is adequate. Whether housing is adequate depends on a whole range of factors, including affordability and security. How can we think that rent controls are asking for too much when all they would do is help people have somewhere adequate to live?

We understand that many people are struggling with the cost of living, not just renters, and that is why there are other initiatives we are pushing for at the state and federal levels that would bring down inflation and help mortgagors, first home buyers and those who depend on rental income. However, the Greens are especially focused on ensuring that the increasing cohort of people who are at risk of homelessness are protected from the rising cost of living to make sure that everyone has their basic needs met. These people are largely renters. Beyond the risk of homelessness, research shows that housing affordability is a key factor in a person's health and wellbeing. When a significant proportion of income is absorbed by higher rents, there is simply less capacity for money to be spent on food, let alone healthy food, and things like health care. Housing insecurity is a uniquely stressful situation, something I saw increasingly frequently while working as a GP. People would come in with anxiety and ask for a mental health care plan, but the driver of their anxiety was not knowing how they were going to pay their next rental instalment. What they needed was stable housing, not a mental health care plan.

I have also heard from regional communities in my electorate who are seriously impacted by the rising cost of their rentals. Many regional areas are experiencing rapid population growth. Rising rents were already occurring pre pandemic, but the pandemic caused a dramatic and historic rise in rents, hitting a peak in 2021. While the exodus from the city to regional Victoria has certainly slowed, rents continue to rise at above-average rates in regional areas. In Warrnambool, for example, rental costs have risen by 36.4 per cent over the past five years.

Some will argue that if a person cannot afford a rent rise, they have the option of moving to a cheaper rental property. This is problematic for several reasons. Firstly, the costs of moving can be significant and create financial stress in and of themselves, especially for those who are on lower incomes and who do not have savings to fall back on, not to mention the stress and the inconvenience of having to move, and this is cumulative each time you have to move because of a rent increase. Secondly, and perhaps more importantly – and this goes to some of the arguments we have heard from both sides today – there needs to actually be an affordable rental to move into.

Regional Victoria has some of the tightest rental markets in the country. The Surf Coast shire has a current vacancy rate of 0.45 per cent and at times during the past few years has had a vacancy rate of zero. Warrnambool has a vacancy rate of 0.53 per cent, and Loddon shire has a vacancy rate of 0.02 per cent. Those who argue that capping rents will just worsen the availability of rentals as people will not have as much incentive to move fail to recognise that most people do not want to have to move regularly. In any case, a substantial increase in rent in an environment where there is limited rental availability means that they cannot just move to a cheaper rental in the neighbourhood, because they simply do not exist. In regional areas rent rises are forcing people to move to completely different towns to find housing. This dislocates people from their communities where they may have work, school, carers, families and friends. It is heartbreaking. It is not how we build thriving communities and keep people connected to the areas they love and the people they care about.

The argument against capping rents on the basis of inefficient allocation of rentals also assumes that housing is currently optimally allocated, with everyone living in housing that is the right size and location to meet their needs, and that prices help to drive this efficient allocation. However, the type and location of a property that someone rents are largely a function of their ability to pay and what is actually available, not their needs. Housing is generally not a discretionary spend. Importantly, it fails



to put a value on stability and security of housing, something that is worth so much for people but has been completely overlooked in the economic arguments that have been put forward by all sides today. It is something that rent controls can provide. Rent controls have widespread community support. Different forms and names have been used to argue for their use, including a fairness test, rent stabilisation measures and rent caps, but the core concept is the same: that it is reasonable to place a limit on how much rents can rise by. This rental crisis is solvable, and we have tools at our disposal right now to help better protect renters and those most at risk of homelessness. We can and we must act now.

**Ryan BATCHELOR** (Southern Metropolitan) (11:44): I am very pleased to rise and contribute to the debate today on a really significant topic that it is fitting that this chamber is debating. It is obviously a topic, the state of the rental market, that is of great concern to many people, to those in our communities, particularly in my community across Southern Metropolitan Melbourne, who are renting. More broadly, the issues affecting the rental system are symptomatic and part of a bigger problem that exists right across our housing system. There is no doubt that not only is there a rental crisis but there is a housing crisis in our community. What is beholden upon us as members of Parliament is that we both acknowledge that and take action to address it, and that is exactly what the Labor government is doing – taking action to do what we can to fix the housing crisis in our community.

One of the most significant policy documents that the state government has released in recent times is our landmark housing statement, which was released by the former Premier just before he announced his retirement from that job. We will set an agenda for housing reform that will fundamentally, hopefully, improve the way housing works across the state, obviously doing what we can as a state government with the levers that are at our disposal to help address these issues. There are many policy elements to that housing statement that will help address the housing crisis. We as a state government do not control all of those levers, but the ones that we do we are trying to use and to pull.

What I want to do in today's contribution, particularly in relation to the private members bill that has been introduced, is to focus on our rental system, what is required in that area to make changes that will benefit renters and what we can do as a state government with the tools at our disposal to fix the rental crisis and to fix the housing crisis. In making that kind of assessment about what is available to us and looking at the vast amount of literature, of evidence, that is before us I am not convinced that the measures articulated in this private members bill are the ones that we need to be putting in place right now to both fix the rental crisis and fix the housing crisis. This has become a wicked policy problem, but I think there are more sensible solutions that we can address than the ones proposed today, because we do need to have a suite of reforms that fundamentally improve the way our rental system operates.

We need solutions, not slogans, to help fix the rental crisis here in Victoria. We know that in 2023 the reality is that more and more Australians are unable to afford to buy their own home and therefore the share of households that are in the private rental market for longer continues to grow, so we need to make sure that the rental laws that we have and the structure of our rental system are designed to accommodate their needs and protect their interests not for what occurred perhaps more in the past, for a shorter period of time, but increasingly for what is a longer period of time.

One of the issues that we have got is that the nature and structure of the landlord sector are not as professionalised and at scale as they are in other jurisdictions – I will come to that – and the importance of getting more institutional landlords into the renting sector. I want to refer to what I think is quite an exceptional piece of analysis by Per Capita. In 2023 their report from the Centre for Equitable Housing found that the instability and insecurity of Australia's residential rental market is in part, and I think in substantial part, caused by the way that Commonwealth tax incentives work and particularly the way that the capital gains tax discount as it applies to residential property interacts with the negative gearing regime to create systems that, for investment in residential property, encourage investors to invest in rental properties in the pursuit of medium-term concessional tax capital gains as opposed to what

would be a reasonable rate of return over a longer period of time. One of the things that this means is that some landlords, because of the small nature of their investment base and their capital base, really do not have access to the funds that they need to be able to do the work to keep the rental properties that they own up to important standards. It is the pursuit of capital gain over short to medium time frames rather than a long-term investment in quality homes that can be rented out for long periods of time that I think is one of the real drivers of what not only is a crisis of cost in rental properties, in our rental system, but also amounts to a crisis of quality. I think both of those elements are things that we need to be thinking about when looking at our analysis of what it is that we need to do to fix the rental crisis here. In saying that, however, we do understand that it is a complex area of public policy and there are a variety of causal linkages that apply between different policy levers that we could employ and different policy settings that exist at a Commonwealth and a state level.

We know that 71 per cent of landlords in Australia just own a single rental property, largely non-professional investors taking advantage of elements of tax concessions to achieve returns on their investment. What that means is that there is a lack of appropriate professionalising as a landlord, that there is an over-reliance on day-to-day property managers, many of whom do not have and do not exhibit the necessary skills, I suppose is a nice way of putting it, to be thinking about how we ensure that the properties that we are renting out are at a standard that we think is acceptable for people to live in and that will be sustainable over a longer period of time. That partly comes down to an assessment of how people assess and view the properties that they have, whether they view them as a short-term investment that they are trying to realise a short-term capital gain from or whether they are trying to have a longer term secure investment with tenants that are in properties for five, 10 or more years. That element of how landlords operate and the ways that agents and property managers operate is a significant driver. Both the incentives that they are trying to pursue and the kind of care that they are providing are real reasons why we have got this crisis of both cost and quality in our rental market.

One of the things that we can do as a government to try and fix that problem, noting that as a state we do not have control of those Commonwealth tax concession levers, is increase the amount of buildings that are purposely being built to rent so that more rental housing is coming into the rental system that is specifically designed and owned to enhance and improve rental security for tenants, the quality and livability of the dwellings that are available, but also that incentivises both long-term leases being offered to those tenants and professional institutional landlords to maintain those properties over time so that they are as good in year 15 of ownership as they were in year 1 of ownership. This gives a better quality experience for the tenants, and with security and longevity of tenancy things like rental churn and the impact of rental churn on price rises are diminished, offset and subdued. What it allows tenants to do through longer term leases in these kinds of developments is to put down roots and connect and have a greater sense of community. There is a great example of this in Southern Metropolitan Region in Caulfield. A build-to-rent apartment building opened its doors last November. It has a range of properties available for long-term tenancies, from studios to three bedrooms across the eight-level building, and it is bringing together a mix of people who are interested in security of tenure but also variety of dwelling sites. We have got young singles, families and couples in their 80s all living together in a long-term build-to-rent tenancy.

These sorts of new developments are the things that will help shift the dial on the nature and structure of the rental system because they are changing the available rental stock. They are putting better rental stock into the renting system and giving people greater choice and more options, which should mean that people are not forced into places that are really not fit for them and are not forced into accepting and paying higher and higher rents.

But to protect those renters who are in that circumstance the Labor government has introduced around 130 reforms to make renting fairer in this state. One of the key things that that reform package is seeking to do is improve the minimum standards that exist in all rental properties here. It both empowers tenants to make changes to make their rentals more like a home – with minor modifications et cetera – and gives them more security, like removing no-reason notices to vacate. The new set of

laws also looks at limiting the ability to increase rents after notices to vacate are issued. We have also got Consumer Affairs Victoria as a watchdog that can do more, should do more and is doing more to investigate landlords who engage in systematic or deliberate breaches of these standards, to take action where appropriate and also to take action against property agents who are essentially putting up images of rental properties that do not reflect the actual condition of the properties.

Those are the sorts of things that the government is doing to protect renters rights. It is an exceptionally comprehensive package of measures that we legislated in 2021, leading the nation, and then took further with our package of renters rights here in Victoria to improve the quality of those homes and security for the tenants who are in them and also to do what we can to reduce exploitation in the market and ensure that renters are not left facing no choice but to pay more. Providing them with more support and more choices should put downward pressure on the rental market. That is my contribution today.

**Lee TARLAMIS** (South-Eastern Metropolitan) (11:59): I move:

That debate on this bill be adjourned until later this day.

**Motion agreed to and debate adjourned until later this day.**

**Business interrupted pursuant to sessional orders.**

*Questions without notice and ministers statements*

**Animal welfare**

**Georgie PURCELL** (Northern Victoria) (12:00): (328) My question is for the Minister for Racing in the other place. Last week Tasmania's top greyhound trainer was banned for life following evidence of live baiting. The ban includes owning, racing or nominating any greyhound, yet a number of registered Victorian dogs remain at his property. Will the minister ensure these dogs at his dilapidated property are brought home to safety, just like my office did for Graham Cracker, who he also trained?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:00): I thank Ms Purcell for her interest and her passion on this matter. What I will do is pass on that question to the Minister for Racing in the other place, and I am sure he will provide a response in line with the standing orders.

**Georgie PURCELL** (Northern Victoria) (12:01): Thank you, Minister, for referring on my question. The living conditions for animals at this trainer's property and in his care are insufficient, with dogs freezing and living in squalor, yet the racing industry has advised my office it is up to individual owners to secure the safety of their dogs. This is a completely unacceptable response in an animal welfare emergency from an industry that claims to care about the animals they rely on to operate. Has the minister or his office engaged with the registered owners of these Victorian dogs to help ensure their safety?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:01): I thank Ms Purcell for her supplementary question. In line with the standing orders I will also pass that on to the minister in the other place and request a written response in line with the standing orders.

**Victoria Police**

**Georgie CROZIER** (Southern Metropolitan) (12:01): (329) My question is to the Attorney-General. Attorney, in reports today Victoria Police deputy commissioner Neil Paterson acknowledged that Victoria Police has no power to act on many antisemitic behaviours at anti-Israel protests and more broadly in the community. Community leaders have expressed fundamental concern at the approach, with one saying that:

... we should not wait for someone to be violently beaten or killed before police officers step in ...

Does the Attorney believe that police have sufficient powers to keep the community safe?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:02): I thank Ms Crozier for her question, bearing in mind I think that the end of it was asking me for an opinion. But I am more than happy to have a conversation in relation to the issues that you have raised. I think the way you have phrased it is not necessarily the way that accurately reflects exactly the conversation that has been happening, but nonetheless your question stands.

Police powers in relation to dealing with community safety are strong. They have a range of options in relation to responding to inappropriate behaviour by a range of charges. It is very difficult in a protest environment, a rally environment, when your number one priority is to keep the community safe, to respond to perhaps an individual unless that individual is a major threat to community at the time. If you listen to the way police describe this, that is why they do not just rely on real-time responses to criminal activity. They can review CCTV, they can respond to complaints made by witnesses and they can conduct investigations after the event. It is very important that police, in a situation where there are a lot of people, are focused on the people that are in attendance and are part of a gathering or are people that just happen to be in the vicinity.

When it comes to a range of legal responses to inappropriate behaviour, such as a lot of the topics that we discuss in here regularly, we have just passed legislation, last sitting week, in relation to the Nazi salute, we have also passed legislation in relation to a range of Nazi hate symbols and we are undertaking further work to strengthen our anti-vilification laws, which will pick up some of the issues that you have posed in your question. That work is underway. It is incredibly complex crafting laws that respond to inappropriate behaviour in the community. It is also important that we have a community response and people call out that poor behaviour when they see it.

**Georgie CROZIER** (Southern Metropolitan) (12:04): Attorney, thank you for that response. Recently two dozen neo-Nazis wearing balaclavas and dressed head to toe in black boarded a train. They started intimidating passengers and even attempted to single out one they believed may have been Jewish. Again, Victoria Police had no power to act. So the question is, Attorney: have you met with the Chief Commissioner of Police to discuss those options that you mentioned or whether there needs to be a reintroduction of the move-on laws to ensure that all Victorians can be kept safe?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:05): Ms Crozier, you are conflating a number of issues. It is complex legal policy that we are undertaking in relation to updating the Racial and Religious Tolerance Act and looking at hate speech, incitement and those issues. In relation to move-on powers, police have a range of powers already under that framework, particularly where community safety is at risk. I meet regularly with the police commissioner. In my role as Attorney I have jurisdiction, I guess, over the majority of their powers, and that is something that I am in continual conversations about. So I think the answer to your question is yes, because it is part of the development of our anti-vilification legal framework that is well underway, and I would be very happy to brief you in relation to how that is going. I met with members of a mosque just this morning to give them an update in relation to the development of those laws, and I am more than happy to make myself available to other interested parties.

#### **Ministers statements: Commission for Children and Young People**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:06): I rise to inform the house of the release of the 2022–23 Commission for Children and Young People annual report earlier today. In doing so I thank the principal commissioner for children and young people Liana Buchanan and the commissioner for Aboriginal children and young people Meena Singh for their continued work and strong advocacy for at-risk children across Victoria. Since becoming the minister responsible for child protection and family services after the last election and now Minister for Children, I have appreciated the advice of both commissioners in how we can improve the lives of children and young people across Victoria. Their perspectives and intelligence have been invaluable.

As this house would be aware, we are continuing to improve the child safety, child protection and family services systems, and I thank the commissioners for acknowledging this work in their annual report. On page 10 the commissioners acknowledge that the government has demonstrated a genuine appetite for reform. This past year we have seen the Victorian government's major investment to improve residential care as well as funds to bolster support for care leavers and strengthen child protection's response to sexual exploitation. On page 17 they advise that:

We were heartened this year by the Victorian Government's recognition, through its \$548.4 million investment in the 2023–24 State Budget, of the urgent need to improve residential care. Responding to our findings in *In our own words*, the investment will see therapeutic supports being provided for all children in residential care and an increase in the availability of two- and three-bedroom residential care placements.

To remind the house, the 2023–24 state budget included an \$895 million investment to protect children and keep families together, building on the \$3.1 billion invested since the 2019–20 state budget. The 2023–24 budget included a record \$548 million towards delivering improved outcomes for children in residential care, including funding to ensure all children in residential care are supported to access therapeutic supports by 2025–26 – the biggest single investment in care services – and \$140 million to transform the children and family service system to reduce the over-representation of Aboriginal children, young people and families. This represents the largest ever single investment to continue and expand the Aboriginal-led service system.

#### Drug harm reduction

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:09): (330) My question is to the Minister for Mental Health. Fentanyl is already being detected on the streets of Melbourne, lacing drugs like heroin and cocaine. It is much more potent than heroin, and people who overdose with fentanyl have reportedly only around 3 minutes to be revived. We could be potentially about to see a huge increase in drug overdose deaths as fentanyl hits the streets. These are preventable deaths, but if someone is treated with naloxone, a drug that reverses opioid overdoses, their life can be saved. It is actually quite a safe drug. It is widely carried in the US because it is life-saving. It is like having a fire extinguisher or a defibrillator, easily accessible when it is needed. But right now people are finding it almost impossible to source naloxone due to supply issues and other barriers, some legislative, some regulatory, some being federal government, some state government. Minister, what is the state government doing to help improve access to and supply of naloxone in Melbourne?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:09): I thank Mr Puglielli for his question. This is an important area, and again it is important that we are looking at ways that we can minimise the impact of drug harm on Victorians. As members would be aware and probably recall, we did change the legislation in 2020 so that naloxone can be more readily available, and that is really about making sure that we have got other options available for treating overdose, including from fentanyl. Of course this particular treatment does reverse the effect of opioid drugs like heroin, morphine and fentanyl, and it can be administered quite easily through a nasal spray. It is well understood that it is also proven to be safe if you are not actually suffering from an opioid overdose and you get treated with it. There are a number of different benefits to using this as one of the measures, and that is why we legislated to make it more readily available. I am aware that there are some issues at the moment with global supply chains of this drug, so we have been working with the Commonwealth government on trying to open up those supply chains. The advice that I have got is that there was a shipment due to arrive in Australia around 12 October and it is in the process of being distributed to wholesalers. The department has advised me that they expect that full stock will be back in circulation later in November.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:12): I thank the minister for that response. Definitely something I am sure we can all agree on here is that no-one should be alone to die in the street when their death could have been prevented. Particularly hearing some notes around supply there was very useful, thank you. People who are most likely to come across an opioid overdose are caseworkers, police, other drug users and friends and family of drug users. If they were carrying

naloxone as a matter of course, countless overdoses could be avoided. Currently state government regulations mean that either the hoops to jump through to carry naloxone inhibit these people from accessing it or, quite simply, they are not even enabled to carry it, as I understand is currently the case with police. Minister, will the state government reform regulations that inhibit key community members from accessing and carrying naloxone?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:13): I thank Mr Puglielli for his supplementary question. That is not quite the advice that I have got on the ability for other authorised workers and other members of the community to be able to administer this drug, and that was one of the issues that was dealt with when we changed the legislation. The advice that I have got on that is that once those supply issues are resolved then the Department of Health expects to be immediately rolling out the take-home naloxone program, which does actually have a list of approved workers who are able to carry and administer this particular drug, and it includes the ability of carers, families or friends of people who use opioids to be able to administer naloxone as well.

### Parole eligibility

**Georgie CROZIER** (Southern Metropolitan) (12:14): (331) My question is again for the Attorney-General. Attorney, prior to the introduction of the opposition's private members bill in June 2023, the member for Mornington in the other place had met with the Frankston community as well as friends and families of Paul Denyer's victims. The member for Berwick had and continues to have substantial discussions with friends and family. The member for Lowan in the other place has also spoken with family and friends. When your government voted against this bill you stated that advice from the solicitor-general said the risk of successful challenges was too high to name Mr Denyer specifically. What specifically was that advice that caused the families to have to suffer further between June and now?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:15): Ms Crozier, this is not a competition around who is talking to victims and who is not. It is incumbent upon many members of Parliament to do so. If I was to correct the record perhaps in relation to meeting with victims, in relation to the private members bill that was introduced by the shadow corrections minister in June, on the morning of the debate in this place he had not met with the members of the Russell family. In fact he was meeting with them on the day of the debate. I wrote to Mr Battin, and I said to him that:

I am thus asking you defer consideration of your private member's bill this week, so that the families are given sufficient time to understand the options parliament can consider. Today would be best spent in direct discussions with the impacted family members rather than rushing this debate. I would be very happy to brief you on all of the work –

that we are –

... doing on this matter.

Ms Crozier, it is great that we have what is shaping up to be bipartisan support in relation to elements of the parole bill that I think has been introduced into the Assembly already. It will be here in the last sitting week. The Minister for Corrections has spent a lot of time crafting a package in consultation with the solicitor-general and in consultation with the families. I have sat in the lounge room of the Russell family three times to ensure that this is a suite of reforms that responds to their experience. I am on the record saying that I regret their experience. We could have done better. We should have done better. This package responds to that, and I look forward to the passage of that legislation this year.

**Georgie CROZIER** (Southern Metropolitan) (12:16): Attorney, I note that you did not specifically go to the crux of my question, so I ask: given you now state advice from the solicitor-general supports naming Mr Denyer specifically, will you release this new advice?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:17): Ms Crozier, when you are developing policy for government, when you are developing legislation, you regularly take legal advice from the solicitor-general or others. The solicitor-general provides legal advice, not policy advice. She does not craft bills. That is a function of government. In relation to the questions that she was asked and the advice that she provided, it informed the position that we came to. Of particular interest to me and to the Minister for Corrections was the validity of crafting a scheme that would provide a declaration of prisoners – the worst of the worst. We are talking serial killers, child murderers and murderers who also engage in sexual offending. Had we received advice that said that you could apply a period of longer than 10 years for those people, then that is something that would have featured as part of a package. But we were told that 10 years is probably, based on her legal advice, about how far you can go there, which is why we were drawn to: okay, this is a really good system, a really good reform, for the vast majority of people that have been impacted by a very serious offender of the category I referred to. However, we decided to, in addition to that, name Paul Denyer to ensure that it was – *(Time expired)*

#### Ministers statements: Mildura

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:18): I recently met with many people and organisations in Mildura. I went there to listen and to see firsthand how this government works in partnership with many communities in this region. Because this government listens and responds, we invest in culture and communities. We invest in education and so much more.

The Mildura Rural City Council gave me a great insight into two outstanding projects that have been delivered: the magnificent Mildura riverfront precinct and the recently opened Powerhouse facilities, where we invested \$6 million; and the innovative Light/State tourism project, which is an incredible program reflecting the unique environment and culture of the region. This could not have been achieved without the \$3 million investment from the Regional Tourism Infrastructure Fund. I was also able to meet with members of the Mallee regional partnership, where we spoke at length about supporting the economic growth of the region. From agriculture to tourism and research in the clean economy, the wealth of talent and productivity in the region is certainly powerful. We know that there is more work to be done, and we are committed to real collaboration.

It was also very important to me to meet with the First People of the Millewa–Mallee Aboriginal Corporation, where we discussed community and the deep focus on training and skills being embedded in their very impressive native seed bank program. I pay my deepest respects to our First Nations communities. There is one truth that we know to be self-evident: when First Nations Victorians thrive, we are all stronger for it.

I am looking forward to continuing the work that Minister Shing started in this area. Of course I will be working with the strong voices and the strong leaderships of all regional Victorians, and we will be working together to create greater prosperity, more jobs, improved social cohesion and a fairer Victoria.

#### Bushfire preparedness

**Joe McCRACKEN** (Western Victoria) (12:20): (332) My question is to the Minister for Emergency Services. Minister, in relation to the critically important aerial firefighting fleet in Victoria, what is the total volume of water that it can carry at capacity in this fire season, and how does that compare to last year?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:21): Thank you, Mr McCracken. Aerial firefighting fleet questions just keep coming, and I –

**Georgie Crozier:** For good reason.

**Jaclyn SYMES:** But there is not a good reason, because we have procured 51 firefighting aircraft to be positioned across the state. That is one more than last year. We have surge capacity of an additional 100 aircraft that can supplement this. It comes on progressively. It responds to risks. The experts determine where they are going to go, not me. I do not direct where they sit.

**A member** interjected.

**Jaclyn SYMES:** There are plenty of experts that obviously are trying to talk to you, but I rely on the experts that I have come to know and respect. I do not know where your experts are coming from, because they are at odds with my experts, but that seems to be the feature of this topic.

Mr McCracken, I will talk to you about something that made me appreciate the fact that the aerial fleet is only one element. It is a great support for our on-the-ground firefighters, but at the recent fires in Briagolong, where we had fires and then we had a lot of rain and then we had flood warnings, the amount of water from the sky that dropped on that fire was equivalent to thousands and thousands of return trips of a helicopter and still did not put the fire out. So what is the reliance or the expectation –

**Nicholas McGowan:** On a point of order, President, on a question of relevance, the volume of water that was pouring from the sky was not the subject of the member's question. It was with respect to the volume of water that the fire fleet would have this summer period.

**The PRESIDENT:** I have had a conversation with people who advise me, experts who advise me, around questions like this that drill into details to the litre, as to whether that poses a problem to the practices that we have and the standing orders. I will call the minister back to the question –

**Georgie Crozier:** On a point of order, President –

**Tom McIntosh:** How many gallons?

**Georgie Crozier:** That is a good question, Mr McIntosh. I think the point here, President, is that the minister has said there are 51 aerial –

**Harriet Shing** interjected.

**Georgie Crozier:** No, no. It goes to the point in relation to the question. It is about the capacity, so if the minister is saying there is X amount of aircraft, what is the capacity? If she does not know it, she can clearly take it on notice and come back and inform the house.

**The PRESIDENT:** The point that I was probably trying to get to is whether we want to get to a point where, with what would usually be asked in a question on notice, we are now in a realm where in questions without notice there is an expectation for a minister to know the actual litre capacity. The minister has answered that there are 51 aircraft, and I think that is as much as a reasonable person would expect the minister to actually know.

**Jaclyn SYMES:** Mr McGowan, my point in spelling out the fact that 150 millimetres of rain fell in one spot and still did not put the fire out is that it is an example of how a quantity of water is not the only thing that is a matter here. You can have the biggest plane that carries an MCG-sized container of water, but if it cannot get to where it needs to go then there is not much point. The point is having an agile fleet and having operability of the fleet. For example, we have got two large air tankers that have returned to Victoria. They carry a lot of water, but they are fast; it is good. You have got the air cranes; they are the Elvises, the orange ones. They are really cool. They have got what is called a snorkel – it is a backwards snorkel, but they call it a snorkel; it is really a straw – and it can go and suck water also from the ocean. The fact is if it could carry water but had to return to a dam then that is much more restrictive than being able to go to a fire that is on the coast. When we are talking about the ability of the fleet to respond to risk, it is about more than just how many litres. It is about where it is and what it can do. And I can assure you that you can ask all of these questions, down to the litre, at 1 pm today, because the experts will be in the building and you can ask them directly. You are all



invited to a briefing at 1 pm. I am sure you have been sent the invite. It is the attestation briefing. They will talk to you about all the preparations and all of the assets they have got for this coming season.

**Joe McCracken** (Western Victoria) (12:26): I guess the fact of the matter is that a lot of fires do not happen where it is convenient to be located; they happen in remote areas where quite often there is remote access and aeroplanes are the best way to get there. My question is: how many aircraft that operated in Victoria last year had their water capacity reduced in the fire season, and if so, why?

**Jaclyn Symes** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:27): Mr McCracken, my advice is that there is no reduction in capacity in relation to last year this year.

#### **E-cigarettes**

**Rachel Payne** (South-Eastern Metropolitan) (12:27): (333) My question is for the Minister for Mental Health Minister Stitt. The 2021 Unpacking Vaping in Schools study found that students took up vaping for a number of reasons, one being the belief that vapes reduce stress. We know of course vaping introduces a new generation of young people to nicotine, a highly addictive substance. Further research has suggested links between vaping and mental health issues, including anxiety, stress and depressive symptoms. Clearly there is a knowledge gap when it comes to the relationship between mental health and vaping, resulting in young people making an ill-informed choice to start vaping and opening themselves up to many risks. So my question is: what is the minister doing to ensure young people are educated on the impacts of vaping on their mental health?

**Ingrid Stitt** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:28): That is an excellent question, Ms Payne. There are a couple of things on this. In terms of the general order, the Minister for Health has responsibility for our vaping strategies, particularly when it comes to young people and the dangers and some of the unknowns of taking up that particular habit. The education minister also has obviously a focus on making sure that schools are supported to provide that education and support to young people so that we are minimising the uptake. But in relation to the mental health angle of this, it is something that I think we could probably have some further conversations about. It is not something I have been directly briefed on to date in my mental health portfolio, but I am very happy to take it on notice and see what information might be available through my department. But if it is something that sits with any of those other ministers, I can probably follow that up as well.

#### **Ministers statements: housing workforce**

**Harriet Shing** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:29): Although I could not make it, last week we had the public housing forum and workforce awards, and thank you to parliamentary secretary Katie Hall for attending. This was an opportunity to acknowledge and celebrate the outstanding dedication and commitment of our public housing workforce and the really positive, life-changing and client-based outcomes that they have achieved. While these awards celebrate individual achievements, success rarely happens without the participation and collaboration of many, and I want to acknowledge and give a shout-out to the collective efforts that happen every day to support programs that help some of the most marginalised and vulnerable people across the state.

These awards are not just about recognition; they are also an opportunity to share best practice experiences and hear from experts right across the housing sector. As we look forward to 2024, I am really excited about working with people across the sector to continue to deliver the Big Housing Build, which includes homes for Aboriginal Victorians, women and children escaping family violence and people living with a disability, addiction or mental illness. I am equally excited about the commitment to deliver at least 1300 social homes across the regional part of the state and the announcement to build more and better housing in metropolitan Melbourne.

I want to give a particular shout-out to Edinha Tchong from North Melbourne estate, who I met with last week, who received a certificate for outstanding performance and leadership. Edinha has been in the sector for 32 years. She has a client-based, resident-based approach to engagement which is absolutely extraordinary. Similarly, Nick Elmes, a field services officer at the Carlton housing office, using the GoodSAM app actually revived someone using a defibrillator and quite literally saved their life. These are two examples of the extraordinary workforce we have. Thank you to each and every single one of you.

### Fire services

**Nicholas McGOWAN** (North-Eastern Metropolitan) (12:31): (334) I am honoured to ask my first question in this place. My question is to the Minister for Emergency Services. Minister, you have stated that the average life of the current vehicles that they operate is in the order of 15-plus years – that is 50 per cent of them. Likewise, the CFA regions claim the average age of their fleet is now more than 26 years. Minister, how old are the FRV and CFA fire brigade fleets?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:32): Mr McGowan, I understand the theme of your question, but it is a bit difficult to answer, because there is not one single age when you are talking about a fleet, because it is exactly that: a collection of a range of vehicles for both CFA and FRV ranging from your heavy-duty pumpers down to your four-wheel drives and the like. I think what I would say is that both CFA and FRV have dedicated fleet management in relation to in-house mechanics. There is a regular maintenance regime to ensure that the safety of the vehicles and the appropriateness of the vehicles is maintained. The latest advice from the fire implementation monitor was that 90 per cent, I think, of the available fleet for FRV was in operation, and that is higher than the benchmark. I was recently –

*Members interjecting.*

**Jaclyn SYMES**: I do not know. I am just trying to answer your question; I will give you a flavour of everything. I was just outside of Ballarat recently, where we handed over 11 new big red trucks to a range of brigades in that region. Brigades like a new truck, and I get to hand over keys reasonably regularly. I have done Mansfield in recent times as well. In relation to FRV – and there has been a fair bit of conversation in relation to that – my latest advice from recent investments in FRV, which has come directly from FRV advice, is that they have recently delivered three combined rescue ladder platforms, and on order and in project stage are 12 heavy pumpers, four heavy rescues, three BA supports, two rehab units and an ultra-large pumper. So there are a range of vehicles going out. I know that brigades quite regularly use the VESEP grants to supplement their fundraising to ensure that they can get the equipment that they need. It is something that is well deserved. It helps them do their job properly. In relation to your specific question, I have given you a range of matters that you might choose to direct your supplementary question back to.

**Nicholas McGOWAN** (North-Eastern Metropolitan) (12:35): Can I thank the minister for her answer and in so doing also thank the good folk, the women and men, in FS01 Eastern Hill. After the last session I also managed to visit their facility and look at one of their trucks, which was 31 years of age, which in fact is older than some one or two or three members of this chamber, for the record, I note. My question, following up from the answer, thank you, Minister, is: with no substantial funds –

**Bev McArthur**: Well serviced.

**Nicholas McGOWAN**: Well serviced. Well serviced in this chamber. With no substantial funds allocated for fleet replacement in the last budget, what plan is there to upgrade and modernise Victoria's firefighting fleet?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:35): Mr McGowan, I just went through my latest advice from FRV in relation to some of the things that they have got on order. For context, last financial year Fire Rescue Victoria's total income increased

by a net of \$1.8 million to \$919 million. That is a total operating expense of over \$1 billion, so the investment that we put into an organisation to ensure the safety of Victorians is very substantial. As I have indicated to you, there has been advice from FRV in relation to some vehicles and equipment that are on order that will be rolling out soon.

### **Housing affordability**

**Evan MULHOLLAND** (Northern Metropolitan) (12:36): (335) My question is for the Minister for Housing. According to SQM Research, rents in Melbourne have increased to \$597 per week in October from \$507 per week a year ago. The rent for Homes Victoria affordable rental homes in Melbourne is set at 10 per cent below the market rate. Given the market rate has increased by around 17.8 per cent in the past year, can the minister advise how much the average asking rent for available Homes Victoria affordable homes has increased in that period?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:37): Thanks, Mr Mulholland, for that question. I think when I first got to my feet on the very first housing question that I was asked I broke down the way in which housing sits across multiple portfolios. When we are talking about social housing, which includes public housing and community housing, and the way in which the formulas are determined – 20 per cent of an income for public housing and between 25 and 30 per cent for community housing, which includes access to the Commonwealth rental assistance scheme payment, and then also there are different treatments on GST and the addition of wraparound services and care – that is a point of distinction with affordable housing. As you would appreciate, there are different categories of affordable housing. There is very low, low and moderate housing within those quantum that are set and established by the Planning and Environment Act 1987.

One of the things that I do want to point out – and I am very happy to get some further information for you on this – is when we move into the affordable housing space and we look at how that sits alongside the work that is happening in social housing, which includes and incorporates public and community housing, that is actually something which sits with Minister Brooks. Because the housing statement itself contemplates a range of different ministerial portfolios, I am really happy to get you that detail. Again, if you wanted to come back to a question that relates to social housing, I am very happy to answer that, but they are the formulas that apply in determining the way in which calculations are made, including as they relate to the formula for affordable housing within that private scheme.

**Evan MULHOLLAND** (Northern Metropolitan) (12:39): It seems like a bit of a dog's breakfast with about five different ministers responsible for housing. The former Premier said of the housing statement that the status quo is not an option. According to SQM Research, when Labor was first elected in 2014 Melbourne had 12,713 homes available to rent. Despite our state losing population during the pandemic and a flood of government press releases about home building, there are now only 6449 homes available to rent – all this as our state is set to grow to 10 million by 2050. Have government policy settings driven this status quo since 2014?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:40): I find the way in which that supplementary has been couched to be somewhat confusing, but again I will try to give you some information that will assist you, noting that when we went into, I think, the election in the last government there was a promise by your colleagues to deliver 500,000 lots across the state, which would have led to all sorts of sprawl in a term not contemplated by providing connections and livability. But in any event, when we talk about rents, the scheme that has been –

*Members interjecting.*

**Harriet SHING**: I do not wish to stray into outdoor recreation and fishing, which was then an exercise that just proved rather successful. The scheme will provide renters, through the setting of rent at 10 per cent below market rate, with security through those fixed-term rental agreements for up to

three years, and there will be a capacity to extend at the end of that year. The rent for a one-bedroom home in metro Melbourne will not be more than \$344 per week, if that provides you with assistance. I am happy to get some further detail if you would like.

**Ministers statements: Collaborative Centre for Mental Health and Wellbeing**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:41): I rise to update the house on another important milestone in the Allan Labor government's ongoing implementation of the Royal Commission into Victoria's Mental Health System. Last week I announced the appointment of two leading experts to head the new Collaborative Centre for Mental Health and Wellbeing, Carolyn Gillespie and Professor Sarah Wilson. Establishing the collaborative centre was the very first recommendation the commission made as part of its interim report and will bring together researchers, health professionals and people with lived experience to lead the reform. This Australian-first centre will provide mental health and wellbeing treatment, care and support to adults, lead cutting-edge research and serve as the engine room for reform across the mental health sector and its workforce.

With two sector-leading CEOs now in place, the important work of the collaborative centre is set to move into full swing. Carolyn Gillespie brings an important combination of lived experience and clinical expertise, for which she is highly regarded across the health, justice and community sectors. Professor Sarah Wilson brings more than 30 years experience in clinical neuropsychology and international research into mental health. The new CEOs will be working closely with lead partners the Royal Melbourne Hospital and the University of Melbourne, alongside 18 other mental health and research collaborators, including community services, with a particular focus on Aboriginal health and wellbeing. With \$6 billion of investment and work underway on 90 per cent of the commission's recommendations, the collaborative centre will play a central role as the Allan Labor government continues to build a new, more responsive, more compassionate mental health system.

**Written responses**

**The PRESIDENT** (12:43): I will just acknowledge that two ministers offered to get information for people who asked questions outside the remit of standing orders. But I thank Minister Erdogan, who will get within the standing orders answers from the Minister for Racing for both Ms Purcell's substantive and supplementary questions.

*Constituency questions*

**Southern Metropolitan Region**

**John BERGER** (Southern Metropolitan) (12:43): (509) My question is for the new Minister for Environment Minister Dimopoulos. Can the minister please provide an update on the rollout of the Allan Labor government's container deposit scheme across the electorates of Hawthorn, Kew, Malvern and Prahran? Our government is embarking on the most convenient and accessible beverage container recycling scheme in Australia, and it begins today, allowing Victorians to recycle their used drink cans, bottles and cartons for up to a 10-cent refund and reducing Victoria's litter by up to half. It will create new economic opportunities like 645 new jobs, and I am proud to be a member of a government that is committed to the most ambitious recycling strategy in our state's history. Supported by our record investment of \$515 million, *Recycling Victoria: A New Economy* laid out this strategy for a state with less pollution and waste and a better system. Like the introduction of the purple bin, we are constantly coming up with ways to modernise, and I am proud to be part of it.

**Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:44): (510) My constituency question is for the Minister for Health, and it concerns an error on the Remembrance Parks Central Victoria website. The issue is the spelling of Shepparton, which is incorrectly spelt on the website as S-H-E-P-P-E-R-T-O-N, like the English town, instead of the correct spelling S-H-E-P-P-A-R-T-O-N. I have raised this issue

several times before – in Parliament on 21 June, at the RPCV AGM on 27 June and in a meeting I had with the board chair on 19 July. Just in case there is a problem finding it, it is the heading on a map that is found by going to the ‘About’ tab, ‘Contact us’ and scrolling down to the map. This is an insult to an important community that has already had several grievances with the chair of this board and this trust this year. My question is: will the minister instruct the board chair to ensure the spelling of Shepparton is correct both on the website and in all RPCV correspondence and pamphlets?

### **South-Eastern Metropolitan Region**

**Rachel PAYNE** (South-Eastern Metropolitan) (12:45): (511) My constituency question is for the Minister for Emergency Services Minister Symes. My constituent is a resident of Seaford and a young mother. As the weather starts to heat up my constituent and many of her friends are getting out and heading down to the gorgeous local beaches in the area. My constituent is concerned about the safety of young children, including her own, when at these beaches. They have raised concerns about risky behaviour of several jet ski users on these waters and point out that in 2021–22, 53 people fatally drowned within Victorian waterways. My constituent asks: what is the minister doing to ensure jet ski users’ risky behaviour is monitored, keeping young children safe on Victorian beaches this summer?

### **Southern Metropolitan Region**

**Ryan BATCHELOR** (Southern Metropolitan) (12:46): (512) My question is to the Minister for Housing. Can the minister please outline what support is being made available to public housing residents in Southern Metropolitan Region after the announcement of the housing statement? The campaign of outright disinformation that is being peddled by the Greens and the opposition on the future of the public housing towers is a disgrace. Fearmongering and scaring vulnerable communities about their future is something that no member of this place should be associated with, but that is exactly what is happening in the community. The Greens are playing games with people’s lives and opposing initiatives that will start to address the very real crisis of housing that people are experiencing across this state. This Labor government is taking action to address the housing crisis, and as part of that we are rebuilding social housing right across this state. It is very clear that some of the current public housing towers across Victoria right now are no longer fit for purpose. Two of them are already unfit for human habitation. Waiting for more to break down is not a viable option. These towers are outdated and unable to be fully refurbished because of their original design. We have got a vision for housing for the long term, and we are not playing short-term politics.

### **South-Eastern Metropolitan Region**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:48): (513) My constituency question is to the Premier, and it concerns the open letter signed by 36 community organisations launched at Financial Counselling Victoria’s annual conference recently requesting a meeting and an immediate boost to the workforce numbers for financial counsellors, who are at breaking point in Victoria and the South-Eastern Metropolitan Region, particularly due to growing financial hardship. Will you, Premier, provide more financial counsellors to respond to the growing financial hardship in our South-Eastern Metropolitan Region community, and if so, how many and at what cost? South East Community Links, or SECL, reported a 20 per cent increase on demands for assistance last financial year, with more than 62 per cent of its clients accessing emergency relief services reporting mental health, cost-of-living and housing stress.

### **Northern Victoria Region**

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:49): (514) My constituency question is for the Minister for Water. Over the past four years the Gunbower state forest has been unnecessarily flooded under the pretence of saving it with environmental flows. My very well researched and informed constituents are concerned that instead of saving the forest these environmental flows are in fact doing the complete opposite and killing it. My constituents would appreciate if the minister could make the time to speak with them and listen to their concerns; however, in the absence of such a meeting, can

the minister please explain the rationale and perhaps the supporting environmental science behind the continual flooding of the Gunbower state forest?

### **Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (12:50): (515) My question is for the Minister for Treaty and First Peoples, and it concerns an information demand sent to my constituent by an authorised officer in the Department of Premier and Cabinet under the Aboriginal Heritage Act 2006. It is another attack on Victoria's climbing community. I have two issues with the letter. Firstly, it is straightforward intimidation. The letter requests information but then immediately follows up with a threat of the maximum penalties applicable for those breaking the law itself. This conflation clearly and wrongly implies that those penalties attach to refusing to supply the information requested. Secondly, the authorised officer, without any warning about self-incrimination or reference to penalties for failing to provide information, demands car ownership details from the recipient. My question is: Minister, do you support this conflation and intimidation, and which specific section of the act justifies this information demand in the absence of entry to the recipient's land or premises?

### **Southern Metropolitan Region**

**Katherine COPSEY** (Southern Metropolitan) (12:51): (516) My question is to the Minister for Housing. Last week, literally during Anti-Poverty Week, Services Australia closed the South Melbourne Centrelink office with no plans to open a new office anywhere in the local area. In my electorate, 56,000 people rely on income support payments and a substantial number of those are public housing tenants. The suggestion that residents should travel to Windsor is tone-deaf. Additional travel costs are hard to cover during this cost-of-living crisis. At the end of September, your Labor colleagues Minister Shorten and Mr Burns said they would try and find a new Centrelink location in the area, but the community has not yet received any updates about this. As the minister responsible for public housing tenants, could you please advise what representations you have made to both Services Australia and your Commonwealth colleagues to ensure Centrelink finds a new South Melbourne office so my constituents do not suffer an additional burden during this cost-of-living crisis?

### **Eastern Victoria Region**

**Renee HEATH** (Eastern Victoria) (12:52): (517) My question is for the Premier. The question that I ask is: can the government advise my constituents in Pakenham just how over budget their highly spruiked Pakenham level crossing removal is? As ABC radio host Raf Epstein said last week, no-one has presided over blowouts as big as the new Labor Premier has. Thanks to Jacinta Allan, the Metro Tunnel is more than \$5.8 billion over budget, North East Link is more than \$10 billion over budget, Murray Basin Rail Project is \$226.7 million over budget, and the total state debt has risen to almost \$70,000 per household. As cost of living spirals out of control, Victorian families are being forced to wind back their spending. Families in Pakenham are fed up with government spending being splurged on anything other than cost-of-living relief. So please provide us with some transparency over how our taxpayer money is being used in this project.

### **Northern Victoria Region**

**Gaelle BROAD** (Northern Victoria) (12:53): (518) My question is to the Minister for Regional Development and relates to the Bendigo GovHub, the three-storey government offices built in the centre of Bendigo that cost taxpayers \$133 million. While it was built to accommodate up to 1000 Victorian government and City of Greater Bendigo employees, concerns have been raised that a whole floor of the building remains vacant, and few people are actually working in the office. Given that the state government cancelled the Commonwealth Games and the jobs that came with it, that Regional Development Victoria employees have recently been advised of redundancies that will see further jobs lost in the region, that an authority declined to relocate to the building due to the lack of available parking and that the City of Greater Bendigo provides flexible work-from-home arrangements for staff, can the minister please advise how many staff are actually working in the

Bendigo GovHub and provide an update on the status of office locations around Bendigo that are now vacant due to the relocation of government employees?

### **North-Eastern Metropolitan Region**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:54): (519) My question is to the Minister for Public and Active Transport. I am just a member of Parliament standing in front of a minister, asking them to please build Doncaster rail. The community has been waiting for this rail connection since 1890 – 133 long years – and we still do not have a train. This train would go a long way to improving transport in the east. The rail map in the 2013 Public Transport Victoria *Network Development Plan* that shows Doncaster railway station feels like a cruel joke, teasing my community with the possibility of a train to Doncaster. It makes so much sense: a line that runs to Collingwood and then fangs it all the way down the Eastern Freeway – a beautiful sight to see. Public transport in the east is a struggle. Minister, please, my community desperately needs Doncaster rail. Will you commit to finally building this?

### **Northern Metropolitan Region**

**Evan MULHOLLAND** (Northern Metropolitan) (12:55): (520) My question is to the Minister for Police in the other place. Last year Kali Mata Mandir in Craigieburn and Yuroke Buddhist temple Daham Niketanaya applied to the state government's building safer communities program to fund improved security and CCTV cameras. Two weeks ago both these places of worship were burgled in quick succession, with thousands of dollars in offerings, donations and religious artefacts gone in one night. Last week I caught up with chief resident monk Kotte Santhindriya Thero from the Yuroke Buddhist temple. He and his community feel unsafe through this government's lack of security at these two places of worship. I also met with leaders from Kali Mata Mandir Hindu temple in Craigieburn. What is the government doing to make these places of worship safe from these kinds of robberies?

**Sitting suspended 12:56 pm until 2:03 pm.**

### ***Business of the house***

#### **Orders of the day**

**Joe McCracken** (Western Victoria) (14:03): I move:

That the consideration of order of the day, general business, 4, be postponed until later this day.

**Motion agreed to.**

### **Sessional orders**

#### **Debate resumed on motion of David Davis:**

That, until the end of the session, unless otherwise ordered by the Council, the following sessional orders be adopted, to come into operation on the next sitting week:

#### **X. Production of documents – short form documents motions with debate**

After Standing Order 10.01(3) insert:

- (4) A motion under this Standing Order (other than a motion that imposes a sanction) may be treated by the Council as a short form documents motion with debate. The following short form documents motion with debate procedures will apply –
  - (a) a member must advise of the intention for the motion to be treated by the Council as a short form documents motion with debate at the time of giving notice under Standing Order 6.01;
  - (b) a maximum of two motions under this Sessional Order may be debated each day that general business is scheduled to occur;
  - (c) if additional notices above the number permitted for debate each sitting day are given for short form documents motions with debate, they will be listed on subsequent sitting days in the order that notice was given;

- (d) a motion proposed to be debated under this Sessional Order will take precedence at the time prescribed for general business, as follows –
  - (i) where the House has resolved that certain general business take precedence, no short form documents motions with debate will be called until a member has moved the second reading of any bills for which precedence has been ordered and it has been adjourned pursuant to Standing Order 14.06;
  - (ii) where the House has not resolved any general business that will take precedence, any short form documents motions with debate will be listed as the first item/s in general business;
- (e) the following time limits will apply to a short form documents motion with debate –
  - (i) the mover of the motion may speak only once for up to six minutes;
  - (ii) any other member may speak for up to five minutes;
  - (iii) the total time for consideration of the motion will be up to 20 minutes; and
- (f) at the conclusion of debate or after 20 minutes of debate (whichever occurs first), the President will put all questions necessary to dispose of the motion and any amendments.

**Georgie CROZIER** (Southern Metropolitan) (14:03): I rise to speak to Mr Davis's motion 5 on sessional orders for short-form documents motions, on which he commenced debate last sitting week. I note that the very reason we are bringing this motion forward for debate is because of the government talking out a lot of issues in our sessions. We are here in non-government business. As opposition members and crossbench members we only have limited time to prosecute issues that we want to bring before the house, and there are many. If you look at the notice paper you will see all of those issue that people raise every week and would like to debate, but we do not get those opportunities.

One of the areas that we think are very important is around the production of documents, and that really goes to the heart of what you need to do in opposition, and that is hold the government to account. We need greater transparency, and we need accountability. Unfortunately with this government we do not get a lot of that, and that is why this documents motion is particularly important: to enable the production of documents when they are requested through a motion of the house – that they be provided to the house. As Mr Davis went through his contribution he spoke of what the motion does. It is about a member advising the intention of a motion that is treated in the Council as a short-form documents motion, with the debate at the time of giving notice under standing order 6.01. Then he went on to talk about a number of other areas relating to the debate but also the time limits which would apply to the motion. As the motion states:

- (i) the mover of the motion may speak only once for up to six minutes;
  - (ii) any other member may speak for up to five minutes;
  - (iii) the total time for consideration of the motion will be up to 20 minutes; and
- (f) at the conclusion of debate or after 20 minutes of debate ... the President will put all questions necessary to dispose of the motion and any amendments.

I know that is looking at a truncated debate, if you like, and then getting the decision decided by the President putting the motion, but it is really, as Mr Davis has highlighted in his contribution, that this house used to dispose of these issues very quickly. The mover would get up, put their case, it was a production of documents and it would be generally agreed to by the house. But now it is being dragged out by members of the government, so the limited time that the opposition and crossbench have in relation to being able to debate their other motions is then curtailed. That is why we think this motion is a very simple, commonsense measure. It is a sessional orders change – it is not a standing orders change – and can always be reviewed, but it needs to be undertaken so that we can get those documents that are requested by the house or by the particular member.

Mr Davis also made a point around this very issue of accountability and transparency. He spoke about the history or the precedents that had occurred in the New South Wales Parliament, the information that this house and the administration of this Parliament would seek to get that advice and how legal



advice was sought. He did speak of the issues around how that arose in Victoria following on from decisions and procedures in New South Wales. As he said, he spoke about Brett Walker KC – or QC in those days – the advice that was provided and the legal opinion on the powers of the chamber with respect to documents. I think he made a very good point about what Mr Walker spelt out, and that was:

He laid out the parameters and the arrangements by which privileges could be claimed over documents and the matters which would legitimately give rise to such privilege claims and those that would not.

I am reading from Mr Davis's contribution here:

So it is a comprehensive set of opinions and people ought to feel free to read those, because I think it would inform many in the chamber.

I think that was a good bit of advice from Mr Davis, because when you do go back and have a look in our orders at the tabling of documents provided in accordance with an order, it does talk about those very issues around privilege. Of course when we do ask for documents, we are asking for them for a reason. Often the government will claim privilege and will not provide them, and we think that is a problem in many instances in, as I said, trying to get some transparency and accountability in the processes of government for Victorians to understand exactly what government is providing through their processes. If we could execute these matters in the house in a timely fashion, which this motion seeks to do, then I think we would help the good functioning of the house. It would provide that clarity. It would provide that certainty to members about what they are seeking to have provided by government, and it would be in the public domain. That goes to the very aspect around trust, transparency and accountability.

I urge all members to support this. I would hope that government MPs understand that these are sensible measures just to deal with the issues at hand and that, despite some arguing against the motion, we do have this motion pass so that we can have those documents in a timely fashion in the interests of all Victorians.

**Tom McINTOSH** (Eastern Victoria) (14:10): We are here to discuss and we are here to debate a short-form documents motion put forward by Mr Davis. I have got a lot to say on this matter. I am going to start off by commenting on the points that he is putting forward: (1) a short-form documents motion where a member can propose to have the motion debated for a maximum of 20 minutes and (2) a short-form documents motion where a member can propose to have the motion voted on without any debate. That is what we are here to do in this place. We are here to debate. We are here to have a contest of ideas. We are here to bring things forward for our community, for our constituents. We are here to deliver for Victoria. I am a little bit baffled about this, to be honest, particularly when we sit here during question time and we get questions that are – how do I say it – quite often of little significance, little consequence, basically diving into items that are of very little relevance to government or very little relevance to people, to Victorians. Here we are trying to remove discussion and debate of ideas. But that is what it should be: a discussion and debate of ideas.

I think we on this side we know why we are here. We are here to ensure that all Victorians have a better quality of life. We want to see generation upon generation of Victorians have a better quality of life. We are ensuring that they have good-quality jobs; they can get a roof over their head – a safe, affordable, efficient house that they can live in; they can get excellent health care; they and their families can stay healthy; they can get education, training and skills so that loop continues; they can be in the workforce and uptrain and their kids can be in the workforce; they can afford those houses; they can stay healthy; and they can continue to be educated. We are investing in the infrastructure to ensure that these Victorian families, Victorian workers, everyone in Victoria, can get from point A to point B, whether that is on our road network or whether that is on our public transport. We are ensuring we do all this sustainably so we have an environment, we have a climate, where we can see generations of Victorians continue to live and continue to have a better quality of life than those before. I am pretty confident everyone on this side has a very, very similar understanding of our purpose as a party.

Other parties in this place – I am not so sure as to their purpose. We have had a fair bit of discussion today about the Greens. Their main purpose is TikTok. When they speak I can basically hear the music in their minds. I mean, when you see it on TikTok the music is there. If I was making a contribution and I was in the Greens right now, I would probably be trying to think about the music or the colour overlay that would be behind me on my TikTok account, poignantly speaking to certain points to just really nail that down. I do not know – a lot of people in the Greens are starting to wonder what their purpose is. They initially had a purpose that was pretty clear, and now it just seems to be, as various contributions today have made out, that they are trying to politically pointscore any way they can to get more votes. Anyway, the member has re-entered. I have been talking about the Greens, so you have missed out.

I can move to those opposite, the Liberal Party, whose purpose seems to basically be – I do not know, do opposition get a Comcar? – who can get into a shadow role to get a Comcar. That seems to be about the three-month fight.

**Georgie Crozier:** No, we don't, you fool.

**Tom McINTOSH:** Whoa! The opposition do not. That is okay.

**Georgie Crozier:** Do shadow ministers get Comcars? That's what you said. No.

**Tom McINTOSH:** Okay, the opposition do not get cars, but that does not change the fact that they are fighting over each other at a three-month interval for who will be the next leader, who gets the elevation onto the opposition bench. And this reflects the point that when they come into this place they are not bringing purpose. They are not bringing purpose to this place, and that is why we hear ridiculous questions at question time, why we hear poor contributions and why in general they are not bringing policy and debate to this place. That is why: because they are lacking purpose.

To come back to the documents motion here, it does baffle me – well, perhaps it is not surprising that they want less time to talk or debate on items, because they have very little to put forward. We currently dedicate an entire day in this place –

**The DEPUTY PRESIDENT:** Sorry, Mr McIntosh, I just want to make sure you are speaking on the right motion.

**Tom McINTOSH:** Yes.

**The DEPUTY PRESIDENT:** This is not a documents motion.

**Tom McINTOSH:** Maybe I am not. So we dedicate an entire day in this place each sitting week to the business of those opposite and the crossbench of this house to raise and debate issues they feel are most important to them and their constituents. Should these changes be incorporated and a request for a documents motion be moved without debate, the only way members in this place could have a say on the motion would be an incorporated speech in *Hansard*, which very few people would read and which would have no impact on the debate. It is almost an afterthought. This sessional order would set a precedent that more and more types of motions could be debated by having your speech incorporated into *Hansard*, which is not what we are here for. We are here to contest ideas, as I have said.

**Georgie Crozier** interjected.

**Tom McINTOSH:** Ms Crozier, if you want to raise COVID, please do. We are here to contest ideas and debate issues, and the interjections –

**Samantha Ratnam:** On a point of order, Deputy President, just in reference to your previous intervention, I have just heard the member speak about a documents motion without debate, but I understand this motion is a motion about documents motions with debates – a different time line. I just

want to make sure that we are not inadvertently misrepresenting in the house what the motion is, because it is not the correct reading of the motion in front of us.

**The DEPUTY PRESIDENT:** Dr Ratnam, sorry, that is not actually a point of order. There is no point of order, but I do encourage the member to familiarise himself with the motion that he is speaking on and to come back to the motion at hand, please.

**Tom McINTOSH:** Yes. I am very, very happy to speak to the motion, and I shall do so. David Davis – anyway, I will not say that; I will leave that out. I am not going to read through the motion; I am going to continue with where I was.

On this side of the house it is something that we want to avoid. We are not simply here to submit our homework to the Hansard office. We are here to debate the matters of importance to Victoria, not to make TikTok videos – I am sorry, Dr Ratnam, you missed out before. To look into the sky and make TikTok videos – that is not the purpose. We are here to debate the matters of importance that I laid out before that we clearly have in the government – important matters that matter to working Victorians and to all Victorians – as I said before, jobs, housing, education, health, transport, climate change.

**Georgie Crozier:** They're all going well!

**Tom McINTOSH:** And it is going well. It is going well. And we saw that the things that we brought to the last election, whether it be the SEC, our investment in infrastructure or early education – right across the board Victorians backed us in. They backed us in with a 56-seat majority. We have had one term, two terms, and in our third term we continue delivering a pipeline of work that we are absolutely committed to, which just keeps bringing me back to the point – because we have purpose, we have clear goals, and those goals are to deliver for Victorians, for all Victorians to have a better quality of life and continually improve their quality of life. It is this deep commitment on this side, our deep commitment to equality, deep commitment to diversity, deep commitment to respect and respecting all Victorians and to ensuring that we as a state are moving forward together. We are not singling out people, we are not trying to leave people behind and we are not trying to shut people down. That is why we have debates in this place, because those are the things we believe in, the things that we will stand up for and the things that we will come to this place and say every day.

**John BERGER** (Southern Metropolitan) (14:20): Today I am speaking on the motion which pertains to short-form documents and was moved by my colleague opposite, Mr Davis. It begins:

That, until the end of the session, unless otherwise ordered by the Council, the following sessional orders be adopted, to come into operation on the next sitting week ...

It proposes:

- (4) A motion under this Standing Order (other than a motion that imposes a sanction) may be treated by the Council as a short form documents motion with debate. The following short form documents motion with debate procedures will apply –
  - (a) a member must advise of the intention for the motion to be treated by the Council as a short form documents motion with debate at the time of giving notice under Standing Order 6.01;
  - (b) a maximum of two motions under this Sessional Order may be debated each day that general business is scheduled to occur;
  - (c) if additional notices above the number permitted for debate each sitting day are given for short form documents motions with debate, they will be listed on subsequent sitting days in the order that notice was given;
  - (d) a motion proposed to be debated under this Sessional Order will take precedence at the time prescribed for general business, as follows –
    - (i) where the House has resolved that certain general business take precedence, no short form documents motions with debate will be called until a member has moved the second reading of any bills for which precedence has been ordered and it has been adjourned pursuant to Standing Order 14.06;

- (ii) where the House has not resolved any general business that will take precedence, any short form documents motions with debate will be listed as the first item/s in general business;
- (e) the following time limits will apply to a short form documents motion with debate –
  - (i) the mover of the motion may speak only once for up to six minutes;
  - (ii) any other member may speak for up to five minutes;
  - (iii) the total time for consideration of the motion will be up to 20 minutes; and
- (f) at the conclusion of debate or after 20 minutes of debate (whichever occurs first), the President will put all questions necessary to dispose of the motion and any amendments.

Having read this motion, I will stay relevant to it, but there is quite a broad amount to talk about in this space. At its heart this motion aims to introduce two new procedures into this place, which are a short-form documents motion, where a member can propose to have the motion debated for a maximum of 20 minutes, and a short-form documents motion without debate, where a member can propose to have the motion voted on without any debate. This motion will not be supported by this –

**The DEPUTY PRESIDENT:** Mr Berger, there is no mention in the motion of any documents being required without debate.

**A member** interjected.

**The DEPUTY PRESIDENT:** No, but he just said it had two angles to it: one to request a document with debate and one to request a document without debate. We are only talking about a motion that has short-form documents with debate.

**Georgie Crozier:** On a point of order, Deputy President, I think members of the government are very confused. They have obviously got the same speaking notes from whoever has provided them, but the motion, if you read the notice paper, is very clear. It is item 5, and it does not go to those points that you have mentioned, Deputy President, so I am just wondering if the government MP can explain what he is talking about.

**Ingrid Stitt:** Further to the point of order, Deputy President, if members opposite or even on the crossbench are taking issue with members' contributions, perhaps they can address that in their contributions rather than constantly interrupting government members with points of order.

**The DEPUTY PRESIDENT:** That is not a point of order, and even Ms Crozier's is not a point of order. I was merely pointing out to the member, who was speaking about a motion that requires documents to be produced without debate, that there is no reference to that in this motion, and I would ask him to return to the motion.

**John BERGER:** This motion will not be supported by this side of the chamber, as we believe in democracy and debate. We believe in the tradition of this place. Currently the orders of the house are clear. Section 5.07 of the Council standing orders notes that:

- (1) General business is business initiated by members who are not members of the Government party or parties.
- (2) General business will take precedence over all other business on Wednesdays in accordance with the order of business prescribed by Standing Order 5.02.

The sessional orders of this place are clear: general business time is 90 minutes, about an hour and a half, with the mover or sponsor gaining 20 minutes of debate; lead speakers, 10 minutes; and the remaining speakers, 10 minutes, with the mover or sponsor in reply gaining 5 minutes. The reason I note the hour and a half is that I have noticed it often runs slightly over.

Why make changes to the rules? The rules have been agreed to by this place and this Parliament and countless others before. We have dedicated an entire day in this place each sitting week on Wednesdays. Sometimes 1 am speech-writing sessions occur on this side of the chamber to ensure that every motion is taken seriously by the democratic representatives of this place. Every sitting

Wednesday we dedicate a whole day to business of those opposite and those on the crossbench. Members of this house can raise and debate issues they feel are most important to them and their constituents, and that is the right thing to do.

This place should be a place of debate. Rather than limiting the debate of important issues in this place, this side of the chamber has been focused on debating the passing of the most important legislation of the day, the work of the people democratically elected. I am sure that if those opposite listened to me more, they would realise that I agree with them on a lot of things and they agree with me on a lot of things too. Just two weeks ago we all came together to condemn horrific animal abuse and domestic violence. But let me be frank, my staff and I diligently prepare for parliamentary sitting weeks. We take matters very seriously. But although the participation in this place may be limited, it is important for the dignity of this place that people know that, despite them not watching it, we do watch it and that they trust that we are using their time productively.

We take these people's time seriously, so I do not understand how this matter has been brought up. Not a single member of my community of Southern Metro, which I note Mr Davis is also a member for, has contacted me about this. I wonder if anyone in our community has contacted Mr Davis about this. Our community of Southern Metro is more interested in us getting on with the job, which is why we have seen historic votes for Labor in our community. They are more concerned about making Victoria fairer, a more equal place and a place with better jobs, cheaper public transport, better public transport and the things that matter. That is why we are doing what matters here on this side of the chamber.

As this motion has to do with motions themselves, I want to talk about some of the important motions that have been introduced by this side of the chamber – motions to be debated about the important things that we are doing on this side of the house for Victorians: for instance, notice of motion 171 by my colleague Ms Ermacora, which acknowledges our commitment to growing women's and girls sport in Victoria, and notice of motion 204 by Mr Batchelor, which recognises the Allan Labor government's reforms to clear the backlog for approvals and build more quality homes and faster. This motion talks about general business and normal practices of the house. Why should we stifle debate? Why should we stifle what is discussed in this place? I often enjoy the amazing contributions that my colleagues make, some of which are somewhat entertaining. There are a notable few that I have enjoyed the most, but I have seen plenty of notable contributions in this first term. For instance, Minister Tierney reported to the chamber that the Port Fairy SES is now complete – what a great achievement – and Mr Galea talked about the importance of treating our frontline retail workers with respect and dignity after the final sitting of the year. And I have noted the fantastic work of the Shop, Distributive and Allied Employees Association in this place. It is the sort of achievement that matters and would be avoided in Parliament if this motion was to be passed.

Some of the most important matters are debated in this chamber. In this very room my colleagues Ms Ermacora and Mr McIntosh raised a very important matter, and I will quote Mr McIntosh because I think it is pertinent:

... under the leadership of Craig McRae and Darcy Moore this club has turned its culture around. It is a culture of acceptance, diversity and inclusiveness, and we have thrived.

So I join with my two great Pies-supporting colleagues to say that it would be a shame for matters like this not to be debated. I often have taken the opportunity during debates on Wednesday to contribute to a wide range of topics, and I hope for this to continue. As the people's business, it is important and must be allowed.

To wrap up my contribution today, we know that the bills in this place are often passed after vigorous debate, many amendments and late-night committee sessions. For instance, in 2017 we passed the Voluntary Assisted Dying Bill 2017 after long and very emotional debates in both this place and in the other. We introduced nation-leading rental reforms in 2018 after vigorous debate and negotiations with the crossbench, as is right. And our pandemic response and the work we did to keep our state safe

happened after great debate in this space and thanks to the contribution and the cooperation of the crossbench. Debate is a – (*Time expired*)

**Samantha RATNAM** (Northern Metropolitan) (14:30): I am happy to speak in support of this motion and to note the quite extraordinary contributions we have heard from the government so far. I would briefly like to respond to a couple of points made before going to the substance of what we are debating here. We have heard two members of the government. I am sorry for interrupting; I am reticent to interrupt while somebody is on their feet. However, I think it was really important to clarify and correct for the record what the motion that we are debating today is actually about. It is really important. What we are actually talking about is how we use our time in this place. We are talking about a change in sessional orders which goes to the heart of an important lever to improve transparency. It is about how Parliament works to improve transparency, and that is why it is on the notice paper today.

In response to an attempt to minimise it, which I have heard from the government – that this is not important and we should be debating other things – yes, there are lots of really important things to debate, but how we operate in this place to improve transparency and accountability and hold governments of the day to account is also really important business of this house, so I am pleased to see us talk about how we work and how we can work better. We might not have many constituents writing to us about sessional order changes, and I doubt many constituents have written to us about sessional order changes in the past, but we still see it as important. We have a process set up to regularly review sessional orders, because it is really important that at regular intervals we look at how this place is operating and we strive to strengthen and improve it at every turn, which is what this motion is about. Essentially, it is about how we use non-government business time on Wednesdays, as it is in the Legislative Council, to make sure that we are able to make the most efficient and best use of non-government members' time in this place.

The Greens absolutely support this change to sessional orders. This will allow documents motions to take on a slightly different category or status to help them be debated, agreed to and discussed more quickly. We already have different categories and statuses of motions before this chamber on non-government business day. For example, bills do not have a time limit, because we have agreed that they need more time for debate than other types of motions. Motions have a time limit of 90 minutes, which has been agreed to by this chamber in the sessional orders that we agreed to at the start of this term. It is important to understand there has been some history here about the status of documents motions. At the moment documents motions are treated with the same status as other types of motions, with a 90-minute debate limit.

There have been discussions for months, if not years, with different parties in this chamber across a number of parliaments about how we can make documents motions work more efficiently, recognising that they are really important and it is important we have some debate on them. But perhaps they are not the same category as other motions – for example, sending off a matter to a parliamentary inquiry, which requires more substantive debate. We have had discussions in this Parliament, informal discussions, where there has been some agreement saying that we understand that documents motions might not need the whole 90 minutes and therefore we will attempt to limit our speakers and get them through as quickly as possible, recognising that they are important but they might not need the full extent of time as other motions do. However, that attempt at an informal agreement has not worked. From time to time different people and members in this chamber have sought to, in some ways, misuse the fact that it is a documents motion to speak about a whole range of things, as we have witnessed in this debate today already, and have not really homed in on the relevance of the motion. Essentially, they have not acted in good faith to that agreement that we have been trying to make through convention and practice as opposed to rules. But given that that attempt at that informal agreement has not worked, it now needs a sessional order change to formalise the different category that we are going to treat documents motions in.

Documents motions in themselves are really, really important. As I mentioned, they are an important mechanism of transparency, especially for non-government parties who want to find out a bit more information. Essentially, the question is: do we want documents released or do we want them to continue to be hidden or cloaked in secrecy? If our other mechanisms were working more efficiently, like freedom of information; if we could get clearer answers, for example, during question time from government ministers; if we could get more comprehensive responses to our adjournments and constituency questions, perhaps we would not need to bring up as many documents motions as we do before this Parliament. But for years on end now we have found that it is very, very hard to get documents and information from government. We have heavily redacted documents – if and when they are ever released – provided to us, which does not help us understand what might be happening, and it is really important we apply transparency and scrutiny over government decision-making. That is one of our big roles in this place as non-government parties. This motion is about ensuring this mechanism works as efficiently as possible.

The documents motion, through changing the sessional order, that is proposed today would still allow debate, and I think that is really important to understand because we have had government members represent that somehow it would not require any debate and we are somehow trying to stifle debate. It is just putting a new time limit on documents motions, therefore giving them a different type of category. We will still be able to have debate of up to 20 minutes, all members will be able to contribute and there will still be a tabling option, which is an option that is available to other types of motions throughout the sitting week. It is an ordinary mechanism that we have made available to each other to be able to contribute to debate. It is just changing the category of documents motions and changing the time limit for that debate before a decision, and it would certainly help us get through more documents motions, which are really important for transparency, scrutiny and accountability in this place.

So the Greens wholeheartedly support this change. We would have liked to have seen this change occur by agreement and convention, which can happen in this place, but despite multiple attempts over many years to get some sort of agreement that was acted on in good faith and abided by by parties in this chamber, unfortunately we have not been able to reach that agreement, and therefore we have to do it through a rule change to the sessional orders.

As I mentioned, documents motions are really, really important. For example, I have got a documents motion on the notice paper currently, documents motion 190, asking for the government to release all the relevant background documents regarding its recent announcement that it would demolish 44 public housing towers and privatise all those public housing estates, selling off 75 per cent of the land and outsourcing its responsibility to provide public housing. If the government would actually make those documents available to the public, we would not have to go through a documents motion, but this government is reluctant to provide us any information through question time or through any other mechanism that we have available, and that is why it is really important that the Parliament has a motion, when all those avenues fail, so that a member of this Parliament can come here and say, 'Look, we've tried everything we can to get these documents that are in the public interest to help us advance an area of policy and to interrogate a government decision,' and when all those avenues fail, we do bring it to the chamber. It is important that we have a mechanism by which we can ask for those documents. What we have seen over the years is unfortunately government members talking at documents motions because they are trying to avoid us getting to other motions on the day of non-government business. We have one day of non-government business. There is no non-government business in the lower house, the least democratic house of any Parliament across this country, so it is really important that in this place we are doing everything that we can to ensure that non-government business day works as efficiently and effectively as possible. Documents motions are a really important part of that, and this change will help us hopefully see more of those documents released by government that are in the public interest that apply the scrutiny, accountability and transparency that we absolutely need to be applying to this government right now.

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (14:39): There is a movie called *Fantasia*, and it has got a sequence in it that involves a young wizard played by Mickey Mouse. Mickey Mouse, in attempting to make a task easier – carting water – casts a spell whereby the buckets and the brooms multiply. He falls asleep, only to wake up to find that the entire system is rather out of his control. When I am thinking about this motion, it is in fact *Fantasia* that comes to mind, because what this motion is in effect, to my mind, attempting to do is create a production line of documents motions which in and of themselves have not been an issue for government and are not an issue for government. In fact government has repeatedly maintained the position and demonstrated by its conduct in the tabling of documents the position that, wherever possible, documents sought under a documents motion will be provided where they are not subject to privilege or where they are not subject to matters relating to commercial-in-confidence status.

I want to take up a couple of things that Dr Ratnam said about the objective being to improve transparency. In and of itself, the shortening of time for debate does not improve transparency, and when Dr Ratnam says all members will be able to contribute, that is factually incorrect, because based on the time frames that are clearly set out in this motion, that is not possible.

**Samantha Ratnam:** You can table a contribution.

**Harriet SHING:** I will take you up on that interjection, Dr Ratnam – you can table a contribution. Now, if that is actually what you are getting at, namely that contributions to this chamber can simply be tabled, then that would seem to strike right at the heart of your rationale for just about every question you ask in question time. That is in fact why questions on notice are there, and perhaps you might better use your time in actually just tabling a whole lot of questions on notice to be addressed by the relevant people in accordance with existing standing orders.

Dr Ratnam, when I listened also to your contribution – and this is something which characterises any and all documents motions in this chamber – invariably we get to the subject matter of the documents and the class of documents that are being sought. So notwithstanding attempts by people, most specifically Mr Davis, and it is a shame he is not here because he would probably say, ‘This is a relatively narrow motion; it is a narrowcast motion; it seeks to gain access to certain documents’ – and you might want to do a word search of that particular phrase, because I suspect Mr Davis has said it dozens of times – it is then only a matter of time before we expand into, like Mickey Mouse and his hopeless bucket situation, a discussion of the subject matter at hand. Now, Dr Ratnam just demonstrated this very point when getting to her feet to talk about motions and information being sought as it relates to Greens motions on the notice paper and the way in which they sit and seek various outcomes and various documents. If we are to have a debate of only 20 minutes, this does not allow all members to speak. This does not, despite protestations to the contrary in the pious narrative that persistently pockmarks Greens contributions, improve transparency. So if we are going to improve transparency, what I would put to the chamber is an amendment. I move:

Omit all words and expressions in the preamble and replace them with:

‘That this house requires the Procedure Committee to inquire into, consider and report on the following proposed sessional order and in particular examine the implications of creating this new procedural process and how this new process may impact the running of the house:’.

I seek to see if that amendment can be circulated, Deputy President, and with your forbearance I might keep going, given the time that is not available in accordance with the desire to have this conversation, rather interestingly, given the subject matter that we have here. In fact, if we were debating this motion right now, we would have run out of time, right? We would have run out of time, and there would only have been six members of this chamber who would have been able to actually have a say.

Given that the Greens are all about transparency and, in addition to that, given that the Greens love a referral to a committee or an inquiry, why don’t we just do exactly that? I am not sure whether the Procedure Committee has in fact looked at this, but it strikes me that the amendment being sought achieves the very objectives that Dr Ratnam has just put onto the record – that in actually looking at



the implications of creating this procedural process and what impacts it may have we are in the best position possible to know through that committee's work what the outcome might be. That is a committee comprised of parliamentarians well placed to look into the very matters around the subject, the function and the processes of the Parliament.

It would beggar belief if the Greens were not to agree to this particular reference to the committee, given all of their previous form in doing exactly that. In fact when I think about the seriousness of various documents motions, if we were to overlay the proposal by which this motion has been framed on a situation that occurred some five years ago – the then Leader of the Government Gavin Jennings was in fact removed from this chamber for a period of six months in consequence of government's inability to provide information that was subject to commercial-in-confidence and cabinet-in-confidence status, so when we are talking about relatively straightforward motions, let us be really, really clear – recent history confirms that in fact this need for transparency is absolutely germane to the discussions and the work of this chamber. If we are going to have a discussion about limiting the capacity for this sort of debate – debate which in the past has led to the inability for the Leader of the Government to be in this chamber for half a year – then let us at the very least get the Procedure Committee to look at it, because you cannot, in all good conscience and again in good faith, a phrase Dr Ratnam used before, say that this is in fact a matter of little consequence, that it will expedite transparency. Well, at what cost – at what cost, given that we have previously seen a documents motion which meant that the Leader of the Government could not step foot in this place for half a year? Think very carefully about what that means.

To anybody who is inclined to talk about freedom, to anybody who is inclined to say that this place needs to have a measure of transparency to it, this motion does entirely the opposite. This motion is about creating Mickey Mouse and his buckets in a recreation of *Fantasia* for the purpose of a process that does not in and of itself change the way in which government might consider documents motions, because government will make its decisions based on the documents being sought, the classes of documents and in fact the way in which there may be obligations that otherwise attach to those documents. This does not change the way in which that framework operates, and it would be, I think, an exercise in misrepresentation, which I would hope that nobody in this chamber intended to convey, that somehow the passage of a limitation of time around the sessional orders will lead to a different set of outcomes. It may well lead to various parts of opposition business day on a Wednesday being shaped differently. If that is the objective of it, if this is in fact not about documents, then those who have spoken in favour of this motion should actually be prepared to say exactly that, because when we are talking about a motion which does not enable everybody to speak, which caps speeches at 6 and 5 minutes and caps total time for consideration at 20 minutes in a process of this house which has previously given rise to the Leader of the Government being booted out for six months, we cannot underestimate the impact of that proposal. We oppose the motion and propose the amendment.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (14:49): I rise to make a contribution in regard to this motion in Mr Davis's name, and of course I have had the benefit of hearing Ms Shing's contribution, and I note the amendment proposed by Ms Shing. I think it is a sensible amendment. I think it is entirely appropriate for the Procedure Committee to consider a matter such as this, rather than a motion like this being brought through the Parliament. I think it is quite concerning to note some of the changes that are being proposed.

I heard Dr Ratnam's contribution as well, and really it is not right to say that every member would have an opportunity to contribute on a motion in 5 minutes. I know a number of us in this chamber who make contributions regularly on a range of things all would struggle to say anything meaningful in 5 minutes; 5 minutes is actually not a very long period of time. The way that the motion is framed necessitates the fact that clearly the effect of this motion would be to actually nobble the government from saying anything at all, and that is very concerning given that each member in this chamber is democratically elected as a member of Parliament to represent their community and to debate motions that are brought before this house.

This government, particularly in our chamber, have a very longstanding and consistent record of releasing documents under documents motions, subject to any of the things Ms Shing talked about. The documents might be subject to privilege, or other documents might not be within our control to release. For example, some of the motions that I have heard debated in this chamber call on the government to release documents that are not in our control, so that is a nonsense in and of itself. Often documents motions are also used as a stunt simply to attack the government on something that either the opposition or others have dreamed up in the place.

Getting back to my earlier point, the whole point that Dr Ratnam makes about around transparency – it is actually the opposite. It does not improve transparency to nobble debate, to stifle debate, to demand that representatives in this chamber should not be heard on a motion on matters that are of importance. As I said, the government regularly releases documents under documents motions. Again, I am concerned around some of the debate and the motions that have been brought in this house and particularly from the Greens. Their rhetoric is that we are all bad, we are all corrupt on the government benches and there needs to be increased transparency. But the reality is it is gaslighting us all, because it is actually the opposite of what is being said. It is really like a cult. It is like, ‘We’re going to torture by dripping water on everyone’s forehead.’ It is like, ‘No, you’re corrupt.’ We are all sitting here scratching our heads going, ‘What on earth are you talking about?’ And I know most Victorians would have the same thought process. Most people are reasonable and competent and understand debate and the concepts that are being discussed. But also Victorians have a really good nonsense meter – there is another word for it and I cannot say it in the chamber – and what is coming from the Greens really is a whole load of nonsense on this.

As I said, it is dressed up as saying, ‘We need transparency,’ but what they are actually talking about is nobbling government members from speaking. Again, it is an absolute disgrace to have to even listen to the Greens try and dress this motion up as something that is going to improve transparency and improve the ability for people to debate documents motions. As I said, the government actually has a really strong track record of releasing documents when we can, so it is just not relevant. As Ms Shing said, the amendment that is being proposed goes to the Procedure Committee to actually look into this. That is more of an appropriate forum for matters such as this to be dealt with, rather than have this – it is really a stunt. I am waiting for the next TikTok video or something.

*Members interjecting.*

**Sonja TERPSTRA:** It is funny. I can hear the laughter from the Greens opposite. It is interesting, the laughter from those opposite. They should be laughing. The laughter from those opposite belies the point here that they should be embarrassed about the way they are conducting their politics on TikTok, and I might refer to the member for Richmond in the other place, who recently said that we were evicting 40,000 people because we are privatising and selling off all the public housing. This is another example of what I just referred to in regard to this motion: the complete alternative universe that the Greens live in where they say something with impunity because they will never be in government. They are not fit to govern. Their juvenile antics are to continually say things that just clearly are not even factual. They are just not. No-one will take that seriously, and yet they remain completely unaccountable for the things that they say.

With that frame and that background, I struggle to understand how Dr Ratnam and others can come into this place and say that the changes proposed by the motion under Mr Davis’s name are about improving transparency. It does the complete opposite. If you are proposing to disallow and stop the ability for government members to speak and make a contribution and debate a motion that calls for the release of documents, that does anything but increase transparency. It does the opposite. What that does is shut down debate. It interferes with the democratic processes that are conducted in this chamber, and that is something that should be roundly condemned.

I do not know – why don’t we all of a sudden do away with non-government business? Why don’t we have a motion about that? Really, what is the point of it? It is getting completely ridiculous that we

have to debate these sorts of things. We could go on with all manner of ridiculousness and say that this is about improving the productivity of the chamber, for example. If we could do away with non-government business, then the government could continue to talk about all of the things that we have done and the fact that at the last election we actually increased our majority, which means that the Victorian people actually have confidence in us despite what those opposite might say or think or what the Greens might say. The fact that the Victorian people returned us to government with an increased majority would drive them crazy over there, because clearly no-one is listening to them except when they are talking to themselves.

This motion that Mr Davis has brought is ill conceived. I know the Greens see it as an opportunity to join with the Liberals and to work against the government, but again what everyone needs to remember and reflect on in this chamber is that the Victorian people returned us to government so we could get on with the business of governing for Victorians and doing all the things that they elected us to do, not have minor parties who will forever remain unaccountable for their actions interfering with the business of government. This motion should be roundly rejected, but having said that, the amendments that Minister Shing proposed to have the Procedure Committee deal with this matter are far more appropriate. I will conclude my contribution there, and I encourage others to reject this motion and support Ms Shing's amendments.

**Georgie CROZIER** (Southern Metropolitan) (14:57): This has been the most extraordinary afternoon of debate. We have had government members speaking on wrong motions; they have not even understood what is on the notice paper. We have had government MPs talking about shutting down non-government business because they have been elected – yet the rest of us literally have not? It has been the most extraordinary, arrogant display, by you in particular, Ms Terpstra, with the comments that you made about elected representatives in this house.

**Sonja Terpstra**: On a point of order, Acting President, I take offence at Ms Crozier's comment about me that I am arrogant, and I ask her to withdraw.

**Georgie CROZIER**: On the point of order, Acting President, I am sorry that Ms Terpstra has interpreted it that way. I was saying that the debate was arrogant, but I am happy to withdraw if she has taken offence.

**The ACTING PRESIDENT (Bev McArthur)**: Thank you, Ms Crozier.

**Georgie CROZIER**: As I said, there was arrogance in the debate around why they are elected and the rest of us are not. We have a role to play to hold the government to account, and that is what this is about. It is about the government providing documents to the house, to the people. That is what it is about. You are all talking about curtailing debate. Well, there are a lot of bills and there are a lot of motions that come into this place that we would all like to speak on, but we do not get the opportunity because of the processes and the way that the sessions of 90 minutes are timed. We cannot always get an opportunity. So the argument you put forward about every government member wanting to speak on a documents motion is ridiculous. We all have to manage our time and our speaking according to what we have in the house.

I have to say that the government's reasoning behind their argument is exactly why all members should be supporting this, because that is what it is about – accountability, transparency and having a sensible process around the production of documents. It is not a full-blown motion like those listed here that have various points members want to speak to on behalf of their constituents or their responsibilities, and there are a lot of motions in here that I would like to debate. We are not going to get to them all, but they are important. They are an important part of the process of what we do in this place.

**Sonja Terpstra**: Let the Procedure Committee deal with it.

**Georgie CROZIER**: You talk about the Procedure Committee; I take up the interjection. The Procedure Committee is made up of members and is made up of the President. The members on that

committee are the President, my colleague Dr Bach, me, Mr Erdogan, Ms Lovell, Ms Symes and Ms Terpstra. So the government has a majority on that committee. It is a government-controlled committee, and of course the government would want to put something like this to the Procedure Committee, because they control the committee. No, the house is debating this, and this is an issue around what happens in the house – the sessional orders – around a very simple procedure that we have on documents motions. Dr Ratnam and others who have been in this house for some time know that we used to do documents motions very effectively and very efficiently.

**Harriet Shing:** You kicked Gavin out for six months with a documents motion.

**Georgie CROZIER:** I tell you what, your side of the house misses Mr Jennings. He was an extraordinary contributor.

*Members interjecting.*

**Georgie CROZIER:** That is a different thing, but the contributions that he made – he was the Mr Fixit of your side, and you have really missed him.

Nevertheless, I get back to what I am saying here. The coalition will not be supporting the government's amendment, because they do not want this motion to go through. It is a sensible motion that provides the house with certainty for this term of Parliament around documents. I think those that have contributed understand the importance of accountability, understand the importance of transparency and understand why it is important that the house has a timely debate. I would have to say, for the minor parties that actually do not get as many speaking options as the coalition –

**Harriet Shing** interjected.

**Georgie CROZIER:** But, no, you are missing the point. If they want a documents motion and have another motion to get to their time, you are going to talk it out, so it is to their benefit to have an opportunity to be able to ask for documents in a timely fashion. That is what government does not understand – the importance of why we are asking for documents. I do not understand why the government is kicking up such a fuss over this, but it goes again to accountability and transparency, and I would urge all members to support this very sensible motion.

**Council divided on amendment:**

*Ayes (17):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Tom McIntosh, Rachel Payne, Georgie Purcell, Harriet Shing, Ingrid Stitt, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

*Noes (19):* Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Katherine Copsey, Georgie Crozier, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Aiv Puglielli, Samantha Ratnam, Rikkie-Lee Tyrrell

**Amendment negatived.**

**Council divided on motion:**

*Ayes (22):* Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Ettershank, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Rikkie-Lee Tyrrell

*Noes (14):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Enver Erdogan, Jacinta Ermacora, Michael Galea, Shaun Leane, Tom McIntosh, Harriet Shing, Ingrid Stitt, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Motion agreed to.**

*Motions***Electric vehicle tax**

**Evan MULHOLLAND** (Northern Metropolitan) (15:13): I want to speak on the EV tax, but due to the previous motion I know that my good friend and colleague Mr Davis will be celebrating, while at his CPA conference, his win on changes to sessional orders. I know he is a great fan of transparency in government – another masterstroke by him. I move:

That this house notes:

- (1) on 18 October 2023 the High Court of Australia determined that Labor's electric vehicle (EV) tax was unlawful;
  - (2) Labor's EV tax was widely criticised at the time as a disincentive to electric vehicle take-up, effectively punishing Victorians who make the switch;
  - (3) prior to the November 2022 state election, the Liberals and Nationals committed to pausing Labor's EV tax, in line with the position of New South Wales;
  - (4) Labor's EV tax was a bad tax from the very beginning and was only introduced because the Labor government was desperate to find new ways to pay for their record debt, waste and mismanagement;
  - (5) Labor's EV tax was always just a tax grab that crushed take-up of electric vehicles by Victorians;
- and calls on the Allan government to immediately commit to returning every cent raised from Victorians by this botched and unlawful tax and now come clean on how much money was spent fighting the case in the High Court.

I urge the house to support this motion. I think this motion is one we can all get behind, because there are many different perspectives one can take on the EV tax but I think we can all agree that it was a bad tax. The EV tax refers to the zero- and low-emission vehicle road user charge. It was levied on electric vehicles, hydrogen vehicles and other zero-emission vehicles at 2.8 cents per kilometre. It was also levied on plug-in hybrid vehicles at 2.3 cents per kilometre. It was calculated based on the distance travelled within a given registration period and required registered vehicle operators to provide VicRoads with odometer readings when required. From an environmental perspective, the tax disincentivised the uptake of electric and low-emission vehicles. It punished Victorians for doing their bit to make the switch.

Labor's EV tax was widely criticised when it was introduced, including by the Liberals and Nationals opposition. Before the tax came in, 25 organisations, including Environment Victoria, the World Wildlife Fund and others, called on the government to reconsider the levy. Leading car makers such as Volkswagen and Hyundai also joined the call. They described it as 'the worst electric vehicle policy in the world'. The Labor government like to claim they are world-leading on a lot of things. They are world-leading on bad, poorly designed and unlawful taxes. The Australian Industry Group said the Victorian government was 'putting the cart before the horse'. Transport is responsible for around a quarter of Victoria's greenhouse gas emissions. According to Infrastructure Victoria, if all vehicles on the state's roads were zero-emission vehicles, about 27 million tonnes of greenhouse gas emissions would be eliminated in Victoria by 2046. By introducing this tax, Labor made it harder for people to switch to low-emission vehicles and made it harder for Victoria to reduce emissions.

From a broader economic perspective, it is just a bad tax, and I think you would all acknowledge that it is a bad tax. As John Quiggin, an economics professor at the University of Queensland, has pointed out:

... the policy rested on a misunderstanding of economics.

He said the government argued that:

EV drivers don't buy petrol or diesel, which means they avoid the fuel excise that other drivers pay

...

Drivers who fill up with petrol, gas or diesel don't bear the social and environmental costs of their choices in the form of carbon dioxide and other pollutants emitted ...

You have got their federal Labor colleagues wanting to introduce fuel emissions standards to drive EV uptake and disincentivise regular petrol cars, but you have got this lot taxing electric vehicles in the process, so it seems like they are not really speaking to their comrades in Canberra. They seem to be on different pages regarding this tax. Mr Quiggin said:

... by taxing EVs, you make traditional car drivers better off – and that leads to worse social outcomes ...

There is also a fiscal perspective. The Labor government have faced nearly \$30 billion of blowouts on major projects such as the Metro Tunnel, the West Gate Tunnel, the North East Link and the Suburban Rail Loop and an almost dizzying array of blowouts on smaller projects, all of which the Premier has had direct responsibility for. I think we are up to – Mr McCracken might be able to help me – about \$600 million wasted on the Commonwealth Games alone, which this Premier was directly responsible for. Labor brought in the EV tax not because it was good for uptake of EVs, not because it was good for the environment and not because it was good for Victorians but because they are desperate for cash to pay for their record debt, waste and mismanagement. The reality is that Labor are addicted to spending, and the mismanagement we see in major projects and smaller ones alike is a demonstration of the contempt Labor have for the money of hardworking Victorian taxpayers. The last thing Labor need is to have their recklessness subsidised by yet another tax, in this case paid for by the early adopters of EVs, who were trying to do the right thing and trying to do their bit to reduce emissions.

Another perspective simply is that the tax has been found to be unlawful by the High Court. According to the Electric Vehicle Council's latest *State of Electric Vehicles* report Victoria is lagging behind New South Wales in EV uptake. I wonder why that is. Maybe it is because New South Wales do not have a tax on electric vehicles and Victorians do. It is very right for the Electric Vehicle Council to point that out in their report and condemn the government for introducing what has been a bad, botched and unlawful tax. Prior to the 2022 November state election the Liberals and Nationals committed to pausing Labor's EV tax in line with New South Wales. We knew it was a bad tax underscored by questionable legal advice. We now stand by our position, and I think it was a fairly good one in that we almost predicted the outcome here.

It now seems that the Labor government are dithering on whether Victorians that have paid the EV tax will receive a refund. VicRoads have now advised that despite the High Court striking the tax down, motorists who are due to renew their zero- and low-emission vehicle registration should continue to pay. So you have got High Court decision where the High Court brought down a ruling that this tax is unlawful, and you have got VicRoads saying motorists should still pay. We have seen this government show contempt for High Court decisions before, and they are doing the same here with electric vehicles. Again, VicRoads have said people should still pay the tax, even though the High Court has struck it down. This is despite renewal requiring an attestation of odometer readings in the renewal process. It is just absolutely extraordinary how much they have bungled this.

You have got a High Court ruling saying this is an unlawful tax, and not only are they asking people to keep paying it, they are not giving back the money that Victorians have paid through this charge, which was unlawful to begin with. Any government with decency should admit they were wrong and should return the money that was illegally thieved by this government to those Victorians. The decision was ruled to be unlawful by the High Court of Australia, our penultimate court, and yet this government continues on like nothing happened. I am sure that many in the electric vehicle and broader community will be pursuing the government over this matter; in fact I know that that is likely to occur. It is absolutely brazen of this government to keep trying to thief money from hardworking Victorians who have paid a tax that has turned out to be unlawful. This motion calls on the Allan government to immediately commit to returning every cent raised by this botched and unlawful tax. It is a botched and unlawful tax. They have absolutely made a mess of it.

As I said earlier, this motion also calls on the government to front up with the Victorian people as to how much taxpayer money was spent fighting this battle in the High Court. How much taxpayer money was spent on legal fees fighting this battle in the High Court that it lost? It lost. We knew it

was a bad tax from the start, and equally, in terms of tax collection one could ponder what other taxes may be unlawful. Perhaps the Airbnb tax levied directly on consumers could be unlawful if it were tested, because we know that a direct charge on EVs, on consumers, is unlawful also. So the government should front up with the Victorian people. How much taxpayer money have they spent fighting this only to lose?

The government need to now admit they were wrong – I hope they will with this motion; we might get it from the next speaker – admit it was botched and respect the High Court’s ruling that it is unlawful. In respecting the High Court ruling, the only sensible thing to do would be to actually say, ‘Yes, we were wrong. Yes, we are sorry, and here is the process we are going through to refund people that were charged unlawfully for this tax, and we are going to stop charging people this tax.’ That would be the fair thing for the government to do. I hope I hear similar words from the government regarding this tax. How could you not respect a High Court decision and keep charging people paying this tax? So I urge the house to support this motion, whether it be from an EV uptake perspective, an environmental perspective, an economic perspective, a legal policy perspective or possibly even for other reasons.

**Lee TARLAMIS** (South-Eastern Metropolitan) (15:27): I move:

That debate on this motion be adjourned until later this day.

**Motion agreed to and debate adjourned until later this day.**

### *Bills*

#### **Planning and Environment Amendment (Soil Protection) (Solar Power Generation Facilities) Bill 2023**

#### *Second reading*

#### **Debate resumed on motion of Rikkie-Lee Tyrrell:**

That the bill be now read a second time.

**Ryan BATCHELOR** (Southern Metropolitan) (15:28): I am pleased to rise to make a contribution on the private members bill moved by Mrs Tyrrell, the Planning and Environment Amendment (Soil Protection) (Solar Power Generation Facilities) Bill 2023. The bill proposes to amend the Planning and Environment Act 1987 to provide for the mandatory consideration of soil and waterway protection when making a determination on applications for permits relating to solar energy generation facilities in the state of Victoria. It does this in a relatively succinct set of measures – it is a short private members bill – by inserting into the Planning and Environment Act mandatory requirements for planning authorities to consider a series of matters when making decisions on planning applications to grant or make a decision on permits that allow for the use or development of land for solar energy generation, and it seeks to require that for particular types of land where these solar generation facilities are proposed to be located these considerations would apply.

The land that the private members bill seeks to specify that these new planning provisions would apply to would be agricultural land, any land liable to flooding as it is defined in the Water Act 1989, bushfire-prone land as it is defined in the Building Act 1993 but also land in water supply areas – land on which water is required for domestic and stock use within the meaning of the Water Act where those certain facilities are located. The bill is an attempt to effectively change the planning framework – and its effect would be to do this – to try and frustrate the development of new solar facilities in parts of Victoria. It essentially attempts to block or frustrate or put in place new, more onerous requirements for the construction of solar facilities in parts of the state where farming activities occur. That is the large intent of this bill.

The bill would have us believe that you cannot have solar energy production and you cannot have solar power generation and farming coexisting, particularly in areas that might be prone to bushfire

risk or might be prone to flooding or in a water supply area. It is just not right that those two activities are incompatible, but it also has the real, practical effect of removing the opportunity for solar generation across large parts of Victoria and would stymie the development of new solar generation and new renewable energy in many parts of the state, particularly in many of our renewable energy zones. Solar production and agricultural production are not incompatible with one another. In fact they can work together to improve the productive use of agricultural land to make the production of our food on our agricultural land more efficient and cheaper through the use of the best free and renewable energy supply we have got in the sun. To prevent rural Victorians from taking advantage of solar energy would be to deny them the great opportunity that awaits them and this state more broadly.

Probably more problematic than just the perverse outcomes that are intended by this bill is that it is simply not based on any evidence whatsoever. It sets up a false choice: asking us to choose between the benefits of solar energy and energy transition or agricultural land use when the two things are not incompatible. In fact they are very much compatible and will enable great benefits across the state both for those involved with the agricultural sector and for Victorians more broadly. That is the fundamental reason why we on this side are opposed to this bill.

It is not just the government that believes that there is no incompatibility between solar energy production and use of our land in these sorts of areas. The Greater Shepparton City Council recently undertook some research into the impacts of large-scale solar farms in irrigated areas. One of the things that this bill seeks to do is to reduce the ability for solar energy production to occur in irrigated areas. The research done by the Greater Shepparton City Council – so not by the state government but by a local authority in one of these areas – found that the likely impact on the Goulburn–Murray irrigation district of solar farms in terms of the irrigation network integrity and future liability is negligible. It concluded that up to 20 large-scale solar farms could be accommodated in the Shepparton and the east Goulburn–Murray irrigation district area – not from the state government but from a local government on the ground in these communities doing independent research on whether solar production and agricultural land use are compatible, and they absolutely found that they were.

This goes to the fundamental core, the fundamental reason, why this bill is misguided. Protecting agricultural land does not require the exclusion of solar energy facilities, and we know from experience that large-scale solar farms can be complementary to farming and agricultural production, because agricultural production can benefit and does benefit from solar energy. There are a range of benefits that the construction of these facilities can provide in localised areas. They can do a range of things to assist farmers in the management of their land, but using the installation, putting solar arrays into their properties, can provide additional income sources for our food and fibre producers, providing for and improving the resilience of their financial arrangements so that they have things which are less vulnerable to the often too familiar ups and downs that may occur.

That is in the here and now, but we do know more broadly that in many respects farmers stand to lose the most from the negative effects of climate change. More broadly we know that as our climate changes and as our weather patterns change, it is those who rely on the land that have the potential to be some of the greatest-affected by those changes – whether that is by increased extreme weather events, higher incidence of flooding, more and more extensive drought – and that farmers are some of those groups that will be most affected by the rapid changes that we are seeing in our climate. So then not only does solar energy generation have the potential to benefit agricultural land production in the here and now, but doing our bit – and everyone doing their bit – to transition our economy away from carbon-intensive emissions energy production means that we can do our bit to slow the pace of our climate changing, and our agricultural sector will be a beneficiary of that change.

By allowing this bill to proceed we would eliminate the possibility of solar energy generation across a large share of Victoria's agricultural lands, which would not only stop and prevent the diversification of farm production but also stand in the way of farmers using their land for the purposes that they deem most appropriate – I know matters that are dear to the hearts of many of his chamber, including you, Acting President McArthur. That is going to have wider benefits for the community and help our



energy transition, which will benefit the agricultural production sector, our farming community, in the medium to long term.

The bill fundamentally is not in the interests of agricultural production, it is not in the interests of farmers and it is not in the interests of all Victorians, because all of us in this state, in this nation and in this world know that we need to do something about the fact that our climate is changing, that we need to take action to ensure that the energy we are using for our daily lives is transitioned away from carbon-intensive, emissions-intensive forms of generation – the burning of fossil fuels being the primary driver of that – and more towards renewable sources of energy, like solar and like wind. It is the direction for transition in our energy market which is demonstrating this government's and the state's commitment to taking action on climate change.

The transitions that are underway in our energy sector are extremely significant. Victoria is absolutely leading the nation in transitioning our economy from one based on emissions-intensive energy production and electricity production to one focusing increasingly on renewable forms of energy. We have got in Victoria over 1 gigawatt of large-scale solar operating right now, with a further 1.7 gigawatts in the planning process. They are significant amounts of energy production from large-scale solar facilities right now in Victoria that are either operating or in the process of operating. To give you a sense of perspective, that is the equivalent of about two Yallourn power stations worth of additional capacity coming into the sector, coming into the energy market.

The government through its policy settings has enabled and is enabling our transition towards renewable energy generation. In fact across Victoria in total we have nearly 6 gigawatts of operating renewable energy capacity across solar, wind, battery and bioenergy, which is about three Hazelwood power stations worth of renewable energy going into our grid, powering our homes, powering our industry and powering our farms. That is exceptionally important to be a part of, and it is exceptionally important for the state to recognise the significant benefit that is having for our economy. It is also helping to keep our lights on. We know that increasingly the old coal-fired power stations that Victoria has relied on for so long are showing their age. They are having more problems meeting demand and they are having more problems keeping going because of their age and the outdated nature of their technologies, and we know that the operators of these existing coal-fired power stations have announced that they will be exiting by 2035. We need not to put more hurdles, as this bill would do, in the way of transitioning to a renewable-led energy sector, but to support it, so this bill would be incompatible with the policy direction that the state not only should be proceeding on but needs to be to make sure that we have got the energy system and the energy production necessary to meet our state's needs as we move away from coal-fired power stations into the renewable sector.

The scope and pace of the transformation that we are seeing here in Victoria I think is something that does bear some remarking upon. We have a commitment, one of our many targets, that we want to make 95 per cent of renewable electricity here in Victoria by 2035. Last year we had already achieved 35 per cent of our electricity being generated from renewables here in Victoria, so in 2022 it was 35 per cent of our electricity generated in Victoria that came from renewable sources. Just to show you the impact that government policy has on this trajectory, in 2014 when the Labor government came to power it was just 10 per cent, so between 2014 and 2022 the percentage of our electricity generated from renewables went from 10 per cent to 35 per cent. And the pace of change continues. We are seeing this year so far 36.5 per cent of our grid made up of renewable energy, so it is absolutely without question that the state is on track and well on its way to meeting our target of 50 per cent renewable energy by 2030.

In articulating the pace of our success I want to acknowledge the extraordinary hard work and determination of the Minister for Energy and Resources, the member for Mill Park in the other place, Lily D'Ambrosio, who is an absolute powerhouse of renewable power. She is a powerhouse of renewable power for this state, and no-one is working harder than Minister D'Ambrosio to ensure that Victoria is generating the renewable energy we need to not only meet our climate goals but keep the lights on and be there for when the coal-fired power stations stop working.

Not only is this rapid transformation in our energy sector generating power, it is also creating jobs, and that has been part and parcel of what the Labor government has been focused on for the last eight, nearly nine, years – both a transformation of our electricity sector to meet our climate targets and making sure that Victorians get the benefit of that transformation with good, high-skilled jobs. We have created more than 5000 jobs in large-scale renewable energy since we were elected. This bill would put a hurdle on job creation in renewable energy in this state, and we are not willing to stand in the way of people getting jobs in renewable energy, which is exactly what this legislation would do.

Part of the challenge of transitioning our energy sector and our energy market away from its reliance on carbon-intensive sources of electricity generation, historically concentrated in certain parts of the state, is that we need to build renewable energy where the sources of that energy are best harnessed – places where the sun might shine, places where the wind might blow. In order to support those we have created six renewable energy zones, all the way from sunny Mildura to the very wild and windy coast off Gippsland. To support that, there is an investment in the grid, because there is no point generating the power if you cannot get it to the people who are using it, and that is why the government will invest \$540 million over the next four years – more than any other state – to support these renewable energy zones and support the infrastructure that goes with them to ensure that the transformation that we are making in our energy production can bring that energy to our consumers, our households and our industry, to the people who need it and use it. This plan, with the renewable energy zones, has the potential to unlock around 10 gigawatts of new renewable energy across our energy system.

We know that the climate needs it. We know that renewable energy is cheaper and better for households and we know that it creates jobs, and to deliver it, not only do we need to transform the sources of production, which we are doing, which we are supporting and which this bill would put a roadblock and a hurdle in front of, but we are investing in the network infrastructure and in the grid connections to get that renewable energy from where it is being produced to where it is required. So I think we can say quite comprehensively that the policy framework around energy production that this government has been championing has made Victoria a nation leader. I should say, we are decarbonising as a consequence of the policy action that the state Labor government is undertaking, and we are decarbonising at the fastest rate in the country – most ambitious plan, fastest rates of decarbonisation – and this is all since the government was first elected in 2014. We have cut emissions more than any other state. I think this demonstrates to you the absolute benefits that you get when you have got a government that is committed to renewable energy transition, the jobs that it creates and the cheaper power bills that come with it and why the government resists moves like this in the legislation before it that would prevent those plans coming into fruition.

Obviously there are matters in the community that have led Mrs Tyrrell to propose this private members bill here, and I think it is important to take just a moment to dispel some of the myths that may exist in relation to how landowners – farmers – engage with the process of establishing large-scale solar facilities. In the context of the debate it was alleged that farmers are locked out of decision-making around solar farms on their land, and that is not true. Farmers are not forced to house renewable energy generation of any type on their land. Whilst some in the course of public debate might not like to acknowledge it, as I said before, we know that farmers are at the front line of climate change impacts, and that is what motivates many of them to choose to house solar on their property. The concern that I have with the framing of the debate in the way it has been done, both by those who moved this legislation in this place but also more broadly by those in the community who have raised fear about the renewable energy transition, is that it is just an exercise in localised fearmongering that is not founded in fact. There is no evidence, no case study – nothing – that warrants the passage of this legislation. It is just fearmongering not based in reality.

As we know, what is real are the effects that climate change is having on our community and the realisation that many are having that we need to make the changes that the government is doing to ensure that we have got the energy that we need to meet both our targets and also our obligations to

keep enough electricity being generated in this state and across the national energy market to ensure that occurs. More broadly than just the issues around the matters that this bill seeks to deal with, the government absolutely is committed to protecting agricultural land, recognising and supporting irrigation districts and ensuring that our regions remain some of the world-leading producers of food and fibre that they are.

We already have mechanisms in place to ensure that the decision-making around the development of new large-scale solar facilities on land is done in an appropriate and considered way that takes into account the kind of issues that can legitimately concern people. It is a fact that any application for a solar energy facility is assessed against the requirements of the Planning and Environment Act 1987 and against state and local planning policy. We take into account the planning schemes, we take into account planning policy and the requirements of the Planning and Environment Act when assessing applications for new solar farms on all types of land, but it is clear that the state planning policy does not regard agriculture and renewable energy as incompatible land uses. Where a permit is required for a renewable energy facility, the Minister for Planning must consider the impact of the proposal on strategically important agricultural land, particularly within a declared irrigation district, and any proposals in the farming zone also require consideration against the requirements of the purpose of the zone, which is to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The existing rules already require these matters to be taken into consideration. As I mentioned at the start of my contribution, we know that we have had independent studies undertaken by the City of Greater Shepparton that found there was no impact between the matters in the irrigation zones in their part of the world and the possibility of solar production occurring in the area. To suggest otherwise is not relying on facts, it is relying on fear, and we do not think that is a solid basis on which to legislate. We do not think that that is a solid basis on which we should be making decisions about how to best continue Victoria's great strength in agricultural production and continue Victoria's great strength in renewable energy generation.

As evidenced by this bill being here in the first place, it is clear that there are some in the community who have concerns. I hope that the contribution that I have made in the course of this debate and the contributions that other government members also make in the course of this debate will demonstrate that the government is fundamentally committed to supporting our farming community – our farming and agricultural sector – and that we recognise that farming practices are not incompatible with renewable energy generation whatsoever, that our planning regime already has requirements in it to take into account strategically important land use when making decisions about large-scale solar facilities and, more fundamentally and most fundamentally I think, that the government recognises that farmers stand to lose a lot from the effects of climate change.

The way our climate changes, as extreme weather events become more common, as rain falls more frequently and with greater intensity and as our summers get drier and bushfire risk increases, is making the ability to keep once productive land in the same productive use more difficult, and that is recognised across the board in the agricultural community. We can do our bit by transitioning our economy away from carbon-intensive electricity generation, and that is exactly what this government is doing faster than any other jurisdiction in this country. This bill will make that job harder, and that is why we do not support it.

**Georgie CROZIER** (Southern Metropolitan) (15:58): I rise to speak to the Planning and Environment Amendment (Soil Protection) (Solar Power Generation Facilities) Bill 2023, which has been introduced into this place by Mrs Tyrrell from One Nation in relation to concerns, I understand, that have been raised by constituents that she has been speaking with. What this bill plans to do is amend the Planning and Environment Act 1987 to provide for the mandatory consideration of soil and waterway protection when making the determination of applications for permits relating to solar energy generation facilities and for other purposes. As has been highlighted by Mrs Tyrrell, it primarily

seeks to protect agricultural land, soils, waterways and the environment to ensure that land can be utilised to its best purposes.

The main purposes of this bill are to amend the Planning and Environment Act 1987, as I have said, to require responsible authorities to consider certain factors before granting a permit to use and develop land for the purposes of a solar energy generation facility and to prevent the grant of a permit to use or develop land for the purposes of a solar energy generation facility if that land meets certain specified criteria. That responsible authority must not grant a permit that allows the use or development of land for a solar energy generation facility if the land meets – I think the original bill said two criteria, but there is an amendment to be put to that – three of the criteria, as would be outlined in the bill, those criteria being that the land is agricultural land, the land is a water supply area, the land is bushfire-prone land and the land is an area of land liable to flooding. They are the absolutely well-meaning intents for what this bill is trying to protect – ensuring that, as I said, they meet three or more of those criteria that I have highlighted. We think that these are some very legitimate concerns.

In saying that, we do also understand that there is a need for renewable energy development and that solar farms are a part of that make-up, and solar farms are already in existence. But to go to the points that Mrs Tyrrell raises in terms of contamination and breakdown of those solar panels and what happens to soil and water contamination, I think they are very legitimate concerns, and any responsible landowner would also understand that. Landowners are very conscious of the degradation of their own land, and they do not want to diminish it in any way in almost all cases. So it is reasonable to be understanding the protections that need to be put in place.

Whilst there have been enormous improvements technologically around solar farms and solar panels over the years, there is that component around the contamination that has been raised. I know from my own personal experience, we had solar panels back in the late 1980s and early 90s that powered some of our energy needs on our farm. I grew up in a time when there was not electricity coming to the farm, but we would have a diesel generator, and blackouts were quite common. God forbid we go back to those days when blackouts occurred and you would have to crank up the kerosene stove and get out the candles and kerosene lamps, and that was how you powered your house – that was how you lit the house. But that was how we lived before powerlines were put across the state.

Saying that, I make the point because as we have evolved, so has technological advancement, and so too in solar. I note that the VFF, in terms of what they say about solar farms and renewable energy, want the state to create a strategic plan around renewable energy, and I think that is a prudent point for the VFF, the Victorian Farmers Federation, to make. Looking at those areas and looking at where land is not suitable to have solar farms, the loss of productive land and how to improve distribution systems are very much part of the concerns that they have highlighted as we work towards this renewable energy phase that the society that we live in is going through.

So there are proactive actions to generate energy, and that is all well and good. Landowners should have a say over how their land is used, as long as it is not infringing upon others in a vastly detrimental way, and there is debate about that in relation to wind farms and other things. We have had lots of debate about that and how that has impacted on communities, how it has divided communities and how concerns have been ignored by government, and I think it is to the detriment of government to ignore some of those concerns, especially around aspects that have impacted individuals and communities.

Nevertheless, it goes to the point of distribution lines, and I know that Mrs McArthur and others have spoken about distribution lines and what is going to have that impact on agricultural land, what the impact on those communities is, and for that productive land – about distribution lines and how that will be implemented. The government has fallen short on that. They have really not consulted with communities. They have not really brought communities along with them. It has been ‘my way or the highway’, and they have just pushed on. It is a contentious issue, in many instances, around how we manage this. I note that the government members think that they are pushing towards this and they are

leading the way, but they are not bringing community with them in many instances. I think that is a pity. I think they could have done a lot better than just assuming they know best and pushing forward and rolling over communities without that consultation that I have mentioned.

To get back to this bill, it is, as I said, looking at a very important element around the contamination purposes of solar farms and the impact on productive land and how solar farms and solar panels, should they break down, can have an impact, and even the run-off of solar panels has an impact too on the environment through soil and water contamination. That is why the opposition has flagged that this bill should go off to a committee to look at these very aspects. It is a sensible measure to take in relation to having a look at the environmental impacts that renewable energy solar farms could have, and I do not think that that is an unreasonable ask for this house to support. What I would be proposing when we get to that point of the debate is that I move a motion, in Mr Davis's name:

That this house:

- (1) requires the Environment and Planning Committee to inquire into, consider and report, by 31 May 2024, on the Planning and Environment Amendment (Soil Protection) (Solar Power Generation Facilities) Bill 2023, including:
  - (a) the need to ensure key agricultural land has clear protections and what these protections should be;
  - (b) which of these protections should be included within the bill;
  - (c) the most appropriate planning and environmental protection regime for large-scale solar energy production to both protect the environment and agricultural land but also to provide certainty to the solar energy generation sector;
  - (d) the most appropriate planning and environmental arrangements for powerline transmission of expanded renewable energy production; and
- (2) requests that, in undertaking this inquiry, the committee hold hearings and take evidence in regional Victoria.

It is a very sensible referral – around this bill that we are debating today – to have an inquiry to look into these aspects. Mrs Tyrrell has brought this bill into the house, and she has raised concerns. And actually, if you take that away, these concerns are concerns that many members of the Victorian community have. This inquiry would be able to undertake hearings with those affected communities to get their input and therefore look at the bill and use that as a basis, as a platform, for what needs to be done. Let that committee do its work and then come back to the house and amend this bill, if need be, depending on the hearings, findings and recommendations of the committee, and really get the house to debate that and have a look at it. I think that is a prudent way forward, and I think it would give certainty to a whole range of issues that Mrs Tyrrell has alluded to and raised in her debate around the protective mechanisms, what key protections agricultural land has and needs to have, what should be included in the bill and what impact the environmental planning and protection regime for these large-scale solar farms will have.

Some in this chamber understand that they are very large and they do have impacts on communities and their neighbours. If a bushfire gets through one of these big farms, it is hard. And what about the destruction of the panels? What happens in that instance? I am really not sure what the EPA and others have said about that, how it is managed or, as Mrs Tyrrell has raised, what the risk is to firefighters, the CFA and our volunteers and the impacts. The unions have a very strong stance around going into built-up environments and having protections against asbestos and other flammable materials when they are fighting fires. Well, why shouldn't our CFA volunteers have those same protections? That is what this inquiry would look at and really tease out and determine – the risks to those volunteers and others if they do have to fight a fire where a large-scale solar farm is located. That would be a good thing. That is being proactive before these solar farms are actually in place and we have that impact. Now, we have just heard Mr Ryan talk about climate change and the impacts and why we need renewable energy.

**Tom McIntosh:** Mr Batchelor.

**Georgie CROZIER:** Mr Batchelor. Who did I say? Mr Ryan. Sorry, Mr Batchelor. Mr Batchelor was talking about renewable energy. That is all well and good, but there are these environmental impacts and there are health impacts to individuals who are going to be dealing with bushfires. Victoria is very prone to bushfires; this is nothing new. We have had bushfires since day dot. There will be bushfires this year. There will be bushfires in the years to come, but if you have got these large structures in place with flammable and potentially dangerous materials, then surely you want to know how to manage that. That is what this inquiry would look at. I think that is also an important aspect. And of course there is the powerline transmission for the expanded renewable energy production, which really the government has failed to address. It has been a very contentious issue and one that has many communities rightly railing against the government because of a lack of consultation and a lack of information and just the direction that the government continues to take without taking into consideration those concerns.

I would like to say that whilst there are many, many elements in this bill, the opposition does have concerns around the narrowness of the bill. That is why we think it needs to go to an inquiry – to tease out some of those concerns and make sure that the Parliament gets it right when passing legislation such as this. Again, I thank Mrs Tyrrell for bringing it to the house's attention and for putting the debate forward. I think there are many important aspects, and I think that the community that it will be affecting will benefit greatly by having that ability to come before hearings conducted by the Parliament.

**Jacinta ERMACORA** (Western Victoria) (16:13): I speak today against this bill. Before I get into the reasons why, I would like to say from the outset that some of the broader themes and the principles that are drawn upon in the bill are absolutely worthwhile and not disputable. I too am passionate about ensuring our precious agricultural land is protected for future generations. Certainly being the child of several generations of European farmers, I know their story. I know intergenerational stories. There was a great focus on bringing the European approach to farming from my grandparents and my great-grandparents, and it was depending on the seasonal variation as to whether or not that worked. Occasionally using European farming methods worked brilliantly and other times it did not. Indeed in my part of the world in particular we host some of the most highly productive food and fibre land in the country. This is a big part of why the south-west and the Western District of Victoria is so special.

But while I identify with some of the overarching aims, it is in the substantive detail that this bill diverges for me. To imply that agricultural land and the livelihoods of many thousands of Victorian families is somehow under threat from solar farms is probably bordering on a bit of scaremongering. It is just out of proportion to what is actually going on on the ground. Our farmers and our farming communities deserve clear information and not scaremongering or fear for no reason. As others have mentioned – and I acknowledge Mr Batchelor's contribution – the Clean Energy Council have done the maths on this issue. They found that in the incredibly unlikely scenario that solar alone were used to replace our aging coal-fired power stations, the amount of land needed across Australia for solar energy generation would be around 0.016 per cent of our nation's total land area or about 0.027 per cent of the land currently used for agriculture. Those numbers bear repeating: in the most unlikely scenario possible, solar would require a total of 0.027 per cent of land currently used for agriculture. To put that in maybe a kilometre parallel, that is 36 kilometres out of 227,000 kilometres, so I think the word 'proportion' is the right way to think about this. It means that while the land potentially required for solar would be an incredibly small share of our nation, the impact of this bill on the state's clean energy future would actually be enormous.

This bill would have us believe that the coexistence of solar and agriculture is impossible – that it needs to be a mutually exclusive choice between either solar and its benefits or preserving our precious farmland. And this is where I think we are facing a false dichotomy. As producers in my own district will say, our state's solar energy efforts should not compromise our clean, green agricultural industry. In fact they can and often do cohabit quite happily. There is a long list of potential benefits for farmers – providing livestock with shade and protection from weather and predators, improving growing

conditions for certain crops – but for many of our food and fibre producers it is a simple dollars-and-cents proposition, with solar providing an additional and much-needed income. Where you have one of the farmers working off-farm, which is what we usually call it – for instance, working as a teacher or a nurse, off the farm – some farms and families benefit incredibly from that off-farm income. And there is no doubt that farmers benefit from the payments that they receive from wind turbines and in this case solar as well.

This bill also fails to recognise the impacts of climate change that are being felt first and foremost by our farmers. They are truly Victoria's front line in this global crisis, witnessing firsthand our changing weather patterns and feeling deeply its impact on their land. Farmers are trialling native pastures, planting riparian zones along waterways and updating livestock-watering strategies, and this is why many farmers are actively choosing to be part of our state's solar program. It is absolutely a choice. This bill suggests that farmers are somehow being locked out of the decision-making process, forced to host solar farms on their land, and this is simply not true. In fact if this bill had its way, there would be no decision-making process at all, entirely eliminating the possibility of solar across much of our state's agricultural land.

This bill also fails to recognise the incredible and ongoing technological advancements in this space. Indeed, because of some of those advancements, land is not even necessary as a component for solar anymore. Around this time last year – I think it was a bit earlier actually; I cannot tell you the month – I was very proud to host our brilliant Minister for Water on a visit to what will be Australia's largest floating solar array in Warrnambool.

*Members interjecting.*

**Jacinta ERMACORA:** It sounds like it is a race. The floating solar panels are being constructed by Wannon Water on their raw water storage dam called Brierly Basin. Part of our commitment to supporting our state's water corporations to reach net zero by 2035, this project will not only help reduce emissions but keep water bills low for local Wannon Water customers. Floating solar is already being used to great success around the world, particularly in nations that are short on suitable land for large-scale solar farms. The inherent benefits of this technology are pretty obvious, with panels harvesting significantly higher yields of energy because of the reflection of light from the water's surface. Wannon Water's \$1.4 million investment at Brierly Basin is just one part of our much bigger renewable energy agenda under construction in the government sector and in the private sector across this state.

In 2022 more than one-third of electricity generated in our state came from renewables, more than tripling the 10 per cent we inherited when we came to government in 2014. In the year to date 36.5 per cent of Victoria's grid is made up of renewable energy. Under our watch 59 new renewable energy projects, equivalent to more than 4400 megawatts, have come on line. A further nine projects are currently under construction across our state. That is something else this bill does not recognise – our investments in renewables are driving new regional jobs, and I note the acknowledgement of this by my colleague Mr Batchelor. More than 5000 jobs in large-scale renewable energy have been created since we came to government. That is thousands and thousands of Victorians who now have good, secure employment as a result of our investments. This bill would put those jobs at risk – it would most certainly put most of those jobs at risk – but it would also risk the long-term energy security of our state. Right now in Victoria there is more than 1 gigawatt of large-scale solar in operation, with an additional 1.7 gigawatts currently in the planning process, which has already been stated by my colleague. That is the equivalent of almost two Yallourn power stations. It means that across our state a combination of solar, wind, battery and bioenergy are quite literally keeping the lights on. Unlike this bill, the Allan Labor government understands that solar will be an essential part of Victoria's sustainable and reliable energy future, because as those ageing coal-fired power stations retire in coming years, we need to replace them.

I am proud to say that the federal Labor government has begun work to establish Australia's first offshore wind zones. There will be six new offshore wind zones around the country, and two of them will be in Victoria: one off, to quote Mr Batchelor, the very extremely windy Gippsland coast and the other off the not so windy but beautiful western coast.

**Wendy Lovell** interjected.

**Jacinta ERMACORA:** I had to say it, Wendy. These zones are dedicated to ensuring we have the renewable energy we need to continue powering our state while at the same time ensuring affordable and reliable electricity for Victorians. It is no coincidence that Victoria is proposed to get two of these zones. We are the state with the greatest carbon neutrality ambitions and targets, so it is no surprise that the investment is occurring in our state and no surprise that these investments are resulting in new jobs.

These zones are also underpinned by what this bill purports to care about – careful planning. For many of the reasons I and others have outlined, it is clear that, at best, this bill is a blunt instrument that will deny farmers the choice to receive revenue from solar farms if they want to. At worst, it is a veiled attempt at scaremongering, and I think accurate information is really important for everybody.

On this side of the chamber we refuse to be distracted. We know we can do both: continue to invest in the renewable energy that our state needs and continue to back our rural and outer regional Victorians and our food and fibre sector.

**Sarah MANSFIELD** (Western Victoria) (16:27): I rise to speak on the bill that has been presented by Mrs Tyrrell today. The Greens will not be supporting this bill, but I acknowledge the work that has gone into putting this forward. It is always a huge amount of effort to put a bill together.

I think I will start by clearing up some misconceptions just very briefly about solar generation facilities. We have heard from a number of other speakers about some of those misconceptions, but I think it is important because discussions like this can lead to potentially some misinformation that is not always helpful in the discussion about what the pros and cons of these sorts of facilities are. We acknowledge that no form of energy production is completely free of impacts on the environment. However, solar panels have a much lower risk of toxicity to the land and waterways than coal production, so we have to remember that. I really welcome the coalition's new-found interest in the environment and protecting our soil and waterways. It is somewhat curious that it has only emerged very recently in the context of renewables and the impact that they may have on the environment, because it was not there recently when we debated mining legislation. It has not been there when we have debated water policy on many occasions. It has not been there with native forest logging, with the protection of habitat from pests and feral animals. And all the while they have continued to support the fossil fuel industry, including heavily subsidising it over decades. So I really welcome this change and this turnaround. I hope it continues. We would love to work with you on strengthened environmental protections, but forgive me if I am somewhat cynical about the motivations for this one.

**Bev McArthur:** Shame you didn't support the transmission line inquiry. That really would have affected the environment.

**Sarah MANSFIELD:** It is very similar, Mrs McArthur. While it is reasonable to have concerns about heavy metals such as cadmium telluride, or CdTe, it is important to keep this in perspective. Only about 5 per cent of solar panels in Australia are made with CdTe, and it is encapsulated in glass when it is in operation. The key concerns around contamination arise during disposal or destruction of panels, and I know this was mentioned by Mrs Tyrrell. This is another area where we agree more could be done around the safe disposal of solar panels, but it is not something that is addressed by this bill. It is also worth recognising that innovation in conservation and agricultural production alongside solar infrastructure is growing. There are new opportunities for agrivoltaic farming or agrisolar, particularly alongside sheep grazing. I believe that further symbiosis between renewables and farming will be developed as innovations progress.



Fundamental to our opposition to this bill are concerns that, given the broad-ranging definitions it uses of 'agriculture', 'water supply', 'bushfire' and 'flooding', it would in effect prevent development of new solar projects in most of Victoria, even with some changes to that threshold. Rather than assess each project on its merits, this bill uses a blunt approach, as Ms Ermacora alluded to earlier. It would stop many projects before they even get a chance to be looked at in detail, and it would deter investment in renewables, which we cannot afford given the current climate emergency.

This bill also takes away the rights of landholders to decide the best use of their land, which is something that I think many MPs with farming ties should be concerned about. It removes their ability to take advantage of landholder payments and benefit schemes put in place by renewable energy projects. Part of adaptation and the journey towards renewables has got to be working alongside communities and the environment. We do not dispute that, and the government needs to be doing a better job of this. We have advocated strongly for improved consultation and collaboration with traditional owners, landholders, regional communities and environmental groups and a more proactive and transparent information-sharing process to prevent voids that can be filled and are being filled with misinformation.

Social licence is a key factor that will facilitate the renewables transition, but we do not believe that the prescriptive nature of this legislation or the effect of it is the best way to deal with these issues, and for all of these reasons we will not be supporting the bill.

**Wendy LOVELL** (Northern Victoria) (16:32): I rise to speak to this debate, and I wholeheartedly support the recommendation to refer this bill to a committee for it to be looked at more holistically. Like Mrs Tyrrell, I share some concerns around the location of solar farms on prime agricultural land. In fact I received an email from the Meadow Creek Agricultural Community Action Group, from John Conroy and Ange Godley, just last Friday encouraging support for this particular bill. They said that they were calling for strong government regulations to be put in place to stop scenarios like this particular solar farm at Meadow Creek, which is a rather large facility that is going in there, from going ahead. They said that they did acknowledge the importance of a net zero goal but that they have grave concerns about sacrificing prime agricultural land, and they also said that they did not advocate for halting power generation efforts but called for foresight in preserving vital agriculture and water catchment assets, and I think that is where I am actually at. I certainly, like all of my colleagues in the Liberals and the Nationals, support solar generation and the progress of solar-generated power, but I am very concerned about the impact that this is having in my region.

I know that Mrs Tyrrell mentioned the Bobinawarrah facility in her second-reading speech and that it covers 566 hectares, which is a very large area, comprises portions of Wangaratta's domestic catchment supply, has bushfire-prone overlays and flood zones and is land that has previously been earmarked as strategic agricultural land in the *Hume Regional Growth Plan*. This area is in the very highly productive King Valley, and of course the King Valley producers are concerned about this proposal. This is not the first proposal that I have seen people concerned about on prime agricultural land. In many of the applications from around Greater Shepparton there has been grave concern about it, because not only is it on prime agricultural land, it is on prime irrigated agricultural land. As we know, the government have reduced the footprint of the irrigation area significantly and we now have far less irrigated agricultural land, and our country is going to need more food into the future. We are going to be required to produce more food on a smaller portion of the land, so it is very important that that land that is irrigated is protected for agricultural production. But of course as we know, those who are proponents of new solar farms are always wanting to be close to the grid and close to the substations for feeding the power into the grid, so therefore they do not care about what the land is currently being used for. There are large swathes of land in my electorate that would be perfect for solar farms. We have more sunshine than anywhere else in this state, and this could be a great growth opportunity for us in the north. But we do have to be very careful about protecting our prime agricultural land and particularly our prime irrigated agricultural land.

Mrs Tyrrell raised that the CFA have raised with her their concerns around some of these facilities and their ability to deal with these facilities should there be a fire. The CFA have not actually raised this with me about solar farms, but they have raised their concerns around solar batteries and their ability to extinguish those. I would imagine this is very similar to the solar farms if there was a fire – the ability to put a fire out on those facilities. Also, these facilities go for acres and acres and acres. I am not sure that all of our CFA brigades would have the capacity to fight a fire on such a large scale and over such a large area. We know that aerial appliances are needed when we have a fire in some of our coolstores et cetera. A fire on one of these large solar farms could be quite difficult for them to deal with.

These are not things that we should decide within this chamber just based on what we are thinking at the time. These are things that we should really look into. That is why I support the motion to refer this bill to the Environment and Planning Committee – so that we can look at all of this further, so that we can look at the effects that solar facilities being located on prime agricultural land may have on our ability to produce food in this state and the impact on agriculture, so we can look at what it might do. One of the concerns that was raised with me by some orchardists in the Goulburn Valley about a solar farm that was planned next to them was that they claimed it would raise the ambient temperature in the area and so the adjoining orchards could be severely impacted. These are things that we should look at in detail. We should refer this to the committee so that the committee can look at the impact on agriculture and so that it can look at the impact on soils. And certainly if it is right that these facilities could be leaking into our soils and into our water supplies, then it should be something that we are all very, very concerned about, and that is why it should be looked at in further detail. So with those few words, I say that I support the motion to refer this to the Environment and Planning Committee.

**Tom McINTOSH** (Eastern Victoria) (16:38): I stand to speak against the bill that is before us today. I do so with respect to those that have put it together. However, I want to start with the problem. I want to start with the situation that has been coming at us like a slow-moving train – and that train is getting faster and faster – for the last 30 or 40 years, and that is climate change. One of the big groups of people who are going to be impacted most significantly through climate change – and we are already seeing the impacts – are farmers. It is critically important not only to our farmers but to their communities and to the economic productivity of our state, of our nation, that our farmers have the conditions they need to grow crops, to run livestock for their produce and to do it in the most consistent manner possible, that being with the least amount of drought and the most stable climate possible to grow their produce, because as we have seen, when we have drought, farmers do not make profit. When we have prolonged drought, farms are sold. Generations of farmers are cut straight through the middle.

The predictions so far around the science of climate change have not only been accurate, they have probably been under-recognising or under-diagnosing what is coming our way. I think when it comes to supporting farmers, the absolute first point is we have to recognise the problem and commit to action on the problem of climate change. Have a look at a map of Australia; you can pull out Google Maps on your phone right now. Have a look at the colour of the majority of Australia; it is yellow, it is orange, it is red. You get out to the perimeter and that is green. That is our most productive, viable agricultural land. As seawater levels rise, water is going to be coming in from the outside, and as temperatures increase, that orange, red and yellow zone is going to expand out to the perimeter. So first of all, we are going to see crops being less productive. We are going to see livestock not growing to the full weight that we would have expected in the last century. This is going to have the effect of cutting away at farmers year after year. As we move to a doubling-of-drought scenario under a 1.5-degree temperature increase and at 2 degrees a 2½ times likelihood of drought – so they will be coming in five out of every 10 years – not only will we see farmers being chipped away at through lessening of conditions in those droughts, but then they will be getting smashed. And the economic resilience of our farmers every time this happens is just getting chipped away at and chipped away at until they will be no longer there.

And all of us need them there, because without food security, without affordable food, we get very, very bad consequences. We get consequences we have seen around the world where there is drought. Nations end up in really, really disastrous places, whether that is famine or war. It is all right for us as a nation to stand here and say, 'Well, that's not us; that's not our problem.' Another country with an A at the start and an A at the end and about the same number of letters I think, Argentina, was in a very, very strong economic position 60 or 70 years ago, and it is now not. So more broadly from an economic perspective we always need to be very mindful that we are protecting our economic conditions to maintain our economic strength, and absolutely part of that is protecting the climate we and our farmers all work within to produce our products that we depend on for a food source but also, as we acknowledge, depend on so much for an agricultural economic output.

I want to come to a few points closer to the bill. I think mixed-use farming cannot be overlooked. One thing for me: I have had generations off the farms, I grew up on farms and I am talking to farmers in this role, and I do not get a sense that farmers want more regulation put upon them. To come in and say to farmers what avenue of revenue they can bring in for their farm and put a limit on that – I do not think farmers are going to be really impressed with that. Coming back to those drought situations, when we have drought and we have sustained drought, we actually get lots of sunshine. What do you get when you get lots of sunshine with PV? You get good economic outcomes for the farmers. That is a lot of power to export. That power could be used onsite. As we were discussing before about water becoming less abundant, the ability to pump water and to have that power there to pump water and the ability to support the farm – we have got energy-intensive farming; we have got new models of farming emerging all the time – to have that abundant energy source there is like manufacturing for our towns and cities. To have cheap, affordable power at the source is an incredible opportunity.

I was down at Dromana, at Volt Farmer, on the weekend, and they are looking to put in 4 megawatts and have that alongside hothouses. There is treated water running by. They want to capture the resources that are there through that energy to electricity, treat that water and use it in the hothouses – there are livestock running there as well – to get the most out of everything that is there. We were talking the other day about farmers grazing animals on the sides of the road. That is getting the most out of the resources available. I think we need to leave political ideologies about 'This group's all on the left and this group's all on the right'. It is about how we definitely, safely and responsibly extract the most out of the resources that are available to get the most production and the most economic benefit for our farmers, our communities and our broader state and nation.

Just coming back that point – and I have some notes here which I might come back to if I get time later – we have regulations around solar farms. I think the other side quite often complain we have too much regulation around a lot of industries, but regulation is really important, and I too want regulation around solar farms. I do not want to see workers who have never touched a tool in their lives get brought in to assemble solar farms and wire them up. I want to see qualified tradespeople doing that work. I want to see them getting good wages. I do not want to see them living in squalor in a house out the back of God knows where. We cannot cut corners. We have an incredible issue we have got to resolve – climate change – as quickly as possible, and I have spoken many times in here about how proud I am of the work this government is doing to achieve that. But we cannot cut corners on worker safety, pay and conditions, so we have got to get that right. As far as the regulations go for, I think it is, 1-megawatt-plus installations, we have those. The Minister for Planning has those regulations in the act from 2019. Coming back to that point, if this conversation is about inserting more regulation and more red tape and less freedom and decision-making in what our farmers can do with their land and the investments they can make, then I do not know if a lot of farmers are up for that conversation. But I will leave it there. I think I have made my point.

We have to get moving. Transitioning our energy generation to renewables is incredibly complicated. I have spoken in here before about how this government has a plan to achieve it, which is that mix of generation, the mix of transmission and the mix of storage. There are going to be a whole lot of things that collectively over the next one to two decades we as a society need to figure out, and we need to

get the best outcomes as technology emerges and as our usage changes. Ms Crozier made mention earlier about kerosene and whatnot. None of us want to be burning kerosene lamps; I think we can all agree on that. So how do we ensure an absolutely reliable 100 per cent clean energy driven system that will deliver us to where we need to be?

The next part is that it is not just our energy system. We have transport, but we also have agriculture. So how do we work with our farmers to help reduce emissions in a way that does not see them unfairly and unnecessarily hurt? Mrs McArthur has raised this many times in this place and various committees: farmers have a lot of challenges with it and with the market they go to. So we do not want to be in a place where we get down the track in 10 or 15 years and farmers are being hit by both sides: getting hit by what the weather is doing to them, their bottom line, their productivity and their outputs and also by what we do as a state and as a nation, as a world, because this is going to be global very, very quickly. The globe is moving in one direction, and we are talking tariffs and we are talking walls that are going to go up to those that are not on board. How do we set our farmers up for success? I think that is the work that particularly Minister Tierney did in her role as Minister for Agriculture, working with farmers to talk about measures, whether it be for crop breeding or genetic breeding, so that our livestock and our crops are better suited for these changes. I think if we can get to a point where we acknowledge that changes are coming and they are real and ask how we best deal with them, then as I said before, we are setting our farmers up for that success.

On the issue of generation on farms, I grew up in an area where windfarms went in, and most farmers want them. It is actually politically motivated groups externally who are raising a lot of these issues. If you talk to farmers on the ground, it is like, 'Hey, do you want an extra' – insert dollar figure – 'per year to have something on your property?' 'Yeah, absolutely I do.' 'Do you want to have two? Do you want to have three?' 'How many can I get?' If you talk to the local footy club: 'Do you want an extra 20, 30, 40 grand a year to go out and get players and win a premiership?' 'Yeah, absolutely we do.' And if you talk to the pub and the school and all these places, do they want to see that? Absolutely they do. There are so many benefits.

Absolutely, we have to always be mindful that a practice is not going to be bad for the local environment. I remember, growing up as a kid, they wanted to put cyanide into the water under the local area to extract the gold.

**Harriet Shing** interjected.

**Tom McINTOSH:** Yes, and it was actually someone from the political class who was absolutely backing it at the time, and I will not mention her name – from that side perhaps – telling locals there was no problem: 'Put it through the veins underneath the waterways and rip that gold out; everything will be right as rain.' Do not worry about the fact that farms like ours were relying on a bore. I definitely agree with the fact that as new technology, new industries, whatever, are coming – we have seen this with coal seam gas; we have seen how farmers have reacted to coal seam gas – we absolutely have to respect the environment of every farm, but collectively we acknowledge that the climate is bigger than what is at the end of the farm gate. We are all in it together.

I am going to finish up. I just want to say that I do not support this bill. Where there are points of difference, let us work through them. But on the issue of climate change, if we can acknowledge the problem together, acknowledge the threats that it brings to our farmers, the threats it brings to those generational families and the threats it brings to our economy and what it is going to cost for food on the shelves – and we have seen that in the last few years with the prices of various items – then we have just got to push together in the same direction to meet what are huge but possible challenges.

**David ETTERSHANK** (Western Metropolitan) (16:54): I rise to make a brief contribution on the Planning and Environment Amendment (Soil Protection) (Solar Power Generation Facilities) Bill 2023. In her second-reading speech Mrs Tyrrell raised some really important issues that should concern us all. In the necessary race to transition the state to renewable energy it is prudent to consider

the future ramifications of these technologies. These include the placement of these facilities on land that would otherwise be used for food production, the risk of land and waterway contamination from chemicals used in battery energy storage systems and the risks faced by firefighters in fighting bushfires in renewable energy facility areas. These are all salient matters that should be addressed, and the risks faced by firefighters in fighting bushfires in areas that contain renewable energy facilities is an issue that is being considered around the world as more and more of these facilities are being built. Unfortunately, the bill does not actually address these issues.

The bill seeks to provide for the mandatory consideration of soil and waterway protection when determining applications for permits relating to solar energy generation facilities. Before deciding on an application for a permit that allows the use or development of land for a solar energy generation facility, the responsible authority must consider any significant effects and must not grant a permit if the land meets three or more of the following criteria: if the land is agricultural land, is a water supply area, is a bushfire-prone area or is subject to inundation or liable to flooding. The definitions of 'agricultural land', 'bushfire prone land' and 'land liable to flooding' are incredibly broad. The combination of these wideranging definitions, along with the provision prohibiting planning permits, removes pretty much most of Victoria from possible renewable energy developments, including existing renewable energy zones, many of which are of course works in progress. Stakeholders we consulted in relation to this bill, including the Clean Energy Council, pointed out that the planning approval process for solar farms was extremely robust, to put it kindly. They were also concerned that the extremely broad definition of 'solar energy generation facility' in the bill could prohibit construction of residential solar.

In practice the bill would effectively ban new solar farms in Victoria, which would be disastrous. The bill would also remove the power of landowners to control what happens on their land and to profit from hosting renewable energy projects. For these reasons Legalise Cannabis Victoria will not be supporting the bill. While we might be inclined to support an inquiry that looked into the broader issues that Mrs Tyrrell raised in her second-reading speech, the opposition amendments do not consider these issues, so we will not be supporting them. There are valid concerns around arable land being used for renewable energy facilities in place of food production and the risks associated with lithium battery storage technologies. The bill's broad definition and siting considerations seem unnecessary given the planning limitations already in place. There is no question that Victoria needs to be transitioning towards renewable energy as a matter of urgency. We fear the bill would have a chilling effect on investment in the state's renewable energy sector, which is not what this state needs.

**Lee TARLAMIS** (South-Eastern Metropolitan) (16:57): 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.**

### **Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023**

#### *Second reading*

**Debate resumed on motion of Aiv Puglielli:**

That the bill be now read a second time.

**Renee HEATH** (Eastern Victoria) (16:58): I rise to speak in opposition to the Greens bill for rent freezes and price caps. According to research and multiple case studies, this bill would quickly achieve three things: rental providers would leave the space; (2) this would cause a reduction in rental stock; and (3) it would lead to poorer quality in the rental stock. This bill establishes rent freezes on all rents for two years, creates a significant amount of bureaucratic red tape to all but prohibit rent increases for more than 2 per cent every two years and prohibits all initial leases being set at anything more than 10 per cent above the median rent.

I have found the Greens' depiction of rental providers as wealthy property barons both non-factual and unfair. Their attempt to create a narrative that every rental provider is somehow a greedy capitalist is misleading and unhelpful. Analysis from PowerHousing Australia suggests just over 70 per cent of investment property owners have one property, and this cohort has the largest number of people earning under \$80,000 of taxable income. Despite the narrative, the majority of these landowners are on low to middle incomes. I am thankful for them because they fill a huge need for renters in a market, and it is a void we desperately need filled.

This anti-assets crusade from the Greens is simply a war on aspirational Australians who have worked hard, saved, probably given up a lot of luxuries and perhaps bought their first property, lived in it and maybe purchased another one for somebody else to benefit from. Rental providers are not villains. They are playing a significant role in the community and the economy by providing rental stock, something we need much more of, and this bill would certainly make that vision a pipedream.

During recent public hearings we heard from a number of rental providers. Many of them were mum-and-dad investors. They did not live in mansions. They were not covered head to toe in Gucci. We also heard from Jess, who is a local real estate agent from my electorate in a place called Moe, who said since 2020, 291 rental providers had left the market due to escalating costs. Property and land taxes in the state are on the rise, and real estate agents have confirmed that the last two taxes that were introduced by this Allan government have been the straw that has broken the camel's back for many. If we move away from ideology for just a second and focus purely on practicality, how can you raise taxes, implement price caps and expect to keep rental providers in the market while maintaining a proper standard? You cannot.

Cath Evans, who is the CEO of the Property Council, said:

... if we moved to a rent-capping environment, that would be a huge disincentive for investment into that asset class. We also want to encourage large institutions like superannuation funds to enter our residential market here as well, and they need certainty for their members about their return on investment. So rental capping would be a complete disincentive for us to attract investment capital into Victoria.

Here are a few things that the experts have said – rental caps worsen inequality. Brendan Coates from the Grattan Institute said:

Those that have a rental property that is a rent-controlled apartment, for example – this is widespread in places like New York – do very well, but no-one else can get into the area, so you end up with a two-tier rental market. I think that is something we should really ... avoid.

In 'Rent freezes could leave more homeless', an op-ed in the *Age*, Brendan Coates and Joey Moloney from the Grattan Institute said:

Ultimately, if we freeze rents, more Australians could become homeless ...

Another one is rental caps have severe unintended consequences. The Urban Development Institute of Australia said:

... the, although perhaps very obvious, unintended consequence – that all it would do would be to reduce supply across the market. The incentive for someone to invest as a landlord into making that property available on the rental market, that incentive would be reduced.

It also said:

I think you would probably quite frankly see a lot of properties move into ... short-stay accommodation ... rather than ...

permanently renting it to people. That again is an unintended consequence on rental affordability.

The next one is that rental caps have been repeatedly debunked as a viable long-term solution to getting people into the housing market. Quentin Kilian from the Real Estate Institute of Victoria said:

We would certainly urge in the strongest terms not to bring in any form of intervention in the form of a rent cap or a rent freeze. There is ample evidence around the world that interventions of that nature do not assist the market; in actual fact they probably again discourage or dissuade investment into the market.

So there are a lot of things here that are just red flags to me. We need to get more people into the property market. We need to do this in order to reduce homelessness, which is affecting many.

During recent public hearings we heard from a number of rental providers. Many of them were mum-and-dad investors. We heard from Jess, like I said, from Moe, and the fact is that we need to take this advice on board and realise that the people that are providing this market often are not people that have just disposable income. They are people that are making sacrifices, and from their sacrifice someone else can benefit.

Government overreach will only leave rental providers even more hamstrung, leading to our mum-and-dad investors having no choice but to sell up, perhaps even to developers who have far less restrictions on needing to lease that property quickly. It is clear that rental caps and rental freezes end up restricting supply, and there are so many examples of this. In Dublin 2 per cent rental caps saw average rents on new tenancies increase by 14 per cent in 2022. A 2019 study in New York found that rental controls in San Francisco reduced supply by 15 per cent. And the Greens federal counterparts were left humiliated when they repeated a New Jersey example and it was found to be false. So the imposition of rent caps will likely result in many investors choosing to sell their property and not invest in the market, and that will lead to fewer available rentals.

It has been proven internationally, and this is a quote from the Real Estate Institute of Victoria, that 'rent caps have an enormous impact on rental supply, diminishing it substantially'. So this bill will create just a complete bureaucratic mess. The bill provides an option for rental providers to apply for exemptions from the Director of Consumer Affairs Victoria for a lot of these arbitrary measures. The bureaucratic mess and the backlog that this would cause would be outrageous, and we would see so many rental providers, people that are trying to provide an essential service in Australia, waiting months for their exemption requests to be heard. The bureaucratic nightmare will only lead to more and more shrinking of the supply in the market.

So it is pretty clear I do not agree with this bill. It seems ideological and not at all practical or well researched, and I oppose this bill.

**Samantha RATNAM** (Northern Metropolitan) (17:07): I am so pleased to rise to speak in support of the Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023. My colleagues Mr Puglielli and Dr Mansfield have already highlighted in great detail the dire situation that many renters in Victoria are facing. I do not need to repeat the statistics but do want to share some stories that renters have told us. A mother told us her son's story about renting near Melbourne Uni as a student:

His rent last November went from \$190/wk to \$350/wk. We complained to CAV and they negotiated \$300/wk but then four months later my son was served an (invalid – no cause given) eviction notice which felt retaliatory. The management of the block my son has been in pressured my son and no doubt all students there to sign fixed term leases. My son has twice been locked out on the street because as someone on a periodic lease he has been told he has to get his key fob manually activated each month, only those who sign a new lease can have their fob guaranteed to work for the period of the tenancy.

Another renter said:

Paying half of salary as rent. Its hard and shameful sometimes. No savings, no new clothes.

Another:

I have been renting privately for over 20 years. With the rental costs increasing at the rate they are, I feel trapped and am losing hope of ever being able to save enough for a deposit on my own home, despite working full time. Our small rented flat is overcrowded. I sleep on the lounge room floor so that my children can have a bedroom. If I moved to a bigger place, the rent would be so much more that I would not be able to save.

These are just a few of countless stories we continue to hear daily from people who are completely distressed by unlimited and out-of-control rent rises that are gripping Victorian renters right now. Many in this chamber have asked why the Greens are bringing up this issue. Well, it is because of them and on behalf of them, and we are not going to relent until we get real reform on out-of-control rent rises. Renters have been suffering for a long while. And if you remember what happened over the last 12 months and in the election, this government had no policies and nothing to offer renters when they went to the 2022 election. There was nothing in the budget for renters, and since then the crisis has only got worse. Labor is continuing to refuse to do anything to stop unlimited rent rises. With a tight rental market, renters are scared. What rent control also does is help rebalance the power relations. If renters are not scared of rent hikes being used to force them out, they have a better chance of ensuring maintenance is done and their homes are livable and being able to exercise their rights.

We heard a lot today, especially using anecdotal examples, about how rent caps will not work – Labor and the opposition singing from the same property industry song sheet – but less on when and how they do actually work, like right here in Australia and Victoria, where we had a rent freeze during COVID. The Labor–Greens coalition in the ACT has successfully implemented modest caps on rent increases. These measures have been accepted by the Real Estate Institute of the Australian Capital Territory, and the president conceded:

Rental caps were fine ... because it provides some structure and keeps cowboys out of the market.

There are also rent control measures working in Germany, Ireland, Scotland and Denmark as well as hundreds of cities across the US. Rent caps work not just to keep housing affordable but also to keep communities together and to keep workers close to their jobs and community services. The government's own housing statement acknowledges rent controls work in the short term. Well, we are in a crisis. Rents are still going up at ludicrous rates. This is why our bill calls for a two-year rent freeze, and that is why we are calling for urgent action now.

The government's response of putting faith in the private property market to build more homes while abandoning public housing is misguided at best and likely more disastrous than ever, but even then it will take more years for this plan to come into effect to affect rents, so this story the government keeps trying to convince us of, that supply is the only answer, does not address and acknowledge the reality that we need action now. Renters are facing distress right now. That supply will not come into effect for years on end, so what do you say to the renters right now who are being forced out of their homes because of unlimited rent increases? Of course we know that rent control measures work best when there is also a strong commitment to public housing, and that is why the Greens will push for more public housing.

The driving rationale behind the opposition to rent control is wealth accumulation of those owning property. Australia has geared its property industry around creating the greatest wealth for those who already own property, leaving those who do not as second-class citizens. We only start to genuinely tackle our housing crisis when we are prepared to lower housing prices, including rents. The opposition to the bill we have heard in this chamber today tells us clearly which side the government and opposition are on, and it is not on the side of renters.

Pressure works. It has worked before and it will work again. On 11 November there will be a rally for renters in Fitzroy at the corner of Smith and Gertrude streets at 1 pm, and after hearing many in the chamber today and hearing how disconnected so many of you are with the reality for Victorian renters right now, I urge you and encourage you to attend, because you will hear directly from them about the distress they are experiencing.



We have also heard some really hard to believe arguments purported by both the government and the opposition today. I do not have time to respond to all of them, but I will just make a start before I will have to wrap up. We have heard the government talking about boosting supply, but that supply is going to take years to come into the market. Renters are distressed right now, and we must provide them urgent relief. We have heard the examples of New York and San Francisco being used and the rates of homelessness in those cities, but just think about this for a moment: how much worse would their housing crises be if they did not have some form of rent controls? You use individual factors to explain why rent controls will not work in places like Victoria and why they are not comparable, but you would not use those individual factors in those jurisdictions to explain what might be driving higher rates of homelessness in those jurisdictions, and you cannot have it both ways. Take homelessness, for example: it is commonplace for places and cities where there are better support services for those experiencing homelessness to actually have more people experiencing homelessness in their cities, and that is because people go to those cities to access those services. Why would you go to Texas, where there are not enough homelessness services, when you could go to San Francisco in the hope that you will be able to access a service and access a rent-controlled apartment? You must look at the factors that are driving rates of homelessness and look at help-seeking behaviour that often distorts the reality of what is happening in a jurisdiction. So I would urge everyone to think very carefully about the anecdotal data and examples that you pluck out to justify your unjustifiable position to deny proper relief for renters in distress right now.

We have heard the Liberal political party talk about the property industry and all the people that they have consulted from the property class, the wealthy asset owners, but where were you talking about renters experiencing distress?

**Business interrupted pursuant to sessional orders.**

*Statements on tabled papers and petitions*

**Department of Health**

*Victorian Public Health and Wellbeing Plan 2023–2027*

**Ryan BATCHELOR** (Southern Metropolitan) (17:15): I rise to speak on the *Victorian Public Health and Wellbeing Plan 2023–2027*, which was tabled on 3 October this year, particularly the sections in the plan relating to the need to reduce harm from tobacco and e-cigarette use. I am sure I am not alone as a member of this place or of the other place in talking to more and more parents who are coming to me concerned about the effects that e-cigarettes and vaping are having on their children and particularly the ease with which anyone can buy e-cigarettes and the profoundly negative effects that e-cigarette consumption and addiction are having on new generations.

Ms Payne asked a question in question time today and there was an article in the paper recently about new research that showed clear links between vaping and mental health challenges. It raised that children who start vaping have clear red flags when it comes to their mental health, finding that the links between vaping use amongst children and mental health challenges were so clear that one expert recommended mental health assessments and supports for children who start vaping. There is also growing international research which shows vaping increases the risk of mood and anxiety disorders and can worsen symptoms of depression. That should alarm all of us.

We know that despite the industry claiming that many of their products do not, a lot of e-cigarettes and vapes do contain levels of nicotine in extremely high doses and that nicotine is highly addictive and as a chemical can impede the brain development of young people. In addition to nicotine, single disposable e-cigarette products can contain up to 200 dangerous chemicals, and more and more young people are using them. A national survey showed that of people between the ages of 15 and 30 years almost half had reported either being current users or having used e-cigarettes in the past. This is a significant and alarming number of people consuming these highly addictive and harmful products.

The 2023–27 public health and wellbeing plan brings vaping into focus as a key priority to drive action, and it is pleasing that both the Commonwealth government and the state government have been working together to take that action to protect the health particularly of young people but also many across the community from the ill effects of e-cigarettes. It is deeply worrying, both the way in which shopfronts have been trying to lure kids in with lollies to sell them e-cigarettes and the way that vape promotion is occurring quite extensively on social media, exposing more and more young Australians to this practice despite the general ban on e-cigarette advertising. A joint report by VicHealth and Quit examined online marketing tactics of the vaping industry, finding many TikTok and Instagram accounts that post vaping content are masquerading as individual accounts but in fact are directly linked to an online vape store. This kind of practice is unacceptable, and I urge the Commonwealth to look into this.

E-cigarettes are undermining years of progress that we have made, particularly here in Victoria, in reducing tobacco-related harm, and too many young Victorians are exposing themselves to the unknown long-term impacts every day that they inhale these dangerous products. We know that inhaling things into our lungs, whether it is nicotine or asbestos or silica dust or what is in these vaping products, can have serious effects on our health, and that is exactly why it is important that the Commonwealth and the states are working together to take action and do something about this health crisis. We are acting and we have to act urgently to ensure that new generations do not become addicted to this latest harmful product. The push to end this practice needs everyone to lend their voice and support the regulatory action that is being taken at a Commonwealth level to ban the sale of vapes. It is something that we should all support as members of this house concerned about health in our community.

#### **Select Committee on Victoria's Recreational Native Bird Hunting Arrangements**

##### *Inquiry into Victoria's Recreational Native Bird Hunting Arrangements*

**Evan MULHOLLAND** (Northern Metropolitan) (17:20): I rise to speak on the select committee report into native bird hunting arrangements. It was a committee inquiry which I was on with a number of colleagues who are in this chamber, including Ms Bath, who I worked very closely with, and Mrs McArthur of course. I came into that inquiry with an open mind as someone who has never duck hunted before and never had an interest in duck hunting – and to be honest, I still do not have an interest in going duck hunting. But I came in with an open mind, keen to educate myself and be educated on native bird hunting in Victoria. I gained great appreciation for people that do duck hunt. I learned great appreciation for this great recreational activity that people partake in and that is often passed down from generation to generation. I know my colleagues heard from witnesses who spoke about how it is an escape from everyday life – a lot of people that do duck hunt work long hours on, say, Big Build sites and book their leave in advance and go duck hunting as an escape from everyday life. I learned a lot about the conservation efforts being done by hunters across Victoria, and visiting a place like Heart Morass, a desert salt plain about a decade ago turned into a beautiful oasis, it really gave me a great appreciation for the work that they do.

I certainly had a lot of inquiries in my electorate of Northern Metropolitan Region about duck hunting, and I think the overwhelming majority were in favour. I have met with a lot of them, and I took the initiative to organise a forum of duck hunters in Craigieburn last week.

**Melina Bath:** And how'd that go?

**Evan MULHOLLAND:** It went extraordinarily well, Ms Bath. There were over 400 people in attendance at the Hume Global Learning Centre in Craigieburn.

**Bev McArthur:** I bet there were some unionists there.

**Evan MULHOLLAND:** There were. I saw many a CFMEU and an Electrical Trades Union badge. I know there were representatives from the union's outdoor recreation advocacy group, who

are quite concerned about the government's incoming decision on this. We saw a bizarre scenario throughout that committee reporting process, where we had the government as a bloc vote to ban duck hunting and then one of the government's own MPs submit a dissenting report not agreeing with the position they had voted on as a bloc, so that was certainly commented on. I want to thank my colleague in the other place Emma Kealy, the Shadow Minister for Agriculture, for coming to speak. I want to thank Lucas Cooke, the CEO of Field and Game Australia, for coming to speak as well. Overwhelmingly, the mood in the room was quite positive. The mood in the room was a message that we are not going to let this go; we are not going to let the Labor Party take away duck hunting in Victoria.

Some pretty stark statistics came out recently on a number of their marginal seats actually and the amount of duck hunters that are in those marginal seats. If you look at the seat of Bass, the margin is 102 votes, yet there are 1467 duck hunters – and they all vote. In the seat of Yan Yean – and I know many of the hunting clubs send people along to Craigieburn, the seat next door – there are 2252 licensed duck hunters and the margin is only 1683. In Pakenham there are 683 duck hunters – 154 votes. I know Mrs McArthur will be interested in this, and so will Mr McCracken: in Ripon there are 2220 licensed duck hunters, but the margin is 1268. And I hear the member for Ripon may be lobbying to stop a ban on duck hunting. Maybe Mr Galea could enlighten me whether the member for Ripon lobbied to keep duck hunting in her electorate. It was a fantastic forum. I want to thank everyone who showed up to sign the open letter that I am going to send to Jacinta Allan to keep duck hunting going in Victoria.

### **Recycling Victoria**

*Report 2022–23*

**John BERGER** (Southern Metropolitan) (17:25): Tonight I rise to speak on Recycling Victoria's annual report 2022–23. I am a recycler, and my family ensure that soft plastics are not in the usual recycling bin so as to avoid contamination. We know that contamination is one of the biggest factors that can disrupt the recycling process – for example, if someone throws a broken glass in the bin. It is good practice to remove the lids from glass jars, milk bottles and soft drink containers. It is the small things that make a big difference. I have six children, and when they were at school they were all taught to reduce, re-use and recycle. I say all of this to say that I know how important the work is we are doing in this space.

The Circular Economy (Waste Reduction and Recycling) Act 2021 first came into operation on 1 July 2022. It established its leading director, Recycling Victoria, to provide leadership, stewardship and oversight of waste, recycling of resources and recovery services and to support the development of the circular economy. The establishment of Recycling Victoria is a key initiative of the Victorian government's circular economy plan, which was released in February 2020, and it will play a leading role in the Allan Labor government's nation-leading reforms of Victoria's waste recycling system – reforms that make our system more effective, more accountable and more consistent. It is what our community expects and it is what our community deserves.

Recycling Victoria's goal of a sustainable future for all Victorians is ongoing. It has many facets. The recycling industry continues to transform. We are responding to changes in international markets to innovate and improve our processes. Recycling Victoria has worked hard to establish an approach that incorporates key values of community and industry engagement. That has taken the form of regular consultation with key stakeholders in local government. I know from my own experience meeting with local councillors one of the first questions I get is about our recycling system. Recycling Victoria has also engaged with our key private sector partners in the waste, resource recovery and recycling sector, including at Recycling Victoria's local government CEO forum; the resource recovery, recycling and waste industry group, or RRRWIG; the Australian Organics Recycling Association conference; and site visits across the state. This work has ensured that we stay on top of the progress individual businesses and communities are making in our journey towards a circular economy. Just

last week I visited Swinburne University and saw the magnificent effort private partnerships are making. For instance, there I met Dr John Stehle, inventor and a director of Robovoid. They use incredible equipment at Swinburne to manufacture new forms of cement structures, including work that is currently contributing to supporting the new transmission poles being built.

The reality is that waste and recycling reforms affect every household in Victoria, and the circular economy act gives Recycling Victoria the toolkit to make those changes, including the big reform of the container deposit scheme. For those watching at home tonight, the container deposit scheme, or CDS, launched today, and it will be vital to transforming Victoria's waste and recycling system. Recycling Victoria will have oversight and regulation of the CDS. The CDS will reward Victorians with a 10-cent refund for every eligible can, carton and bottle they return. This will mean less waste and litter, hundreds of new jobs, economic opportunities across Victoria and ultimately a cleaner, greener state. It is a win for Victoria's community, environment and economy, and it is great news for my community of Southern Metro. There will be over 600 refund points in Victoria. Returned containers will be given a new lease on life, with the material being recycled and manufactured into new products. This will save it from landfill and littering the environment. The CDS will target the beverage containers that are the most common contributors to litter. That includes soft plastic drink bottles, glass beer bottles, cans of soft drink and alcohol and small fruit juice cartons, all of which are typically consumed away from home. A complete list of eligible containers can be found on the scheme's website, which I urge my community to check out.

To wrap up tonight, I commend Recycling Victoria for their great work in contributing to a cleaner, greener future. I was at the announcement of the container deposit scheme a few months back with the former Minister for Environment Minister Stitt, and I am planning to be there for the long haul. I look forward to working with Recycling Victoria and my community of Southern Metro to help with its rollout. These reforms would not have been possible without strong leadership from Minister Stitt and now Minister Dimopoulos in the other place. Only the Allan Labor government has a plan for a greener, cleaner future, and I am excited to be part of it.

### Department of Treasury and Finance

#### *Budget papers 2023–24*

**Melina BATH** (Eastern Victoria) (17:30): My statement on reports is on bushfire preparedness for the summer of 2023, and it comes from the budget papers – budget paper 3, page 41, for reference. If you live in country Victoria, you know we have had over the last three years very good rains; we have had a lot of fuel load build-up – a lot of green grass, a lot of foliage build-up – and this is a grave concern to those who live outside the tram tracks. Post the 2009 shocking bushfires we had the 2009 Victorian Bushfires Royal Commission. Recommendation 56 of that royal commission was that there be a rolling target of 5 per cent every year in terms of fuel reduction, whether it be prescribed burning or mechanical treatment. It was actually a minimum of 5 per cent. Other expert fire specialists are calling for even higher than that, and indeed over my period of time in this place we have come to know that Indigenous firestick cool burns can also be complementary to and work in with those fuel reduction burns. It is my vision for the future that we can actually incorporate all of those very positive things, not only healing country but also reducing fuel load, to protect life, property and indeed our forests and the species that live within them.

In 2015 the Labor government at the time ignored that and went for the *Safer Together* policy, which is actually a bit of a disaster. The resulting fuel load reduction – and again, prescribed burning or mechanical treatment – since then has been on average in 1.5 per cent of the forest each year, well below 5 per cent and the 8 per cent wanted by the experts. During the last bushfires in 2019–20 – horrific bushfires – 1.6 hectares burnt, including our beautiful native forests and flora and fauna and almost 400 houses, and, very tragically, five lives were lost.

Under Labor's residual risk policy, the risk that bushfires will impact on life and property is still real. Indeed to explain the *Safer Together* policy is a bit of an enigma, but a 70 per cent residual risk is the

target, and that means that the Victorian government delivers on average a 30 per cent reduction relative to a forest with absolutely no bushfire mitigation whatsoever. They are saying that this 70 per cent residual risk is far too high. Unfortunately in my patch, in the area in which I live – and I am not specifically worried about me – the Latrobe district, which covers off Baw Baw shire, Latrobe City, Bass Coast, South Gippsland and a bit of Wellington, has a residual risk, currently sitting at, for 2022 because that is the last reporting period, 84 per cent.

Today we had – and I thank the Minister for Emergency Services – a briefing on the forthcoming season with Emergency Management Victoria, CFA, FRV, Forest Fire Management Victoria and VICSES. One of the quotes in that was, ‘We are ready this year.’ Well, I and many of my constituents actually feel that we are not ready this year. There is a serious concern that with these big fuel loads and a dry summer we are going to have significant fires, and there are many things that could and should be done. I thank Forest Fire Management Victoria for speaking to us this afternoon about the machinery and having people able to use that. Part of that is that the native timber harvesters have been cruelly shut down by this government seven years early – we would not have shut it down at all – and are finishing at the end of this year. But there are bulldozer, excavator and transport operators. These people are indeed, unfortunately, a vulnerable species, soon to be on the extinct list, and they are very, very valuable indeed. I am concerned, as are many of the people in my electorate, that we are not ready this year, and the government needs to act on fuel reduction.

### **Planning and Environment Act 1987**

#### *Notices of approval of planning amendments*

**Samantha RATNAM** (Northern Metropolitan) (17:35): I rise to speak tonight on VC242, which proposes significant changes to Victoria’s planning system. These changes were announced as part of the government’s recent housing statement, which purports to be their answer to the state’s worsening housing crisis. These changes were touted as part of the government’s story that the housing crisis was being exacerbated, if not caused, by slow planning permit approvals by local councils. It is a story they have been determined to convince the public of by blaming local councils, using anecdotal examples of planning permit approvals and of course scapegoating the Greens, but the truth about the housing crisis is a different story to the one that this Labor government has been trying to prosecute. Instead of addressing the severe lack of public housing, their privatisation and sell-off of public housing land, their outsourcing of their responsibility for making housing affordable, the tax breaks they support for wealthy property investors and their denial of the plight of renters facing unlimited rent increases – all of those drivers of the housing crisis – they have been for months trying to convince Victoria that the only solution to the crisis is the one proposed by the property industry to make it easier for developers to increase their development yields and therefore their profits without any meaningful requirement to build more affordable homes.

Labor’s housing policy will not work. These changes to Victoria’s planning scheme are only going to make the housing crisis worse, and here is why. The amendment creates two new provisions in the planning scheme, 53.22 and 53.23, and makes the Minister for Planning the responsible authority for those provisions. Provision 53.22 is for any project that will make a significant contribution to Victoria’s economy and provide substantial public benefit, including jobs for Victorians. Provision 53.23 is for any residential development, private or public, that includes affordable housing. To go to the details about what is actually going on here, 53.22 says the purpose is:

To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria’s economy ...

But if you look closely at the planning scheme requirements, there is a requirement that:

The responsible authority may waive or vary any building height or setback requirement.

An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the information is not relevant to the assessment of the application.

Along with property developers, guess who else will be able to access this fast-track system that bypasses property checks and balances – to name a couple, extractive industry, with an estimated minimum value of a project, and mining and mineral exploration. Gosh, they are not going to exploit this provision, are they?

Then we have got 53.23, which applies to any residential development, private or public, which includes affordable housing. While this is being sold as anything with 10 per cent affordable homes or more, that rate can be lowered, including to zero per cent, and uses the vague and weak definition of ‘affordable homes’. This special provision might not produce a single home suitable for low or very low income households, and that is why big alarm bells should be ringing for anyone who is reading the details of these changes. The purpose of 53.23 also is an enabling provision for the wholesale demolition of public housing in Victoria and facilitates the public–private partnership model for the development of these public housing sites that the government seems so wedded to.

The responsible authority may decide to reduce the percentage of the total number of dwellings in the development that must be affordable housing, or not require an agreement to be entered into under Section 173 of the Act.

Basically developers can access this fast-track system and not produce any affordable housing at all. Alongside this:

The responsible authority may waive or vary any of the following:

- A minimum garden area requirement.
- Any building height or setback requirement.

...

An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

Once again these give carte blanche powers to the responsible authority, which is the minister in this case.

Alongside these changes the government also gazetted VC243, which has broadscale changes to all planning schemes to codify residential development standards and make significant changes to ResCode. The broad call-in powers and ability to waive planning schemes requirements give the Minister for Planning extraordinary power to determine planning outcomes without proper checks and balances or accountability. The minister can waive even weak conditions of approval as they are outlined. The minister and the developer can weaken the percentage of affordable housing required to zero, and developers can buy off their obligation via section 173 agreements.

There has been really significant feedback from the industry, who think these changes are dire and in fact have labelled them criminal. They talk about the development industry, who are trying to create more affordable housing and who are aiming for 20 per cent affordable housing, and the government through these changes has essentially lowered the collective ambition of some parts of the industry who are actually trying to do the right thing. These changes will not work. We know that the government has just handed property developers a sweet deal for megaprofits, while Victorians will be left to suffer in the worst housing crisis they have experienced in decades for decades to come.

### Department of the Legislative Council

#### *Report 2022–23*

**Michael GALEA** (South-Eastern Metropolitan) (17:40): Well, the sound of printers whirring has been echoing through Spring Street this week. It is a bonanza of annual reports, which is great to see and great to look through. Today I rise to speak on the Department of the Legislative Council annual report. I am sure Mr Mulholland will be very sad that I am not talking about the Select Committee on Victoria’s Recreational Native Bird Hunting Arrangements report, though I do see a lovely picture of our old former select committee on the front of the report, with the various members as we were,

assembled down at Lake Connewarre, and I very much appreciated Mr Mulholland's contribution just before.

But I did want to rise to make a few comments on our wonderful little Council and the privilege it has been for us all, no doubt, to serve these past few months – for some of us, and for some of us a bit longer – over the period which this report covers. My mind goes back to the opening few days when we were all very new and all working out where we were and obviously the official opening of Parliament, which was wonderful to be at. The report also talks about the orientation that members had, and it does go into some detail on some things, but I notice it skips over one of the more intriguing parts for us all when we were wandering around the Federation Room roaring at each other like lions with our socks off, which for all the new members of the class of 2022 was quite the experience. I think it is something that is going to bond us forever as a special thing for the class of 2022 in particular.

We have also seen of course in the last financial year, the period of this report, the passing of our late Queen, Queen Elizabeth, and the swearing in of a new King. We gathered here to assemble in recognition of that. We also gathered here with the new Governor, with Margaret Gardner taking over after the excellent work that Linda Dessau did. It is great to see Margaret Gardner, someone who was the vice-chancellor at Monash University prior to coming in – a great university of the south-east – and I am very excited to see her in that role as Governor as well.

But the main reason for rising today to speak on the Legislative Council is not so much to reflect back as it is to acknowledge the work of all the wonderful people that make what we do possible, and they are the clerks, the assistant clerks, the committee staff – goodness knows we have given them a lot to get on with, and I am sure we will continue to do so – and all of the other people that work to make this place possible, but a particular shout-out to Greg, Peter, Jim, Philip and Chris for serving us so ably and so well in this place. It has been one of the real highlights of being here on parliamentary sitting days to have such wonderful people to work with us in their roles. I will conclude my remarks there, but it is a good report to flick through and good to note the year that we have had in this Council.

### **Department of Health**

#### *Report 2022–23*

**Georgie CROZIER** (Southern Metropolitan) (17:43): I rise to speak briefly on the Department of Health annual report 2022–23, which was tabled today, one of those many reports that were dumped, and I note that there were many that were not released, including the Ambulance Victoria report, which I look forward to reading when it finally is released. Talking of being finally released, I would like to understand why the government is not releasing the latest elective surgery dental waitlist or the ambulance response times. Again they are overdue. It is the latest quarter from July, August and September. It is now 2 November and there is no data. This government talks about transparency, but they hide this stuff. What are they going to do – dump it on the Friday before a long weekend? They did that last quarter; it looks like they are going to do it this quarter. I think it is disgraceful that again the government talk a big game on transparency but in actual fact, as we saw in the debate today on the documents motion, are very averse to transparency, truth and accountability.

Now, if I can go to this report, which is what I want to speak to, there is lots in it, but what is really concerning and has been highlighted is the failure of the government to meet the expectations, particularly around elective surgery waiting list numbers – 40,000 less than the target for 2022–23, and the actual number was well under the 230,100. It was 190,058, and that is 40,000 Victorians who have not got the care, medical management and surgical management that they deserve and need. That is a very damning number that is in this report. There are other figures also. The national weighted activity unit funded emergency separations for all hospitals – that target was 771, the actual figure was 657, so it was a 14.8 per cent variation, which is again very concerning about the failures within the system.

I want to go to the issue around unplanned readmissions after hip replacement surgery and knee replacement surgery, because the government released their blueprint – their surgery reform paper – just recently, and it talks about patients being discharged on day one after having a hip replacement and knee replacement. I think that is a very big concern, considering the data that is here that the government has provided. For the unplanned readmissions after hip replacement there is a 6.7 per cent increase, and that means that that is more pressure on the system. So I think there will be many more readmissions if the government go ahead with their ill-thought-through reform package where we do not have the support in the community, such as from general practitioners.

This government is going to cut the number of GPs in our community, because it is going to impose a health tax that is going to close 30 per cent of GP clinics across the state. Now, that is not me saying it. That is the AMA, the Royal Australian College of General Practitioners, the Australian GP Alliance – these experts that work in this area. They are general practitioners, they work in this field, they know what they are talking about and they say that up to 30 per cent of clinics will close. I have been speaking to medical practitioners, and they are saying to me that the retrospective tax that the government is applying is a new element. The government says nothing has changed, but it has. They are looking back for up to 10 years with some of these medical clinics and applying the tax. It is going to cost not just hundreds of thousands of dollars for these clinics but millions. How are they going to pay for that? The Treasurer in his own admission in a letter late on Friday said, ‘Well, I will waive that.’ So he is picking and choosing which clinics will stay open and which will close. This is the chaos, the idiotic policy, that this government is applying, where at a time when we need people to be supported with their health needs they are shutting down clinics, they are going to kill bulk-billing, they are going to drive costs up for patients and they are going to drive patients into our already struggling emergency departments.

What is more, the Premier said yesterday that of the 27 primary care centres that they have opened, two are out in Mulgrave. We have got a by-election in Mulgrave, and this health tax, I can tell you, is running hot out there. They have got two out there, but if you go on to try and get into the primary care centre, it says, ‘This is not to be used instead of your local GP.’ So the government is all over the place. The Premier does not know what she is talking about. I can tell you that doctors do know what they are talking about, and they are saying to the government, ‘Do not apply this retrospective health tax.’ And it is not just doctors, it is dentists, it is physios, it is psychologists and it is allied health professionals that are helping Victorians stay well, helping them stay out of our emergency departments and stay out of hospital. There is a lot more I can say about this report, and over the coming weeks I will do so.

### *Adjournment*

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:49): I move:

That the house do now adjourn.

### **Boroondara Netball Association**

**John BERGER** (Southern Metropolitan) (17:49): (556) My adjournment is for the Minister for Community Sport Minister Spence. I request that the minister visit Boroondara Netball Association with me. Recently I met with the Canterbury Netball Club president Judi Wittingslow. Canterbury is a fantastic local club at the heart of my electorate in Hawthorn, which I know dearly misses their former hardworking Labor member John Kennedy. Canterbury’s story is remarkable. In 2019 just before the pandemic began, three friends, Judi, Gayle and Danielle, created the club to offer athletes of all ages the opportunity to develop their netball skills. Since then the club has only gone from strength to strength. They are part of the Boroondara Netball Association located at Boroondara Netball Centre in Macleay Park, Balwyn North. Since opening in 2005 Boroondara’s membership has grown to over 3800 players, coaches, umpires and admin staff, and that means over 200 school and community teams play there.



We know that netball is a great way for women to get involved in sport and be physically active, and I should know – my five daughters all played netball. Some of my favourite memories are on the weekend watching them play and compete. That is why I am so proud to be a member of a government that supports women in sport, from the 70 recipients who undertook a range of professional development and training through the 2023–24 Change Our Game professional development scholarships program to the 2023–24 Local Sports Infrastructure Fund backed up by \$5 million in this year's budget – and a reminder to my community that applications close for grants from this fund on 13 December. In September the minister launched the 2023–24 Change Our Game research grants program, providing grants of up to \$25,000 in a program to assist university researchers in finding ways for women and girls to participate in sport and recreation. We know the benefit that sport provides to our community, our society and our mental and physical health. A 2020 report by Sport and Recreation Victoria found that there is a \$7 billion benefit to our state thanks to our community sport and recreation infrastructure. As the minister said:

Sport is the lifeblood of many communities and all Victorians deserve access to quality change rooms, grounds and playgrounds regardless of their age, gender, ability or where they live.

Since 2014 we have invested more than \$1.6 billion in community sport and recreation infrastructure, and we are not stopping. The recently released *Fair Access Policy Roadmap* provides a pathway to ensure women and girls have the facilities they need for equal access to community sports infrastructure. That is why I know my community would greatly appreciate the minister coming down to chat with the players and volunteers who make community sport work.

### WorkCover premiums

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:52): (557) My adjournment is to the Minister for WorkSafe and the TAC in the other place. The action I seek is for the minister to provide me with an explanation in writing outlining what he is going to do to sort out the financial mess in WorkSafe. It has contributed to huge increases in WorkCover premiums being imposed on virtually every business in the South-Eastern Metropolitan Region, which I represent. As part of the annual document dump yesterday, the annual report for WorkSafe was tabled in this place. I note that this annual dumping of numerous annual reports on the last possible reporting day has become a habit of the current government, who in a vain attempt to hide from scrutiny think that tabling hundreds of reports on the same day will somehow prevent the content of these reports from being seen – a quite delusional proposition.

I have been contacted by countless businesses in my region, all of whom have been subjected to enormous increases in their annual WorkCover premiums. In one case, there was a longstanding family business who had no change in the number of employees, no significant change in total remuneration and no WorkCover claims and yet had an increase in its WorkCover premium this year of a staggering 91 per cent. Many other business owners have contacted me with premium increases, in many cases being 50 and 80 per cent.

All Victorians need to be very clear as to the cause of these outrageous premium increases. It is the complete financial incompetence of the Victorian Labor government. For example, because of its inability to run any major project on time or on budget, it has wasted more than \$20 billion on cost blowouts on major projects. These extraordinary premium increases are of course on top of more than 50 new or increased taxes – actually I think we are up to 53 – introduced by this government since it came to power nine long, long, long years ago. It is this unreasonable level of taxation that is seeing businesses leaving Victoria at a dramatic rate.

We know that Labor cannot manage money, and that is why we have seen in the WorkSafe annual report that WorkSafe, despite receiving a cash injection of \$300 million from the government, lost more than \$176 million last year – a staggering figure. I note this is despite an increase in premiums charged in the last financial year of 11.6 per cent to more than \$3.2 billion. Minister, I look forward to receiving in writing an explanation from you outlining what you and your government will do to sort

out the mess you have created, rather than taking actions that will in fact make it worse, so that I can advise my constituents and local businesses.

### **Middle East conflict**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (17:56): (558) My adjournment matter this evening is for the Premier, and the action that I seek is for the Victorian Labor government to call for a ceasefire in Gaza. This morning I woke to the news that Israel had bombed a refugee camp in Gaza. On Sunday Israel ordered the thousands of people inside al-Quds Hospital to evacuate – an impossible request, impossible for the people sheltering there and for the ICU patients and premature babies in incubators. These innocent civilians have nowhere to go. Do you understand that? They have nowhere to go. Meanwhile Israel continues to bomb the surrounding areas, including bombing a mere 20 metres from the hospital. Israel has cut off food, water, electricity, fuel and medical supplies from Gaza in a form of uniquely cruel collective punishment. That is a war crime. In fact there have been so many breaches of international law reported that I cannot list them all, and there is never a justification for causing suffering on this scale. Over the weekend the Israeli army cut off all communication and bombed areas containing hospitals, schools, refugee camps, mosques and civilian homes, according to reports.

We in this safe room cannot comprehend the terror that the Palestinian people are facing. There have been over 8500 people killed by Israel, including over 3500 children, and tens of thousands injured, and we will not know the full scale of the loss of life until many years from now. I mourn all the loss of innocent life. The Greens thoroughly condemn the actions of Hamas against Israeli civilians and the invasion of Gaza by Israel. I condemn Islamophobia; I condemn antisemitism. Australia should be part of an international push for peace and de-escalation, which means an immediate ceasefire, an end to the invasion of Gaza and holding those to account who have committed war crimes. But unfortunately the position right now of this Labor government is not to call for a ceasefire. How can anyone sleep at night knowing the stance that you have taken is fundamentally opposed to basic human decency. If you are not calling for a ceasefire, for an end to this occupation and for lasting peace, you are complicit, and history will remember.

**The PRESIDENT:** Mr Puglielli, I just would request that maybe you should change your action for the Premier to advocate to the federal government to call for an action, because it is not within the Premier's remit. Are you happy for that action to be changed?

**Aiv PUGLIELLI:** Yes. Do I have to restate it?

**The PRESIDENT:** You can if you like.

**Aiv PUGLIELLI:** Just to clarify, the action that I seek is for the Victorian Labor government via the Premier to issue a public statement calling for a ceasefire in Gaza.

**The PRESIDENT:** No, instead of calling for a ceasefire can you advocate to the federal government to do that action.

**Aiv PUGLIELLI:** The action that I seek is for the Premier to advocate to the federal Labor government to call for a ceasefire in Gaza.

### **Glen Eira child care**

**Ryan BATCHELOR** (Southern Metropolitan) (17:59): (559) My adjournment is to the Minister for Children, and the action I seek is an update on the funding and support opportunities available to early learning centres across Victoria. I rise particularly because there are three centres in Caulfield, Carnegie and Murrumbeena that the City of Glen Eira has announced are under consideration for closure. With my colleague the member for Oakleigh and my federal colleagues, we have been inundated with calls, letters and emails from parents who are frantic about what they are going to do with their kids for child care after the end of the year if the Glen Eira City Council at its meeting in

December affirms its decision to close these facilities. Parents and staff were understandably shocked when the council, following a closed-door meeting on 3 October this year after first- and second-round offers had already been made in other centres for kindergarten places for next year, announced that they were considering closing these centres.

Glen Eira's early learning centres offer high-quality, cost-effective education and care for local children, and as the council's own discussion paper shows, their centres are among the cheapest out there. So these families are going to be facing higher fees next year even if they can find a place in another centre locally. The average cost of early learning and child care in Glen Eira goes as high as \$185 a day, compared to the fees charged at the council centres of \$142 a day. As well as being low cost, these council-run centres are all rated as exceeding national quality standards. According to the council's own analysis, parents in Murrumbidgee will have the choice of only two other centres within 2 kilometres that have the same quality rating; all other options have a lower or no rating. A similar set of circumstances exist for other parents at other locations, and we know that some of the alternative options only cater for children at different stages. Some do not offer care for babies or they might only offer three- or four-year-old places. So parents are understandably concerned that even if they have got one child, but especially if they have got two, they are not going to be able to find a place for their kids next year. This is a decision that the City of Glen Eira can reverse, and I call on the council at its meeting in December to reverse this decision and keep these early learning centres open to give peace of mind to local parents.

### Teachers

**Renee HEATH** (Eastern Victoria) (18:02): (560) My adjournment matter is for the Minister for Education, and the action that I seek is for the minister to establish a taskforce to review and hear the experiences of new teachers in order to support better teaching practice and student outcomes. Recently I spoke with a young teacher who told me about the less glamorous side of teaching. From a young age she had dreamt of becoming a teacher. When she decided to study teaching, she envisaged imparting a love of learning and making a positive impact on the next generation. However, she said sometimes those goals are completely overshadowed purely because the class is out of control. She said, 'They never told me how to handle this at uni.' She is limited in what she can do to deal with poor behaviour, and she described keeping an orderly classroom as overwhelming. Again today I heard from a student-teacher. She said that they did one class on how the classroom culture operates but received no training on how to control and maintain a disciplined classroom.

Data from the OECD's disciplinary climate index, an indicator of students' experience in class, showed that 15-year-olds in Australia are among the most disruptive and disorderly in the world, ranking 69 out of 76 school systems. According to that study, about two in five students say kids do not listen to the teacher. About half say that noise or disruption is present in most or all lessons, and this is taking a toll on students and teachers alike. About one in four teachers find maintaining classroom discipline difficult, and intimidation and bullying are common in about one in three schools.

It is mostly the educational progressives that downplay the importance of classroom behaviour, but the ones who benefit most are the students who have been disengaged or do not come from stable or supportive households. Calm and orderly classrooms benefit all students, no matter their background, but mostly the best impacts are seen on the ones that are disengaged. There are some universities that are teaching specific classroom management strategies as part of their program, and they are seeing great results. I think that our teachers deserve the best, and we need to do our best too. Minister, our teachers are feeling disempowered to act and our students are facing challenges as a result. We need to encourage and support best teaching practice, and I implore you to act urgently.

### Serbian Orthodox Church and School Community St Stefan

**Lee TARLAMIS** (South-Eastern Metropolitan) (18:05): (561) The adjournment matter I raise this evening is for the Minister for Multicultural Affairs the Honourable Ingrid Stitt. Recently I had the pleasure of joining with the Serbian Orthodox Church and School Community St Stefan in

Keysborough to celebrate the completion of their wonderful upgraded facility along with my parliamentary colleague Tim Richardson. This project has created a welcoming, safe and accessible environment that caters for the needs of the Serbian community and many other communities in the south-east that use these facilities. Our Serbian community is an integral part of the vibrancy and diversity that we in Victoria are so proud of, with over 30,000 people in Victoria having Serbian ancestry. The City of Greater Dandenong and the City of Casey, which I represent, are among the areas with the largest numbers of Serbian-born people.

Our state and our community are greatly enriched by the significant contributions made by Victoria's Serbian community. Their strong family values and their willingness to help others have seen our Serbian community make a positive impact in the local community and across the state. It is important to acknowledge and thank the Serbian community for their ongoing willingness to share their culture and traditions with Victorians. This has enabled us to experience and learn about Serbia's vibrant, deeply meaningful and rich cultural heritage by bringing people together to celebrate the history, customs and traditions that make the country so unique. That is exactly what we were immersed in during the celebration. We were treated to a vibrant traditional cultural program with performances by the Serbian school accompanied by traditional and tasty food, all of which showcased Serbian culture and traditions.

The Victorian government was proud to partner with the Serbian community to upgrade their community hall, which included replacing the ceiling, refurbishing the foyer and toilets and replacing the kitchen, electrical supply and heating and cooling. I want to acknowledge everyone who contributed to making this project a reality, including Alan Topic, who was the coordinator of the project and who I had a number of conversations with at various stages of the project. I also want to acknowledge the more than 100 amazing and inspiring volunteers who contributed more than 3600 volunteer hours to this project. Without them and the additional financial contribution from the Serbian community this project would not have been possible.

I am certain these upgraded facilities will be well utilised by the community, just as the playground that the government also contributed to is. The funding for this project came from the Multicultural Community Infrastructure Fund, which supports multicultural community organisations to have safe and secure places to celebrate and share their history and traditions, build connections and thrive, and that is exactly what has been achieved through this project.

While attending this wonderful celebration I accepted a framed award of merit from the Serbian Orthodox Church of St Stefan on behalf of the minister in recognition of the support provided by the Victorian government. The action I seek is for the minister to catch up with me so that I can pass this on to her, and I also extend an open invitation for the minister to visit the Serbian community at an appropriate time.

### **Rural and regional roads**

**Joe McCRACKEN** (Western Victoria) (18:08): (562) My adjournment matter is for the Minister for Roads and Road Safety, and it relates to the poor state of roads in regional Victoria and country Victoria. I note that today actually the Ballarat Residents and Ratepayers Association launched an excellent campaign, Fix Our Roads! Ballarat. The action that I seek is that the minister meet with me and with the Ballarat Residents and Ratepayers Association to inspect roads. I note that the Minister for Roads and Road Safety is also the Minister for Local Government, and she is welcome to join us to inspect local roads as well and we can have a great tour around Ballarat and surrounding areas.

The Fix Our Roads! campaign will be rolled out not just in Ballarat but in a number of other areas as well, from Bendigo all the way down to Warrnambool. It would be great if the minister even drove those roads as well to see the impact of the lack of funding. Potholes the size of craters are not uncommon. People having to go from one side of the road to the other just so that they do not damage the vehicle is not unusual at all. Country people should not have to put up with this. It does not happen on the Monash. Why does it happen on the Princes Highway, the Western Highway and other key

arterial roads through my electorate of Western Victoria but more broadly across country Victoria as well? So the message to the minister is very clear: fix our roads. I hope that she takes that up with great enthusiasm.

### Container deposit scheme

**Michael GALEA** (South-Eastern Metropolitan) (18:09): (563) I rise this evening on adjournment to raise a matter for the Minister for Environment, and the action that I am seeking is for the minister to update the house on the progress of the implementation of Victoria's first container deposit scheme. This is great news for Victorians and great news for the environment, with the Victorian container deposit scheme starting today. This scheme will incentivise consumers to return their cans and bottles to be recycled by being paid 10 cents for each container returned.

*Members interjecting.*

**Michael GALEA:** Obviously this has fired up those opposite. Apparently they do not like recycling, which is a shame, but those of us on this side of the house do like recycling, and this is a really big step forward – great to see. I remember as a kid every time you looked at a bottle you would see '5 cents if you return this in South Australia'. How wonderful it is that today we are launching this new scheme in Victoria. There are a lot of people in my community who have spoken to me who have been campaigning for this for a very long time, and it is wonderful to see it starting today.

The benefits from the introduction of this scheme are numerous: more and better recycling; less waste; old containers becoming new ones; less litter expected – in fact it is expected to be cut by up to half; hundreds of new jobs and economic opportunities across Victoria; and a cleaner, greener state. Those opposite just do not get it. They do not think that anyone would be interested in recycling, but I can tell you that there are many, many interested people in my community and across Victoria who have been very excited to see this come forward. Many local environmental groups have spoken to me about the issue, and it is going to be great to see this coming forward.

**A member** interjected.

**Michael GALEA:** As many as, I am sure, have spoken to spoken to Ann-Marie Hermans about WorkCover, to be honest with you – Mrs Hermans, I apologise. In fact I suspect probably more people than have spoken to Mrs Hermans about WorkCover have spoken to me. There are some fantastic groups in my electorate.

Victoria will have 600 collection points where people can deposit their used cans and bottles and receive 10 cents per unit. The container will then be repurposed into new products instead of adding to further landfill and polluting the ground. In addition, charities will benefit from either being a possible recipient of funds received from a container deposit or setting up their collection drive. For example, a local food charity might establish a collection bin and people can deposit their containers directly with them for the charity to deposit to one of those 600 collection points. This would then be paid as 10 cents for each eligible container and then those funds go back into their operations to support their community. This scheme will be transformational in terms of litter removal and recycling but with the added benefit of wider community impact and environment improvement as well as increased economic activity.

I do acknowledge the work of this government, in particular the former Minister for Environment, who sits below me here today, who was instrumental in bringing this scheme forward. The action that I seek is an update on the progress of the implementation.

### Economy

**Gaelle BROAD** (Northern Victoria) (18:13): (564) My adjournment is to the Treasurer, and the action I seek is for the Treasurer to outline Labor's plans to address the skyrocketing state debt. This year's budget shows that Victoria's state debt will continue to climb. Victoria has the highest debt of

any state, approaching \$171 billion, almost \$70,000 per Victorian household. We are currently paying \$15 million a day in interest just to service the debt. Premier Jacinta Allan's decision to cancel the Commonwealth Games has already cost Victorian taxpayers \$600 million, adding to the state's staggering debt bill. This \$15 million from the pockets of hardworking taxpayers should be channelled into vital public services, including housing, hospitals and infrastructure. Instead it is being squandered on interest payments and should be going towards crucial regional projects.

To provide some perspective, \$15 million could be used to upgrade 15 kilometres of road every single day. A week's worth of interest payments could construct 210 social and affordable homes valued at \$500,000 each. Four days of interest payments could fund the creation of a new Swan Hill bridge. With two days of interest payments we could establish a public secondary college in Kilmore, a town with a population of 10,000 that lacks such a facility. In slightly over an hour of interest payments Lifeline Loddon Mallee in Bendigo could have their previously rejected emergency funding request granted. By lunchtime, just a few hours of interest payments, we could cover construction costs for a new swimming pool in Rochester, devastated by last year's floods.

The scale of Victoria's debt surpasses the debts of New South Wales, Queensland and Tasmania combined. As our state debt continues to climb, I call upon the Treasurer to outline the Labor government's plans to curb the climbing debt, because regional Victorians are tired of missing out.

#### **Bushfire mitigation**

**Bev McARTHUR** (Western Victoria) (18:15): (565) It was an honour this morning to pay tribute to leading bushfire and forestry scientist Dr Kevin Tolhurst AM, who died recently, and to convey to his family our sympathy and gratitude for his life and work. But my contribution now is directed to the Minister for Emergency Services, and I want to delve more deeply into Dr Tolhurst's life's work. This morning I quoted David Packham OAM, Kevin's friend and former CSIRO principal research scientist. Noting his dedication, professionalism and expertise, David concluded Kevin 'used the powerful tools of science to achieve a healthy and safe forest environment'. The powerful tools of science too often give way to rampant ideology, wishful thinking and political inconvenience. We need to relearn that objective knowledge and practical management solutions are what actually matter.

I am not qualified to comment on the full range of Dr Tolhurst's work, but some themes are readily understandable. Leaving aside his expertise in predicting wildfire behaviour and the ecological impacts of fire, I will concentrate on prescribed burning techniques and guidelines. Essentially, he pointed out the folly in prioritising expensive and difficult suppression of fire instead of fuel load management. We cannot control the weather, so reducing fuel load is the land manager's best hope of mitigating bushfire. He powerfully argued against an influential Climate Council fact sheet which had concluded:

No amount of hazard reduction will protect human lives, animals and properties from catastrophic fires ...

pointing out that analysing the extent of burnt areas, rather than the severity of the fire, is misleading. To quote Kevin:

The recovery of the plants, animals, nutrients and habitat after low-intensity fire is much quicker than after high-intensity wildfire ...

He looked at the total system result, not selective evidence to justify preconceived standpoints. He wrote:

... we need to consider all of the variables. This includes increased ecosystem resilience, mitigation of wildfire number ... impact on human health, economic value, social impact, Traditional Owner culture, and more.

These conclusions came from experience of the results of fire, of the demonstrably successful West Australian approach to fuel load reduction and understanding traditional Indigenous land management in Australia.

Mitigation matters. We cannot be absolutist and prevent all fire, nor all-powerful and put it all out. We have to work with it. Kevin's last message told a community forum at Mallacoota –

**The PRESIDENT:** Mrs McArthur, you have run out of time. But I am not too sure; did you put your action?

**Bev McARTHUR:** No, I have not.

**The PRESIDENT:** You can put your action now.

**Bev McARTHUR:** Okay. Minister, the action I seek is a rebalancing in Victoria of bushfire planning and management back towards the fuel load reduction approach Kevin did so much to prove superior.

### Growth Areas Infrastructure Contribution Fund

**Evan MULHOLLAND** (Northern Metropolitan) (18:18): (566) My adjournment tonight is directed toward the Treasurer, and the action I seek is for the Treasurer to rule out an expansion of the Growth Areas Infrastructure Contribution Fund. It is a leaky ship on that side of the chamber under this tired, old almost decade-long Labor government. Today it was leaked in the *Age* that cabinet is considering an expansion of the growth area tax to all properties.

The housing statement was really a flashy document. There were lots of pages that literally said 'Page intentionally left blank', with all the taxes left out. All the taxes were left out of it and came afterwards. This tax would make housing less affordable. We already have here in this state the highest property taxes in the nation, and it is already a failure of a tax, the growth areas infrastructure contribution, that is collected then sent into Spring Street, where it has sat for over two years and has half a billion dollars sitting in it remaining unspent. This Treasurer and this government are using the GAIC as an accounting trick to prop up the state government, to make the budget look that little bit better than the mess that it is in. Premier Daniel Andrews, when I accused him of this previously – the former Premier – on the GAIC, said:

We don't rush to ... funding ... projects, we think about the best projects for a local community and ... do that properly.

Well, I am told that the government is scrambling and only just informing local councils, asking, 'What projects do you want from the GAIC?' We know that later in the year they will be going out and they will be cutting ribbons, saying, 'Look what Labor's funding,' when it is actually developers and home owners that have funded the infrastructure. What I hear in my community – what I hear in Kalkallo, what I hear in Donnybrook, what I hear in Greenvale – is that people expect their infrastructure to be delivered before they move in or as they move in, not years after. This is how you end up with, in growth areas like Kalkallo, people having to wait an hour to get out of their own housing estate. This is how you end up with Donnybrook and Wallan on V/Line. This is how you end up with Melton and Wyndham Vale on V/Line trains. The government boasted that V/Line is the fastest growing rail service in Australia. That is only because they are putting tens of thousands of houses in these growth areas and people are all having to go on a V/Line train. I seek the action of the Treasurer to rule out taxing every single Victorian with a GAIC tax.

### Spiritual care

**Georgie CROZIER** (Southern Metropolitan) (18:21): (567) My matter is for the attention of the Minister for Health, and it is in relation to spiritual care practitioners and funding. It is an issue that I spoke about with Dr Cheryl Holmes last week after she wrote to me and the minister seeking that funding be provided. Spiritual care practitioners employed by health services are not tied to any religious group; they focus instead on offering essential support in vulnerable times, and they play a vital role during times of loss or grieving. I certainly am aware of this from my time working as both a nurse and midwife and having seen firsthand the work of spiritual practitioners.

I think it is just mean and callous that this government is cutting such a minuscule amount of funding that is required to keep these practitioners in place. They cover a range of faiths and religions – Christian, Hindu, Islamic, Buddhist, Jewish and Sikh, just to name a few – and they are represented in over 40 hospitals. What the government is doing is callously not providing any more funding from June 2024. They were seeking \$685,000, but they realised the state is broke. They said, ‘We know the state is experiencing some fiscal problems’ – I will be more blunt than that: we are broke, as we know – and they said, ‘We’ll reduce the investment from \$685,000 specifically to \$62,000 for a project to co-design the sustainable funding model for faith-specific care and \$150,000 per annum for two years for the rollout of the co-designed model of spiritual care in Victorian health services.’ That is all they are asking for, and this mean-spirited government, this callous government, refuses to provide it.

In fact it was reaffirmed just on Monday by the Secretary of the Department of Health, who wrote to Dr Holmes and said:

We value an approach to care that recognises the significance of a holistic view of health, including spirituality. Additionally, we acknowledge and appreciate the contribution of faith communities in supporting patients being cared for in hospitals and by other community health services.

They then went on to say:

However, there is no change since our previous correspondence regarding funding. At this time, it would not be possible for Safer Care Victoria to provide funds to the Spiritual Health Association beyond June 30, 2024.

I say again: it is a tiny bit of funding in the whole health budget, and you cannot find it? Minister, intervene and overturn this decision.

### **Mildura Base Public Hospital**

**Wendy LOVELL** (Northern Victoria) (18:24): (568) My adjournment matter is directed to the Minister for Health, and it concerns funding to deliver a new Mildura Base Public Hospital for the people of Sunraysia and the north-west region. The action that I seek from the minister is to release the master plan and ensure that funding is provided for the construction of a world-class Mildura Base Public Hospital to deliver the best possible health outcomes for the Sunraysia community. Labor has continued to ignore the needs of the Sunraysia region, and the community continues to wait for the release of the Mildura hospital master plan, a document which was promised to articulate Labor’s plans for delivery of a new hospital. The master plan was meant to be delivered in April 2022. It was then delayed to mid-2022 and then August 2022, with the then minister, Minister Thomas, commenting in Parliament on 31 August 2022 that it was very close to being finalised. Fourteen months later we are still waiting for the master plan to be completed and released.

During last year’s election campaign the people of Mildura watched as the Labor Party announced funding for other regional hospitals but made no commitments for the Mildura Base Public Hospital. Voters have clearly had enough of being ignored by Labor, as the previous Labor-voting independent member was replaced by a coalition member. This sent a clear message to the government that the residents of Sunraysia cannot be taken for granted and that they desperately need a new hospital to improve local health outcomes. However, rather than taking notice of the people of Mildura, it appears the Labor government has decided to be vindictive and punish them for not supporting the Labor-voting independent.

Despite the absence of a commitment from the Labor government, the fantastic staff at the current Mildura hospital have continued to deliver high-quality health services in facilities that no longer meet the health needs of the region. Within the last 12 months there have been times when the health service needed to declare code yellow because staff were unable to meet patient demand due to the maximum capacity being reached. Residents of Mildura are unable to simply go to another hospital, due to their highly isolated and remote location, making having strong, stable local health services and facilities all the more important for the region.



Prior to the hospital transitioning into public management, the then manager Ramsay Health committed that if their contract was extended they would invest \$13 million towards construction of a new 16-bed ward, theatre equipment, sterilisation upgrades and clinical training. However, since the return of the hospital to public management, the state Labor government has failed to invest in this or any other significant infrastructure, despite the clear need. In stark contrast to Labor's failure to commit to a new hospital, during the last election campaign the Liberal Party made an election commitment of \$750 million. I urge the minister to match the Liberals' commitment.

### School cleaning

**Matthew BACH** (North-Eastern Metropolitan) (18:27): (569) I have got an adjournment matter tonight for the Minister for Education, and the action that I seek is for him to rip up the deal with the United Workers Union that his predecessor Mr Merlino signed five years ago regarding cleaning services. It has been well publicised and I dare say members of the house will be well aware that five years ago now Mr Merlino – pardon the pun – did a dirty deal with his union mates in the UWU that has led to shocking outcomes for 900 Victorian schools.

Many principals have bravely gone on the record to talk about what this has meant for their school – in short, cleaning services that are dreadfully substandard. I can tell you that it is really important to have school facilities – especially toilets, but also other school facilities – cleaned to a high standard both for staff and for students. I live close to Chatham Primary School, for example, and have recently met with the principal there. He is one of many principals who have gone on the record, and he said that this deal that Mr Merlino signed with the UWU led to 'huge problems' and at his school the standard of the cleaning was 'woeful'.

The head of the Victorian Principals Association is a very reasonable person. He and others have been calling for a government review of this process. I want to go further than that. Stuff that. We need to scrap the whole deal. In my very first contribution in this place I talked about the fact that we need to empower school leadership in our local schools. I was the head of a large secondary school in my electorate. The idea that some pointy head at 2 Treasury Place would tell me who I should employ to clean the dunnies at my school is just ridiculous. Principals, the leadership of local schools, know what is best for their schools. Many principals had longstanding arrangements with local firms or with family firms who had a connection to the school and enjoyed supporting those family firms on the basis that the school got a great service and also the school was giving back to the community.

So this is a significant issue. It impacts a huge number of schools. So many principals have gone on the record. We have had five years. We know the outcome of this deal with the UWU: it has been dreadful cleaning services to so many schools. I would urge Mr Carroll: the action that I seek is for him to rip up the deal so that Victorian state schools can choose whichever cleaning service they like.

### Responses

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (18:30): There were 14 adjournment matters this evening to 11 separate ministers, including the Premier and the Treasurer, and I will ensure that answers are provided in accordance with the standing orders. In relation to Mr Tarlamis's adjournment matter to me in my capacity as Minister for Multicultural Affairs I am always delighted to catch up with Mr Tarlamis, and so I will be doing that to receive that very thoughtful certificate. I am also very happy to organise a time to visit that particular community group at his convenience.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 6:31 pm.**