

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 8 August 2017

(Extract from book 9)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 10 November 2016)

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

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

Speaker

The Hon. C. W. BROOKS (from 7 March 2017)

The Hon. TELMO LANGUILLER (to 25 February 2017)

Deputy Speaker

Ms J. MAREE EDWARDS (from 7 March 2017)

Mr D. A. NARDELLA (to 27 February 2017)

Acting Speakers

Ms Blandthorn, Mr Carbines, Ms Couzens, Mr Dimopoulos, Ms Gralely,
Ms Kilkenny, Ms Knight, Mr McGuire, Mr Pearson, Ms Spence, Ms Thomson and Ms Ward.

Leader of the Parliamentary Labor Party and Premier

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. J. A. MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals

The Hon. P. L. WALSH

Deputy Leader of The Nationals

Ms S. RYAN

Heads of parliamentary departments

Assembly — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

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

Parliamentary Services — Secretary: Mr P. Lochert

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

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn ²	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent ³	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio ⁴	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma ¹	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David ⁵	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard ⁶	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ⁷	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Tilley, Mr William John	Benambra	LP
Kairouz, Ms Marlene	Kororoit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ ALP until 7 March 2017

⁵ Elected 14 March 2015

⁶ Elected 31 October 2015

⁷ Resigned 2 February 2015

PARTY ABBREVIATIONS

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

Legislative Assembly committees

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

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

Legislative Assembly select committees

Penalty Rates and Fair Pay Select Committee — Ms Blandthorn, Mr J. Bull, Mr Clark, Mr Hibbins, Ms Ryall, Ms Suleyman and Ms Williams.

Joint committees

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

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

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

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

Environment, Natural Resources and Regional Development Committee — (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan. (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young.

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

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

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

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

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

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

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Tuesday, 8 August 2017

The SPEAKER (Hon. Colin Brooks) took the chair at 12.03 p.m. and read the prayer.

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER — Order! We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

ABSENCE OF MINISTER

Mr ANDREWS (Premier) — The Minister for Women and Minister for the Prevention of Family Violence will be absent from question time this week. I can advise honourable members that the Minister for Health will answer in her place.

CHIEF JUSTICE OF THE SUPREME COURT OF VICTORIA

Mr PAKULA (Attorney-General) (By leave) — I rise to advise the house that this morning the Governor in Council approved the appointment of the Honourable Justice Anne Ferguson as the next Chief Justice of the Supreme Court of Victoria.

Justice Ferguson was educated at Killester College in Springvale, where she graduated as dux in her final year. Her Honour then attended Monash University, graduating with a bachelor of arts and a bachelor of laws with first-class honours. She finished as the top law student in her year, winning the Supreme Court Prize. Her Honour later won a Commonwealth Scholarship to study for a PhD in law at the University of Southampton, where she completed a doctoral thesis on unfair contracts.

Justice Ferguson was admitted to practice in 1984, completing articles and working as a solicitor at J. M. Smith & Emmerton. In 2000 she moved to Allens Arthur Robinson. She became a partner at Allens in 2005, specialising in insolvency and general commercial litigation, working on complex commercial matters. Justice Ferguson was appointed to the Supreme Court trial division in 2010 by then Attorney-General Rob Hulls, working primarily on the Commercial Court in Corporations Law. Her Honour was elevated to the Court of Appeal in 2014 by Attorney-General Robert Clark and has worked since then on civil and criminal appeals.

Consistent with convention, I consulted widely on the appointment of the new chief justice, including with state and federal heads of jurisdiction, current and former attorneys-general, and heads of legal professional bodies. Justice Ferguson is held in the highest regard by the profession and her judicial peers for her sharp intellect, extensive knowledge of the law and outstanding leadership qualities. Her Honour will take up her new appointment in early October, and I know that she will be an outstanding chief justice for our state. Justice Ferguson will be the 12th Chief Justice of the Supreme Court of Victoria, the first solicitor, and the second woman to be appointed chief justice. I look forward to working with her in her new role.

I would also like to take this opportunity to thank Chief Justice Warren for her service to the Supreme Court and to the state of Victoria and to wish her all the very best for the next chapter of her life.

Mr PESUTTO (Hawthorn) (By leave) — On behalf of members on this side of the house we wish to echo what the Attorney-General has just said and to wish Justice Ferguson all the best in her very important new role. Her academic and judicial achievements are outstanding and we wish her the very best.

As politicians we face daily scrutiny of the fiercest sort, and that is appropriate. For courts not only around the world but also particularly here in Victoria it is a tough time, and they operate in very challenging conditions. It is very important that Justice Ferguson be given all the support she will need in terms of meeting what are more exacting expectations of the Victorian people, of the judicial system and of the broader political system. That will not be an easy task, and we wish her all the best in that role. But she will take her appointment with the warmest wishes of the coalition parties.

CLERK OF THE LEGISLATIVE ASSEMBLY

The SPEAKER — Before calling questions, members will notice that we have an Acting Clerk, Ms Noonan. I wish members to extend due courtesy to Ms Noonan as she is acting in the role. Members will also notice that flows on to a range of other acting roles within the chamber, including the Serjeant-at-Arms and other clerks as well.

I also take the opportunity to welcome back to the chamber the member for Melbourne, who is returning from maternity leave.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Parole breaches

Mr GUY (Leader of the Opposition) — My question is to the Premier. Much-loved mother of two, Karen Chetcuti, was brutally murdered by a convicted rapist Michael Cardamone in early 2016. Cardamone, who was on parole when he murdered Ms Chetcuti, had previously failed a drug test and been found by authorities to have child pornography on his phone. Despite this he was still being allowed to live in the community, thus enabling him to murder Ms Chetcuti. Premier, can you tell Ms Chetcuti's family and friends, some of whom are watching this today, given Cardamone had broken his parole conditions, why was this man still out on parole instead of remaining in jail?

Mr ANDREWS (Premier) — Let me take this opportunity — I am sure on behalf of all members of this place and indeed all Victorians — to express our sympathy and our best wishes to the families involved in this terrible tragedy. If there are specifics of this matter that we can provide further information about to Ms Chetcuti's family, then I am more than happy to have officers of my department arrange for a full briefing. For any information that we can provide we certainly stand ready to do that.

In a broader context we have made commitments around reforming parole laws, bail laws and many other parts of our criminal justice system, and we will be true to our word and give to the chief commissioner and the judiciary the powers they need to fight crime and keep our community safe.

Supplementary question

Mr GUY (Leader of the Opposition) — Premier, how many criminals on parole who fail drug tests or have child pornography found in their possession are out in the community on parole instead of being in jail?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. I can inform him in broader terms. I do not have to hand the specific cohorts that he refers to, and I will see if there is anything I can add to my answer away from the chamber. What I can inform him of, though, is that there are 800 fewer people on parole than there were four years ago. We have made commitments in relation to reform in this area, and we will deliver in each and every one of those areas to hopefully see even less people out on parole, improving on the fact that there are 800 fewer today than four years ago.

Ministers statements: regional Victoria

Mr ANDREWS (Premier) — I am very pleased to rise to update the house on the government's success in creating a stronger regional Victoria through investment attraction and job creation. Some can chuckle, but I tell you what, it was all smiles at Sealy up in Wodonga last week, up there in the beautiful north-east of our state, where they could celebrate a company crossing the river because of this government's payroll tax policy. It is coming from New South Wales and expanding, growing 205 new manufacturing jobs, creating 76 jobs through the supply chain, and of course other jobs, in the construction of a new purpose-built product development research centre, warehousing facilities and office space.

This company, a proud company, one that has got products in so many homes across Australia and indeed across the world, made a decision not only to expand but to move their entire operation to Victoria because we have the lowest payroll tax rate we have had for such a long time — delivered by a Labor government to grow jobs and opportunities. It was great to be there with the Minister for Industry and Employment and this company, which is expanding and moving to Victoria. They are one of many companies that are doing just that. That is why we have been able to create 60 000 jobs across regional Victoria, 41 000 of which are full-time. Compare and contrast that with a period in our state's history when there were only 5600 regional jobs created in an entire four-year term. We are getting it done, and business is voting with their feet.

Sheriff prison program

Mr PESUTTO (Hawthorn) — My question is to the Premier. You are now allowing prisoners' fines to be wiped and for them to get away scot-free without paying the fines they owe — unlike ordinary, hardworking citizens. Premier, how many prisoners in the Victorian prison system have fines that are eligible to be wiped off due to your latest weakening of our sentencing laws, and what is the value of those fines owed by criminals that you will now forgive?

Mr ANDREWS (Premier) — I am delighted to inform the member for Hawthorn that the sheriff prison program has operated for a very long period of time.

An honourable member — Decades.

Mr ANDREWS — For many, many years, because in the running of that program and in the view of so many experts, including the Sentencing Advisory Council and others, this is about driving down

recidivism. It is also about cutting costs to taxpayers by not having to keep people incarcerated in lieu of paying a fine. This is what the experts have put forward to us. The government is not making a change in policy; it is simply confirming arrangements that are longstanding.

Mr Pesutto — On a point of order, Speaker, the question was pretty clear: what is the value of the fines that will be wiped? Can you please bring the Premier back to the question?

Mr ANDREWS — If you are eligible for this program, you go to court and you make an application to have your fines waived. This happens each and every day. It has happened for decades. If the shadow Attorney-General would like to know about the totality of the project, how much the value of these fines is in a broader context, I would direct him to the Department of Justice and Regulation annual report, the Court Services Victoria annual report and various reporting that the sheriff does. If he would like further information than that, then I will see if the Department of Justice can assist him with a briefing — one he desperately needs.

Honourable members interjecting.

The SPEAKER — Order! I ask members on both sides of the house to assist with the smooth running of the house.

Supplementary question

Mr PESUTTO (Hawthorn) — On 1 July this year — five weeks ago — you increased the fines and charges imposed on ordinary, hardworking Victorians by tens of millions of dollars. At the same time, you are going to forgive the debts of criminals, potentially worth millions of dollars. Premier, you are treating criminals better than the rest of the community. How is this fair?

Honourable members interjecting.

The SPEAKER — Order! Government members will come to order.

Mr ANDREWS (Premier) — I thank the member for Hawthorn. Treats for criminals — that is what he is asking about today of all days. The shadow Attorney-General is incorrect. Ordinary members of the Victorian public can make application to have fines waived as part of this scheme. You have got your facts wrong, as is so often the case, and I will defer to those who perhaps think they know more about treating criminals than anyone on this side of the house — treating them to lobster and Grange, it would seem.

Honourable members interjecting.

The SPEAKER — Before calling the Minister for Police I warn the members for Frankston, Mordialloc, Warrandyte and Kew.

Ministers statements: organised crime

Ms NEVILLE (Minister for Police) — I rise to update the house today on the work that the government and Victoria Police are doing to crack down on serious and organised crime. We know that organised crime is a major driver of harm in our community. It reaches into and compromises legitimate industries. It seeks to corrupt public officials. It engages in money laundering. It uses illicit drug manufacturing and firearm trafficking for profit. It is linked to some of the recent youth offending that we are seeing, particularly in relation to carjacking. It engages in standover tactics and violence.

The impact of organised crime is huge. In fact the Australian Criminal Intelligence Commission recently briefed me about the impact — \$36 billion annually — of organised and serious crime. Most importantly, the impact is felt by victims. Organised crime is hurting families; it is hurting individuals in our community. They are being hurt and devastated by serious drug and firearm use. Communities and businesses are ruined by the illegal activities of organised crime figures.

Honourable members interjecting.

The SPEAKER — Order! The minister will resume her seat. The member for Warrandyte was reflecting on the Chair. I ask him to leave the chamber for the period of 1 hour.

Honourable member for Warrandyte withdrew from chamber.

Ms NEVILLE — We are determined — we take this issue seriously — with Victoria Police, to disrupt these criminal organisations through new laws targeting drug trafficking and manufacture, tackling illicit firearms and banning cash for scrap metal; and new resources for police through the crime command to disrupt the activities of organised crime gangs. And they are having an impact.

My role, this government's role, Victoria Police's role is to give absolutely no credence to those who are part of these criminal gangs. Billboards proclaiming community safety do not keep our communities safe. Actions speak louder than words. On the matter of organised crime we take our advice from the chief

commissioner. We all know where the Opposition leader takes his advice from.

Parole review report

Mr CLARK (Box Hill) — My question is to the Premier. Following the Brighton terror siege the Premier commissioned an in-house inquiry by the Office of Correctional Services Review, including examining why Yacqub Khayre was granted parole despite having committed arson during the second half of his time in prison and despite him having illegally purchased two guns while on parole. That inquiry had a reporting date of 30 June. Has this report confirmed that measure 13 of the Callinan review was not applied in granting Khayre parole, and that if it had been, he would have still been in jail?

Mr ANDREWS (Premier) — This is a very serious matter and I do thank the member for Box Hill for his question. What I can advise the member for Box Hill is that the advice to me is that the Minister for Corrections has received the report that he refers to, and she is giving that the proper and serious consideration that it undoubtedly merits and warrants. I cannot add anything further, but I am more than happy to make any information that is appropriate to be conveyed to the shadow minister available to him.

An honourable member interjected.

Mr ANDREWS — Well, to the questioner and to the Parliament in a broader context — if and when I am in a position to do that. I can only provide the information that I have to hand at the moment, and that is that the report of the review that the member for Box Hill refers to is with the minister, the minister is considering that, and there will be a response in due course.

Supplementary question

Mr CLARK (Box Hill) — Yacqub Khayre murdered an innocent young father and shot three members of the police Special Operations Group after buying two guns while on parole. Following the Brighton siege the Premier told Victorians that each and every element of what happened would be properly and fully investigated and that if there were any learnings from any element of that act of terror, the government stood ready to make those changes.

While I appreciate the Premier's answer, we are now six weeks past the reporting deadline for this review into a very serious gap exposed in the operation of Victoria's parole system. So I ask: when will the findings of this review be made public, and when will he and the government act on its findings so the parole

system operates as Justice Callinan recommended and properly protects Victorians?

Mr ANDREWS (Premier) — Thank you again to the member for Box Hill for his question. There are a number of investigations which are being conducted and a number of processes which are being conducted concurrently, as the member would be aware.

An honourable member — Six weeks overdue.

Mr ANDREWS — As the member for Box Hill has alluded to, there are a number of processes that are underway. When the government is in a position to properly respond to any recommendations made to it, then we will do that. I would also draw the member's attention and the interjector's attention to the fact that there is another process the government established with former chief commissioner Ken Lay and former Supreme Court justice Harper, looking at the broader counterterrorism environment. We will provide updates on that as appropriate also.

Ministers statements: police resources

Mr PALLAS (Treasurer) — I rise to advise the house of the government's continuing investment in tackling the causes of crime and making sure that our police are resourced in the best possible way. In last year's budget of course we invested over \$2 billion in keeping Victorians safe through the community safety statement, and almost \$2 billion in tackling family violence in Victoria. This is about taking police into the 21st century. It is about a sophisticated approach to keeping the community safe.

The Leader of the Opposition says that he has solutions to lower the cost of living, but really, he only has one solution — to lower his own cost of living by getting the Calabrian Mafia to pay for his lobster dinner. Victorians expect that their leaders are genuine and that they do what they say they will do. When this government said it is serious about crime, serious about tackling crime, it made the largest-ever investment in policing.

Honourable members interjecting.

The SPEAKER — Order! That level of interjecting is unacceptable in the house. I will remove members from the chamber who have yet to be warned. The Treasurer to continue and to confine his statement to a ministers statement.

Mr PALLAS — The best way to support Victorians and to reduce economic inequality is to help them get into work, and that is exactly what this government is doing. We have created over 250 000 jobs — a quarter

of a million jobs — since taking office, while those opposite have focused on the job of demolishing lobster and Grange in nefarious company. It is only Labor that has invested the additional funding for police to fight crime and only Labor —

Mrs Fyffe — On a point of order, Speaker, the Treasurer was defying your ruling that he return to making a ministers statement. Attacking members of the opposition is not part of making a ministers statement.

The SPEAKER — Order! I do uphold the point of order. I ask the Treasurer to come back to making a ministers statement.

Mr PALLAS — It is only Labor that is serious about investing in additional frontline police — over 3000 additional police. They will have the resources to adequately enforce our consorting laws, and they will make sure that those people keep appropriate company —

The SPEAKER — Order! The minister's time has concluded.

E-gate project

Ms SANDELL (Melbourne) — This is my first question time returning from maternity leave, Speaker, so I have not had a chance to congratulate you on your appointment. Congratulations.

My question is to the Minister for Major Projects. Until recently the E-gate development in inner-city Melbourne was being described by this government as a once-in-a generation opportunity to house 10 000 people in a brand-new inner-city suburb with 4 hectares of open space. E-gate was supposed to deliver up to \$4 billion of investment to Victoria and 5000 jobs, and to link important areas of Docklands and West Melbourne. But now instead of a vibrant community the E-gate site will be a jumble of on and off-ramps for Transurban's West Gate tunnel. My question is: why has this government chosen Transurban's profits over Melbourne's livability and scrapped the important E-gate development?

Ms ALLAN (Minister for Major Projects) — I thank the member for Melbourne for her question and I also welcome her back from her period of leave. In responding to the member's question, I think it is important to just give a wee bit more history on the E-gate site. Of course some members in this house will recall that a previous government put a proposal out to the market, out to the private sector, calling for development opportunities on this E-gate site. Now

those proposals had no parameters about things like what developments might happen on that site, what planning controls might be on that site and the types of development they wanted to see on that site. I will resist the temptation to draw the analogy with what happened at Fishermans Bend, which was what was being proposed for E-gate as well. We were left with a situation on coming into government where the appropriate planning and development that needed to be done at E-gate just had not been undertaken by the former government.

As we were looking at this and considering what the appropriate future use of the E-gate site was, two other issues became apparent, and the member mentioned one of those. Two other transport projects came fairly and squarely onto the agenda that intersected with that E-gate site, the first being the West Gate tunnel proposal, which she has referred to, and the second being the Metro Tunnel project, which she would also be familiar with.

The government has felt that it was prudent — given that E-gate is located in a transport precinct and given that it has strategic importance for transport needs as well as there being other opportunities for development down the track — and thought it was appropriate first to go through the planning and procuring processes for the Metro Tunnel, and the planning and procuring processes for the West Gate tunnel. Once those processes have been completed and once it has been determined what land uses are needed in that E-gate area, and indeed in the broader area, then we will have the opportunity to go and consider the further opportunities that that E-gate land may propose.

Of course this is not the only opportunity to create, as the member refers to, vibrant communities in this part of inner Melbourne. With the Metro Tunnel we will be delivering on the Arden site, the site of one of the five underground stations, a wonderful opportunity for residential and commercial development to take place, and of course through our *Homes for Victorians* policy we are making sure that a number of those properties will be affordable housing for first home buyers. So we are doing the careful planning and detailed work on our transport projects as well as our development projects to get the planning right for this important part of our city.

Supplementary question

Ms SANDELL (Melbourne) — I thank the minister for her answer. I understand there will be some disruption around the E-gate site for Melbourne Metro, but this will be mostly temporary. It is the on and off ramps for the West Gate tunnel which are completely

inconsistent in the long term with the vibrant community on this site and will mean we will lose this opportunity forever. Given that scrapping E-gate means losing 5000 jobs and billions in investment, is it not true that the West Gate tunnel project really only stacks up for the profits of your mates at Transurban and not for the livability of Melburnians?

Ms ALLAN (Minister for Major Projects) — I think unfortunately the member's final commentary undermined her overall position on this issue. She talks about the temporary impacts of the Metro Tunnel. I would like to remind her that this is a big project. It is going to take a number of years to build, and it is also going to create a lot of jobs — up to 5000 jobs — during construction.

She mentioned jobs. The West Gate tunnel is also going to create up to 6000 jobs during construction, so we absolutely understand the importance of creating jobs in and around the City of Melbourne as well as investing in the transport infrastructure this city needs and as well as planning for the future around these precincts. Whether it is Arden, whether it is Fishermans Bend, whether there are future opportunities at E-gate, we will also do the careful planning and development work to provide for those residential opportunities into the future. This takes proper planning and proper thought. That is why we are doing this in a planned way and, most importantly, delivering those transport infrastructure projects our city needs.

Ministers statements: youth justice control orders

Mr PAKULA (Attorney-General) — I would like to provide the house with an update on the Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017. As members know, that bill has passed the Assembly and is scheduled for debate in the Legislative Council today. The government has been advised by the opposition that, as they did in this house, their plans in the other place are to move a reasoned amendment, which of course, if successful, will have the effect of killing the bill. That is extremely concerning because one of the key features of the bill is the provision which is targeted at those who recruit young offenders to commit crimes.

Many young people involved in property crime have been committing those crimes at the instigation of organised crime gangs.

In many cases those organised crime figures do not participate in the crimes themselves but enrich themselves with the proceeds.

Mr Pesutto — On a point of order, Speaker, just on relevance, the Attorney-General has failed to mention the youth control orders that are part of the government's bill, which will put violent young thugs back out on the street. People who would otherwise be going to jail will be back out on the street, and you are going to put them there. Violent people, back out on the street!

The SPEAKER — There is no point of order. The Attorney-General to continue.

Mr PAKULA — The government has been advised by Victoria Police that a number of cars stolen by young people, for example, have been passed on to organised crime gangs in return for cash payments, so this bill is an important element of our fight against organised crime. It is too important to be the captive of political game playing, and I am calling on the opposition to give the bill its full support so that it can pass through the Parliament today as part of our fight against organised crime.

Honourable members interjecting.

The SPEAKER — Government members will come to order. The member for Bentleigh is warned.

Fire services

Mr BATTIN (Gembrook) — My question is to the Minister for Emergency Services. In giving sworn evidence to the Fire Services Bill Select Committee, emergency management commissioner Craig Lapsley said under oath:

... the Victorian fire services are looked at across the nation as the worst fire services in Australia.

Minister, is this disgraceful comment yet another example of your government endorsing the trashing of the reputation and dedication of Victoria's 60 000 dedicated volunteers?

Honourable members interjecting.

The SPEAKER — Order! The member for Yan Yean is warned. The member for Kew has already been warned.

Mr MERLINO (Minister for Emergency Services) — I thank the member for Gembrook for his question. The Leader of the Opposition must be in some trouble when the member for Gembrook is asking a question on fire services. Talk about disgraceful comments!

Honourable members interjecting.

The SPEAKER — Order! Members will come to order.

Mr MERLINO — I am sure the member for Gembrook has not spoken to one career firefighter over the winter break and apologised for his disgraceful comments about Black Saturday, and now, after the winter break —

Mr Clark — On a point of order, Speaker, the Deputy Premier is debating the question. I ask you to bring him back to answering it.

The SPEAKER — Order! I uphold the point of order, and I ask the minister to come back to answering the question. I warn members — this is the last question — that they will be removed from the chamber.

Mr MERLINO — Coming back to the question, after the winter break now we have got the member for Gembrook attacking the emergency management commissioner in this place. Well, I would —

Honourable members interjecting.

The SPEAKER — Order! The member for Kew will leave the chamber for the period of 1 hour.

Honourable member for Kew withdrew from chamber.

The SPEAKER — I ask members to cease shouting across the chamber so that I can hear the response the minister is providing. The minister to continue.

Mr MERLINO — If I can go to the committee hearings and quotes from operational leaders, including the emergency management commissioner, Steve Warrington, the chief officer, said:

There is no doubt this sector needs reform. We are living in the 1950s here.

...

If I have not been clear, let me be really clear: this sector, including CFA, needs reform ... We have two organisations with career firefighters with different recruitment, different development and different training ... That is not in the best interests. We need reform in this state.

The emergency management commissioner:

The missed opportunity is doing nothing. It is time. Believe me, it is time for change, and the model that is put on the table that I have ... looked at I believe does do all those things.

Greg Mullins, the former New South Wales commissioner:

... I believe that the model is —

The SPEAKER — Order! The minister will resume his seat. The Leader of The Nationals on a point of order.

Mr Walsh — On a point of order, Speaker, on the issue of relevance, I would ask you to bring the member back to actually answering the question, which was: did he endorse Craig Lapsley's comments trashing the reputation of the 60 000 volunteers here in Victoria? That was the question that was asked of the minister, and I ask you to bring him back to answering that question.

Mr MERLINO — On the point of order, Speaker, I have been directly relevant to the question. The question related to sworn testimony at the committee hearings, and my answer is directly responding to that, particularly the sworn testimony of all our operational leaders and experts in the field, including the emergency management commissioner.

The SPEAKER — Order! The minister was addressing comments made by the emergency management commissioner and other firefighting professionals. I do not uphold the point of order. I ask the minister to continue.

Mr MERLINO — Again, the Country Fire Authority chief officer, Steve Warrington:

Clearly an independent, autonomous CFA that is volunteer led, volunteer driven I think is in the best interests of the state.

Paul Stacchino, the former Metropolitan Fire Brigade acting chief officer:

I think the proposition of the new entity is an opportunity in the context of the two cultures ... I see it as an opportunity to reset elements of culture for both services for the good.

So operational leaders across the board, including the emergency management commissioner, are in favour of this fire services reform that will improve community safety in Victoria.

Supplementary question

Mr BATTIN (Gembrook) — In New Zealand they are introducing changes to create a new integrated fire services model and using Victoria as world's best practice. Minister, why is it that while other countries are copying Victoria's current model of fire service delivery, citing it as best practice, your government is doing everything in its power to trash it and tear it apart?

Mr MERLINO (Minister for Emergency Services) — I thank the member for Gembrook for his question. The government and the expert reference group did look at other jurisdictions in terms of best practice.

Honourable members interjecting.

The SPEAKER — Order! The member for Hawthorn! The member for Hawthorn has been warned.

Mr MERLINO — We are taking the elements that are suitable for Victoria, particularly from New South Wales, where you have got Fire and Rescue New South Wales, a single career fire service, and NSW Rural Fire Service, which is a volunteer firefighting organisation. If I can again quote from Greg Mullins, who is the former New South Wales fire commissioner:

... I believe that the model is an improvement in operational practices because you are dealing with risks in urban areas in two different ways ... Having one organisation overseeing that will enable that will enable ...

things to be to be done better over time. That is what we are doing in Victoria. These reforms will improve community safety, supporting volunteers and improving the community response times where there are fires across the state.

Ministers statements: north-east link

Mr DONNELLAN (Minister for Roads and Road Safety) — I am very happy to update house on great news in relation to the north-east link. I was with the Premier yesterday, and we released the four corridors we are considering for the north-east link. We will assist those corridors with the community regarding how they deal with congestion, how they achieve more reliable travel times and the impacts on the local environment. As we know, each of the options begins at the ring-road in Greensborough and works its way through to either the Eastern Freeway or EastLink. By the end of the year we expect to have a business case developed and the route determined. I know that there are many members who are very excited about this, whether it be the members for Ivanhoe, Eltham, Bundoora or Yan Yean. And I am very excited that I also noted that the Leader of the Opposition was very much a supporter of this project, and I thank him for that. I also noted that the Leader of the Opposition was out there doing consultation with stakeholders from the fruit and vegetable industry very early, and I encourage him to keep doing that!

I was just going to say that he forgot to invite his usual friends, the member for Hastings, who usually attends such nosh-ups, or the former member for Bass, who used to like a bit of a nosh-up with friends. We know there was great excitement and great food —

The SPEAKER — Order! The minister will resume his seat.

Mr Paynter interjected.

The SPEAKER — Order! The member for Bass will cease interjecting.

Mr Clark — On a point of order, Speaker, the minister is now departing from the role of providing a ministers statement on matters relevant to his portfolio, and I ask you to bring him back to order.

The SPEAKER — I suspect most members gather where the minister may be heading, but at this point technically he is within the ministers statement. I ask the minister to continue with caution.

Mr DONNELLAN — I have no doubt that during that consultation the Leader of the Opposition would have been talking about the importance —

Mr Pesutto interjected.

The SPEAKER — The member for Hawthorn!

Mr DONNELLAN — of this road for the freight network, because we know it is the missing link.

Mr Paynter interjected.

The SPEAKER — The member for Bass has been warned.

Mr DONNELLAN — So if you are in the west or the north-east in the morning and you want lobsters down in the south-east in the afternoon, the only road you will be able to use is the north-east link. But I would suggest that with lobster you should have chardonnay, not the Penfolds Grange. I would say a Yarra Valley chardonnay.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER — On 22 June the Acting Speaker at that time referred a point of order to me raised by the member for Burwood regarding a constituency question asked by the member for Yuroke that day. The member for Yuroke was in the chair as Acting Speaker when the member for Burwood took his point of order, so the Acting Speaker referred the issue to me. The point of order centred around whether the information sought in the question about where local residents could find out more information about the Mernda jobs hub could be readily obtained elsewhere.

Members would be aware that questions are for seeking information about government administration that is not otherwise available. The member for Burwood indicated that information about the project was available on the member for Yuroke's Facebook page. I note that the question was answered over the winter break and refers to public information services such as a government website, a 1800 number and the like. I do not know if this information was available at the time the question was asked, and given the question has been answered I do not uphold the point of order. However, I take the opportunity to remind all members of the purpose of questions and that questions should not seek information readily available elsewhere.

Mr Watt — On a point of order, Speaker, I am flabbergasted by that ruling. The fact that it was on her Facebook —

Honourable members interjecting.

Mr Watt — No, the fact is that the information was actually on her Facebook page the day before, and you could quite clearly see that. I am flabbergasted by the ruling.

The SPEAKER — I ask the member for Burwood to resume his seat lest I assume he is reflecting on the Chair. I am happy to explain to the member for Burwood later that parliamentary staff endeavoured to check the Facebook page of the member and were unable to find the information he referred to.

Ms Ryall — My point of order, Speaker, relates to a constituency question that I put to the Minister for Education originally on 9 May this year. You then reopened that question after it failed to be given an answer. The subsequent answer to that question is exactly the same as the previous one and refers me to a website. It does not reference the education spending for this financial year as requested in the question. So I ask again if you would review that answer and find that it in fact does not provide the necessary information and hopefully reopen that again so I can actually get what I asked for.

The SPEAKER — I will definitely undertake to review that situation.

CONSTITUENCY QUESTIONS

Mornington electorate

Mr MORRIS (Mornington) — (12 890) My question is on behalf of a constituent. On 16 November the Minister for Water announced the continuation of the ferry service from Portarlington to Docklands.

Further, this year's budget revealed that the government was evaluating a market-led proposal which may result in the government providing funding of \$5 million over three years to facilitate a trial. While potential forward expenditure is identified in the budget, expenditure in the 2016–17 year and earlier years is shrouded in mystery. So I ask: what was the amount paid to the Little Group and/or any subsidiary or associated company or business partners to either directly or indirectly facilitate the establishment and ongoing operations of the Portarlington to Docklands ferry from the date of its first operation until 30 June 2017?

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (12 891) I have a constituency question for the Minister for Public Transport, and the question I ask is: what ongoing measures are being put in place to ensure that the new number 58 tram delivers a better and more efficient service than its predecessor, the 55 tram? I have previously raised in the house the teething issues associated with the new tram route. Whilst Pascoe Vale commuters have demonstrated goodwill and understanding of these short-term teething issues, I ask: what other long-term measures are being put in place to ensure that the 58 tram is a better and more efficient service for my constituents?

Ovens Valley electorate

Mr McCURDY (Ovens Valley) — (12 892) My constituency question is to the Minister for Police on behalf of Mr Ray Fitzpatrick, a retailer in Cobram, who again asks: when will Moira shire receive a 24-hour police station? Recently seven shops were broken into during a crime wave that is sweeping our country communities, and police resourcing is being neglected in country areas. Our country communities are entitled to adequate law enforcement. Current police members do an outstanding job with the personnel that they have, but clearly the lack of a permanent police presence 24 hours a day is allowing the criminal element to roam free, knowing the police are out of town.

Narre Warren South electorate

Ms GRALEY (Narre Warren South) — (12 893) My question is to the Minister for Education and concerns Narre Warren South P–12 College in my electorate. I ask: when will the architectural designs for the school's new \$5 million performing arts centre be completed? I know that the school community is very excited by the recent appointment of Hede Architects for this much-needed project, a project that will see their run-down auditorium transformed into a

state-of-the-art performing arts centre. Students will finally have their very own performing arts space. It is long overdue but richly deserved as this school does provide an excellent and innovative dance and performing arts program for their students that makes kids want to stay at school, and that is to be applauded. The Minister for Education, the Treasurer and I have all been wowed by these star performers, and I cannot wait to see what they can do on their very own stage.

Burwood electorate

Mr WATT (Burwood) — (12 894) My question is to the Minister for Police. How many police stations are there in the Boroondara police service area?

Sunbury electorate

Mr J. BULL (Sunbury) — (12 895) My question is for the Minister for Education. What is the latest information regarding the time line and awarding of a contract for the much-needed building upgrades at Kismet Park Primary School in Sunbury? The Andrews Labor government is building the Education State and we promised a \$700 000 investment in this wonderful school. We are building new schools and upgrading school buildings. We created the Camps, Sports and Excursions Fund and are getting on with delivering high-quality education. This is a vital project, one that will help this school become even better. I ask for the latest information on contracts for this important and much-needed project.

Shepparton electorate

Ms SHEED (Shepparton) — (12 896) My constituency question is for the minister for the environment. Minister, can you advise whether the recently announced audit of recycling facilities following the Coolaroo fire will include the Numurkah tyre dump to ensure better protection of that community? In a 2014 publication, *Storage of Waste Tyres: Regulatory Impact Statement*, it was noted that waste tyres can create significant environmental and public health risks. Tyres are flammable, and when they are stored together in large volumes they can create a serious fire hazard which, once ignited, can be very difficult to extinguish. The impact of fires at recycling sites on local communities was highlighted by the recent Coolaroo fire, which saw the evacuation of the community. While the Shire of Moira has taken the dump owners to the Supreme Court, tyres remain on the site close to the town, forming a hazard that many constituents have contacted me about. There has

already been one fire at the tyre dump, in 2013, and we do not want to see one again.

Yan Yean electorate

Ms GREEN (Yan Yean) — (12 897) Netballers in Diamond Creek have had their facility needs overlooked for too long. Eight hundred to 1000 players compete there every Saturday 11 months of the year, and it has been fertile ground for champions like Diamond Creek's very own Diamond, Kate Moloney. The member for Eltham and I spend many Saturdays watching the competition there, and we have been pretty disgusted to see that all those players share only two toilets and one shower. What is the government going to do to encourage the sport of netball in Diamond Valley, and will there be funding to support this great sport?

The SPEAKER — Order! The member for Yan Yean, which minister is your question directed to?

Ms GREEN — The Minister for Sport.

Ripon electorate

Ms STALEY (Ripon) — (12 898) My question is to the Minister for Water and it relates to the desire by the Campbells Forest and district community to access water security via a new pipeline. There is a committee, and they wrote to the minister and received a letter back on 28 June this year from David Sheen, who directed them to contact their local water companies and to begin the process with each water company.

My question to the minister is: how can the community navigate this process, given that they are a small volunteer committee and have no resources to deal directly with what would be a very large project?

Yuroke electorate

Ms SPENCE (Yuroke) — (12 899) My constituency question is to the Minister for Health. I ask: what information can the minister provide on how many residents have used the Andrews Labor government's 24-hour supercare pharmacy that opened last year in Craigieburn? This investment has been strongly supported by residents, providing access to round-the-clock health care close to home, including a nightly nurse service for minor illnesses. I look forward to hearing more from the minister about how residents in the Yuroke electorate are benefiting from this fantastic initiative.

**DRUGS, POISONS AND CONTROLLED
SUBSTANCES AMENDMENT (REAL-TIME
PRESCRIPTION MONITORING) BILL 2017**

Introduction and first reading

Ms HENNESSY (Minister for Health) — I move:

That I have leave to bring in a bill for an act to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for a database relating to the monitoring of the supply of certain poisons and controlled substances, to provide for use of the database and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation further to the long title.

Ms HENNESSY (Minister for Health) — This is a bill that will provide the legislative framework for a system to monitor the prescribing and dispensing of schedule 8 drugs and some drugs from schedule 4 in order to help combat the growing problem of misuse of certain prescription drugs.

Motion agreed to.

Read first time.

**DOMESTIC ANIMALS AMENDMENT
(RESTRICTED BREED DOGS) BILL 2017**

Introduction and first reading

Mr PAKULA (Attorney-General) — On behalf of the Minister for Public Transport, I move:

That I have leave to bring in a bill for an act to amend the Domestic Animals Act 1994 in relation to restricted breed dogs, dangerous dogs, payments to the Treasurer and to make minor and related amendments and for other purposes.

Mr CLARK (Box Hill) — I ask the Attorney-General to provide a brief explanation further to the long title.

Mr PAKULA (Attorney-General) — I will do my best to assist the member for Box Hill. This bill relates to some of the inadvertent consequences of restricted breed legislation which was passed in the last Parliament. As members may be aware, there have been a number of lengthy court cases involving local councils that centred around arguments about whether a dog is or is not of a particular breed. It has been the subject of an upper house inquiry. Recommendations have emanated from that inquiry. The bill seeks to implement a range of those.

Motion agreed to.

Read first time.

**JUSTICE LEGISLATION AMENDMENT
(BODY-WORN CAMERAS AND OTHER
MATTERS) BILL 2017**

Introduction and first reading

Mr PAKULA (Attorney-General) — I move:

That I have leave to bring in a bill for an act to amend the Surveillance Devices Act 1999 in relation to the use of body-worn cameras and tablet computers by police and prescribed persons and the Judicial Proceedings Reports Act 1958 in relation to the disclosure of information and for other purposes.

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

Mr PAKULA (Attorney-General) — As the member for Hawthorn may be aware, a trial of the use of body-worn cameras specifically in relation to family violence offending was a recommendation of the Royal Commission into Family Violence. There are issues with the potential use of body-worn cameras in relation to the Surveillance Devices Act 1999 at the moment. A police officer using such a device might inadvertently be in breach of the Surveillance Devices Act, so this bill goes to dealing with that potential problem. There will be further legislation in due course which will go to the question of the use of recorded information being used potentially as evidence-in-chief in court.

Motion agreed to.

Read first time.

PETITIONS

Following petition presented to house:

Eel Race Road level crossing

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house that we strongly disagree with the LXRA proposal to close vehicle access directly between Eel Race Road and Nepean Highway. We believe the closure of Eel Race Road rail crossing will result in the following outcomes:

- (1) greatly reduced amenity of this area by restricting vehicular traffic flow across the Frankston rail line, limiting access particularly to Seaford North and Carrum South residential areas, local schools, sporting facilities, retail precincts, service station, Carrum bowls club and Seaford beach;
- (2) by restricting vehicular access to/from Nepean Highway, vehicles will be channelled along secondary roads like Station Street, Carrum, and Railway Parade, Seaford, causing extra congestion,

noise, pollution and economic cost of extra vehicle time and kilometres, e.g. one return trip via McLeod Road from Eel Race Road equals 2.4 kilometres;

- (3) emergency vehicles will no longer be able to directly access this area;
- (4) loss of a non-height-limited vehicle crossing and no alternative crossing in the event of an incident occurring at the McLeod Road crossing;
- (5) increased graffiti, undesirable behaviour and rubbish within the proposed pedestrian subway;
- (6) reduced property values due to reduced amenity of the area;
- (7) increased health issues due to stress and other social impacts;
- (8) we do not accept that this crossing is dangerous or congested.

The petitioners therefore request that the Legislative Assembly of Victoria:

- (1) leave the road crossing at the existing level; trenching the rail beneath the road (optimum desired solution);
- (2) if action (1) is not possible at this time, then leave crossing as it is.

By Mr R. SMITH (Warrantdyte) (567 signatures).

Tabled.

Ordered that petition be considered next day on motion of Mr KATOS (South Barwon).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Regulations and legislative instruments review

Ms BLANDTHORN (Pascoe Vale), by leave, presented 2016 annual review, together with appendices.

Tabled.

Ordered to be published.

Alert Digest No. 10

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 10 of 2017* on:

Crimes Amendment (Ramming of Police Vehicles) Bill 2017
Environment Protection Bill 2017

Health Legislation Amendment (Quality and Safety) Bill 2017

Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017

Yarra River Protection (Wilip-gin Birrarung murrong) Bill 2017

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Acting Clerk:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Eureka Stockade Public Park and Recreation Reserve

Order under s 17D granting a lease over W. G. Little Reserve

Falls Creek Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Gambling Regulation Act 2003:

Gambling and Lotteries Licence Independent Review Panel Report on the Lotteries Licensing Process — Ordered to be published

Public Lottery Licence and Ancillary Agreement under s 5.3.11

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 45 (*Gazette G26, 29 June 2017*), 50 (*Gazette S231, 29 June 2017*), 52 (*Gazette G27, 6 July 2017*)

Lake Mountain Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Melbourne City Link Act 1995:

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

Exhibition Street Extension Seventeenth Amending Deed

Melbourne City Link Thirty-Sixth Amending Deed

Mount Baw Baw Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Parliamentary Salaries and Superannuation Act 1968 — Report 2016–17 under s 7C

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

Ballarat — C178, C206
 Banyule — C111, GC64
 Baw Baw — GC64
 Boroondara — C177
 Brimbank — C194
 Cardinia — C206, C208, C214, C221
 Central Goldfields — C27
 Darebin — GC64
 East Gippsland — C135, C136
 Frankston — C116
 Greater Bendigo — C231
 Greater Dandenong — C199
 Horsham — C77
 Hume — C212, C219
 Indigo — C66
 Knox — C151
 Latrobe — C91
 Macedon Ranges — C98, C99, C100
 Manningham — C107, C112, C121
 Melbourne — C303, C311, C312, GC68
 Melton — C176, C187
 Monash — C134, C135
 Moreland — C163, C168, GC68
 Mornington Peninsula — C208, GC64
 Mount Alexander — C56
 Murrindindi — C64
 Port Phillip — GC64
 South Gippsland — C103, C108
 Stonnington — C207, C222, C242, C254, C256
 Strathbogie — C4 Part 1
 Surf Coast — C119
 Swan Hill — GC73
 Victoria Planning Provisions — VC137
 Wangaratta — C66 Part 1
 Wellington — C51, C90, C92 Part 1

Whitehorse — C182, C189

Whittlesea — GC64

Yarra — C183, GC68, GC73

Yarra Ranges — C160

Public Interest Monitor — Report 2016–17

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SRs 68, 69

Building Act 1993 — SRs 65, 66

Child Wellbeing and Safety Act 2005 — SR 62

Corrections Act 1986 — SR 60

Country Fire Authority Act 1958 — SR 61

Drugs, Poisons and Controlled Substances Act 1981 — SR 76

Education and Training Reform Act 2006 — SR 44

Environment Protection Act 1970 — SRs 45, 72

Fisheries Act 1995 — SR 58

Heavy Vehicle National Law Application Act 2013 — SR 75

Livestock Disease Control Act 1994 — SR 57

Local Government Act 1989 — SR 64

Marine Safety Act 2010 — SR 74

Public Health and Wellbeing Act 2008 — SR 53

Rail Safety (Local Operations) Act 2006 — SRs 77, 78

Retirement Villages Act 1986 — SR 67

Road Safety Act 1986 — SR 79

Subordinate Legislation Act 1994 — SRs 47, 54, 56, 70

Tobacco Act 1987 — SRs 63, 73

Traditional Owner Settlement Act 2010 — SR 43

Transport (Compliance and Miscellaneous) Act 1983 — SRs 48, 49, 50, 51

Treasury Corporation of Victoria Act 1992 — SR 80

Victorian Energy Efficiency Target Act 2007 — SRs 46, 52, 71

Witness Protection Act 1991 — SR 55

Working with Children Act 2005 — SR 59

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56,

57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 79, 80

Documents under s 16B in relation to:

Catchment and Land Protection Act 1994 — Declaration of certain plants to be State prohibited weeds, regionally prohibited weeds, regionally controlled weeds, or restricted weeds

Fisheries Act 1995 — Amendment to initial abalone quota order

Gambling Regulation Act 2003 — Keno Technical Standard Version 2.0

Project Development and Construction Management Act 1994 — Order divesting land from the Melbourne Market Authority to the Crown

Tobacco Act 1987 — Ministerial guidelines for certification of specialist e-cigarette retail premises

Transport (Compliance and Miscellaneous) Act 1983 — Specification of Railway Stations for the Purposes of the definition of 'Compulsory Ticket Area'.

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

Building Amendment (Enforcement and Other Measures) Act 2017 — ss 3(2), 17(1), 18(1), 19, 26, 27, 31, 32, 33, 34, 35, 36, 37, 38, 49, 50(2), 51, 53, 55, 66(1) and 83 — 16 August 2017 (*Gazette S257, 1 August 2017*)

Children Legislation Amendment (Reportable Conduct) Act 2017 — Remaining provisions — 1 July 2017 (*Gazette S216, 27 June 2017*)

Corrections Legislation Amendment Act 2016 — Section 16 — 28 June 2017 (*Gazette S216, 27 June 2017*)

Creative Victoria Act 2017 — Whole Act — 1 July 2017 (*Gazette S206, 20 June 2017*)

Lord Mayor's Charitable Foundation Act 2017 — Whole Act — 1 July 2017 (*Gazette S206, 20 June 2017*)

Small Business Commission Act 2017 — Whole Act — 1 July 2017 (*Gazette S216, 27 June 2017*).

COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017

Council's suggested amendments

Returned from Council with message relating to suggested amendments.

Ordered to be considered later this day.

ROYAL ASSENT

Message read advising royal assent on 27 June to:

Appropriation (2017–2018) Bill 2017 (*Presented to the Governor by the Speaker*)

Appropriation (Parliament 2017–2018) Bill 2017 (*Presented to the Governor by the Speaker*)

Bail Amendment (Stage One) Bill 2017

Parliamentary Budget Officer Bill 2016

State Taxation Acts Amendment Bill 2017.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Health Legislation Amendment (Quality and Safety) Bill 2017

Yarra River Protection (Wilip-gin Birrarung murrong) Bill 2017.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Membership

The SPEAKER — I wish to advise members that I have received the resignation of Ms Louise Staley from the Public Accounts and Estimates Committee, effective 7 August 2017.

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

That Mr Danny O'Brien be appointed a member of the Public Accounts and Estimates Committee.

Motion agreed to.

BUSINESS OF THE HOUSE

Program

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 10 August 2017:

Environment Protection Bill 2017

Health Legislation Amendment (Quality and Safety) Bill 2017

Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017

Yarra River Protection (Wilip-gin Birrarung murrong)
Bill 2017.

This is the first government business program of the spring sitting for this year. I welcome everyone back. I would like to also join you in acknowledging the role of our Acting Clerk in this place and wish her well in the role.

In addition to what I have outlined in terms of the legislation that the government wants to see debated and concluded over the course of this week, I just want to make a couple of additional observations to the house. The opposition, through the manager of opposition business, has indicated that the opposition are keen to consider in detail the planning bills. I have indicated to the manager of opposition business that, time permitting and depending on what else happens during the week, we should be able to make time available for the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017 to be considered in detail sometime on Thursday afternoon.

Also, as I indicated to members of the house late in the last sitting week, the government is keen to allow time to debate the take-note motion on the 2017 budget — the outstanding budget that was handed down by the Treasurer that continues to live on and continues to be worthy of debate and discussion in this chamber.

Another item that we need to deal with over the course of this week is the return from the Legislative Council of the Commercial Passenger Vehicle Industry Bill 2017, which the government has indicated will be dealt with in this place as the first item of general business at the conclusion of members statements before it then needs to go back to the upper house. With those few observations and comments, I commend the government business motion to the house.

Mr CLARK (Box Hill) — As the Leader of the House says, this is the first day of sitting since the winter recess. One would have hoped that perhaps over the winter recess the government would have reflected on the error of its ways and realised that it needed finally to do something about the disgrace that continues to hang over this Parliament of the conduct of the former Speaker and Deputy Speaker, and to have this house reassert the standards of conduct of all of our members that the community would expect of us and, in particular, would expect of those who were charged with the responsibility of upholding those standards themselves but yet have been found wanting.

We have a government — unfortunately — that is caught up in a culture of rorts and abuse, and a culture

within the Labor Party that seems to tolerate and condone it. Not only has their inaction condoned the conduct of the members for Tarneit and Melton, but more broadly we have seen them time and time again condoning the reprehensible conduct of many union officials in putting their own interests and their own political careers ahead of the interests of their members. Officials have diverted union funds for their own purposes; indeed a number of them closely associated with the Labor Party have a long string of criminal convictions to their name.

We have had the government today getting very agitated about someone unexpectedly bringing someone else along to a dinner. In stark contrast one only needs to see how many members on that side of the house — not inadvertently, not as a result of somebody else bringing someone along to a dinner without forewarning of it — consciously and deliberately continue to sit down and hobnob and eat and drink and enjoy the company of those who are well-established and indeed self-confessed rorters within this house.

Just prior to this house resuming I happened to see the member for Eltham, the member for Pascoe Vale, the member for Yuroke and the member for Footscray sitting down and enjoying the company of the member for Melton. If the government thinks that it is such a big deal that someone brings someone else unannounced along to a function, by what standard should they be judged when they are consciously and deliberately continuing to associate with, and condone, some of the most blatant rorting and abuse of public funds that we have seen in this Parliament?

Ms Allan — On a point of order, Speaker, as much as the member for Box Hill would like it to be, the member for Melton is not the subject of the motion on the government business program that is before the house. I must say that I am absolutely astonished that the member for Box Hill would stoop to the level of trying to defend the Leader of the Opposition for his actions that are being reported in the media today. I would have thought the actions of the Leader of the Opposition speak for themselves. They are also not the subject of this motion before the house. I would suggest that the manager of opposition business comes back to debating the matter before the house

The SPEAKER — I uphold the point of order and ask the member to come back to the government business program debate.

Mr CLARK — My point is a very clear one. This house should not be proceeding to deal with a

government business program that does not address the scandal that continues to hang over the head of this chamber, the scandal of the roting of the former Speaker and Deputy Speaker of this house. The government business program should make provision for referring both of those individuals to either a special select committee or the Privileges Committee of this house and for their conduct to be investigated and for them to be held to account. When the government persistently, time and time again, fails to uphold the standards that this chamber should be observing — the standards that they indeed assert this house has exclusive cognisance over and of which it certainly has an important cognisance — this side of the house will continue to oppose the government business program.

Mr PEARSON (Essendon) — I am delighted to make a contribution on the government business program. What a woeful performance from the member for Box Hill. I mean, really! I would have thought that he would have had a bit of a break and he would have come back nice and refreshed, but he is rehashing his old, tired government business program remarks. I thought it was extraordinary, the ‘someone having dinner with someone else’ defence. The Leader of the Opposition is like Bill Heslop from *Muriel’s Wedding*. He goes and has a dinner with Tony Madafferri, and it is like, ‘Deidre Chambers, fancy seeing you here’. That is what he is asking this house to believe. What absolute rubbish from the member for Box Hill.

While we are at it, he is quite happy to talk about the member for Tarneit and the member for Melton, but he does not talk about the member for Ovens Valley, who during the break was reported in the *Age* of 12 July as saying that he is being investigated by Victoria Police in relation to real estate fraud, which is alleged to have occurred prior to him becoming a member of this place. Again you do have to wonder: why would the member for Box Hill be consistently raising these points when you look at members on his side? He is not talking about the member for Ovens Valley. He is not talking about the fact that the Leader of the Opposition has got some very serious questions to answer about how he came to be having dinner at the Lobster Cave with Mr Madafferri. Yet again the member for Box Hill continues to rehash these old, tired and boring contributions in his government business program remarks.

The reality is, as I have consistently seen in the very brief time that I have been here, the member for Box Hill and those opposite have consistently sought to try to derail and distract the government from getting on with governing. We have got a very strong government business program before this place. We are absolutely

committed to continuing to provide good government to this state.

I think it is instructive. Again I have not been here long, but the contributions from those opposite today in question time were extraordinary. You would have thought they would come back refreshed, pumped up, fired up and ready to go. I mean, seriously, you would have to wonder. I think a number of them, including the member for Box Hill, would have liked to have joined the Clerk, who is retiring, on his holiday in Queensland. They were clearly embarrassed by the conduct and behaviour of the Leader of the Opposition. As I indicated, there are some serious questions that need to be answered by the Leader of the Opposition. I do find it curious that the member for Box Hill would again seek to raise his old, tired contribution about the members for Melton and Tarneit.

The reality is that we are absolutely committed to delivering good government to this state. We have got a full legislative agenda for this week, and we are absolutely committed to getting on with it. Again this is just another lame, pathetic stunt from those opposite, who frankly are just not into it. They are just not interested in good public policy. They are not interested in good government. They are just interested in the wine list at the Lobster Cave. They are trying to work out what the daily specials are at the Lobster Cave. Then again, I suppose if someone else is picking up the bill, you are probably not really hesitating and spending a lot of time looking at the specials; you are probably just going to try to work out what is the most expensive dish because you are not having to pay. It is just embarrassing. For the member for Box Hill, who has been here for a very long time, to describe the dinner as ‘somebody having dinner with someone else’ —

Mr Clark — On a point of order, Speaker, in accordance with your previous guidance to me in relation to relevance, I ask you to bring the member for Essendon back to the motion before the house.

The SPEAKER — The member for Essendon was replying in the earlier part of his contribution to points raised by the member for Box Hill but is now straying from this debate. The member for Essendon to continue.

Mr PEARSON — Again I find it curious that this is the level that politics at Spring Street has descended to. We have got the member for Box Hill trying to distract the government from getting on with delivering good government for this state by again being tedious and repetitious in his contributions to the debate on the government business program. This is a fantastic government business program. I am thoroughly looking

forward to making a lengthy contribution on every single piece of legislation that will come into this place. I have got more than 40 minutes if the house would allow me that, but sadly, member for Mordialloc, they will only allow me 40. I am fired up and ready to go. It is a great government business program, and I commend it to the house.

Mr HIBBINS (Pahran) — I rise to speak briefly on the government business program, and I will just pick up on one thing the manager of government business said. He erroneously referred to government business as ‘general business’. It was a bit of a mistake; I note that we do not actually ever deal with general business in this house. We are probably the only chamber in the entire Westminster system, both here in Australia and across commonwealth nations and other countries that use the Westminster system, that does not deal with general business, which is an anomaly. If the manager of government business would like to change the standing orders of this house so that we do deal with general business, that is something that the Greens would wholeheartedly support.

The Greens will not be supporting the government business program in this instance, not because of any issues with the bills on the notice paper but, consistent with our previous statements on this matter, because the issues facing the members for Melton and Tarneit should be referred to the Privileges Committee. That is clearly the appropriate course of action. I will not pad out my contribution with anything further than that; I think all that is necessary has been said on that.

The clear course of action would be for those two members to be referred to the Privileges Committee, for that committee to investigate the matter further and come back to this house with a recommendation, and for the house to then vote on whatever that is. I think that would be the appropriate course of action. Therefore the Greens will not be supporting the government business program in this instance. We feel that that referral should be the first course of action.

Mr McGUIRE (Broadmeadows) — It is a privilege to serve the government of Victoria. It is an honour to make a contribution to an administration delivering for individuals, families and communities, driving our great state with a financial management and economic development record, reshaping the face of the world’s most livable city through the biggest public transport project in Victoria’s history — the Metro Tunnel — delivering new opportunities for businesses and creating jobs.

The government business program adds to the big-picture vision of the Andrews government by delivering on affordable housing, improving health care and providing greater protection to our environment and heritage. We have not heard one reference to these important reforms in the public interest from the opposition or the Greens political party. They have nothing positive to offer. That is the reality, and that is the take-out from this debate.

Let us go to the propositions that the Victorian government is actually offering the people of Victoria. The Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017 is significant because it establishes a framework for voluntary arrangements to facilitate the provision of affordable housing in Victoria through the planning system. This is an issue of national and generational significance. What does this bill actually do? It will give developers, the community and local councils certainty about how these arrangements will be applied in Victoria. That is of absolute significance to people right throughout the state. It is a generational debate that is going on with the community. First home buyers are struggling to see how they can get into the market, and this is an issue that looks at that strategy. The bill implements the policy framework set out in the Victorian housing strategy, *Homes for Victorians: Affordability, Access and Choice*, to facilitate the provision of affordable housing through the planning system. That is what this government is about. This is the big picture that we are actually addressing. This bill addresses other matters, including facilitating the process of variations to so-called wind farm permits, which will reduce time delays and costs for applicants seeking to amend wind farm permits. It addresses that environmental issue also.

Then we look at the Health Legislation Amendment (Quality and Safety) Bill 2017. This is designed to improve safety and quality in Victorian hospitals. This is another reform as part of a raft of reforms, and I want to compliment the Minister for Health on bringing it to the Parliament. This will look at how we instigate these reforms right through the hospital system. People know that Victoria has a world-leading health system and hospital system, but there are gaps and issues that have to be addressed. I compliment the Minister for Health for taking these on, looking at what needs to be done, bringing the legislation to the house and doing the other reforms throughout the system as well. That is important.

Then we have the Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017. This bill is important in that it recognises the importance of the Yarra River, its parklands and associated public places to the economic

prosperity, vitality and livability of Melbourne and the Yarra Valley. I also want to note that language is important to cultural identity. I am pleased to see that the bill carries the full weight of history and heritage in its title. That is an important initiative that I want to register.

Then we have the Environment Protection Bill 2017. We have had the Victorian government put record funding into the Environment Protection Authority Victoria to make sure that our environment is protected. As the member for Broadmeadows, I want to raise that we have had a fire in Coolaroo during the recess and that scrutiny, accountability and compliance are critical issues. I want to actually acknowledge that they are being addressed and to compliment the Premier, who came out to my electorate. We had the minister there and we had the Deputy Premier there as well, so this was a government coming together to try and address these issues. The funding is there. Now we have got the legislative reforms being put through as well.

The issues that the opposition have raised have been irrelevant to the point of this government business program.

Mr KATOS (South Barwon) — I rise to make a contribution on the proposed government business program. As the manager of opposition business has said, the opposition will not be supporting the government business program. It is a relatively light program. Considering that we have had a six-week break, having only four bills on the agenda upon coming back from that six-week break is a very light program.

The opposition is opposing the government business program because the member for Melton and the member for Tarneit have not been dealt with by this house. It is quite disappointing that they have not been dealt with by this house when you consider the amount of rorting that went on: nearly \$175 000 for the member for Melton and almost \$40 000 for the member for Tarneit. I actually drove past both their alleged houses on Sunday when I took my son to under-14s — he played against Queenscliff. I drove past the demountable caravan park there at Ocean Grove on the way through down Barwon Heads Road, across the Barwon Heads Bridge and also through Point Lonsdale, so I had a nice view firsthand of the alleged residences.

It is a shame that this house is not dealing with the rorting members for Melton and Tarneit. This house and this Parliament need to deal with these members, and as the manager of opposition business says, until this occurs in this instance today we are opposing the government business program.

Ms SHEED (Shepparton) (*By leave*) — I would just like to speak briefly on this matter in that I remain in a position of opposing the government business program because at all times since this issue arose I have taken the view that this matter should be referred to the Privileges Committee. In maintaining that position I might just say that looking at the behaviour of many people in this Parliament since the time that this issue first arose, you could almost argue that there are other matters that need to be closely scrutinised, including the way that some people have been dealt with.

I remember the member for Bass walking out of this Parliament screaming and yelling at the member for Melton sitting beside me in a manner that, quite frankly, made me feel very threatened also. I think it is really inappropriate, and some of the behaviour that occurs in this place that is directed individually at people in a very hostile manner, in a really serious manner — not just the normal argy-bargy of question time, but very personal and unpleasant and very difficult situations for people to have to handle — should not really occur in this place.

I applaud the member for Evelyn for going public on this just recently in talking about the standards in this place. I think it is very important that there be a certain standard maintained. I have heard in the time that I have been here that many members bemoan the fact that this was a standard that arose during the last Parliament. I think we can all see why that may have occurred — because of the numbers in this place and because of a Liberal Party member becoming an Independent during the course of the parliamentary term. There was a lot of very unpleasant behaviour. The Speaker was challenged, and a range of things happened. Perhaps it is the experience of that time that we ought to reflect on in this place. It is important because people out in the community expect a standard from us that is not being maintained.

I maintain that we are voted into this place by our electorates. The people in our electorates expect us to behave in a certain way. They expect us to represent them and to represent their interests — not to represent the party, but to represent them. The people in our electorates are concerned about health, education, welfare, roads and a range of things across the board, and so often the issues that are discussed in this place in great detail bear no resemblance to what the people out there in the community regard as important on a day-to-day basis.

I may be straying from the matter, but I make the point that there are behaviours that are condoned in this place that are unacceptable. The former Deputy Speaker and

former Speaker should be referred to the Privileges Committee. I have maintained that position, and I therefore have to vote against the government business program. But in doing so I urge everyone else in this place to have a think about their behaviour and how they appear to the general public and to the media and to reflect on that and perhaps improve the standards of this place.

House divided on motion:

Ayes, 44

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	Languiller, Mr
Bull, Mr J.	Lim, Mr
Carbines, Mr	McGuire, Mr
Carroll, Mr	Merlino, Mr
Couzens, Ms	Nardella, Mr
D'Ambrosio, Ms	Neville, Ms
Dimopoulos, Mr	Noonan, Mr
Donnellan, Mr	Pakula, Mr
Edbrooke, Mr	Pallas, Mr
Edwards, Ms	Pearson, Mr
Eren, Mr	Richardson, Mr
Foley, Mr	Scott, Mr
Garrett, Ms	Spence, Ms
Graley, Ms	Staikos, Mr
Green, Ms	Suleyman, Ms
Halfpenny, Ms	Thomas, Ms
Hennessy, Ms	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr

Noes, 39

Angus, Mr	O'Brien, Mr M.
Asher, Ms	Paynter, Mr
Battin, Mr	Pesutto, Mr
Blackwood, Mr	Riordan, Mr
Britnell, Ms	Ryall, Ms
Bull, Mr T.	Ryan, Ms
Burgess, Mr	Sandell, Ms
Clark, Mr	Sheed, Ms
Crisp, Mr	Smith, Mr R.
Dixon, Mr	Smith, Mr T.
Gidley, Mr	Southwick, Mr
Guy, Mr	Staley, Ms
Hibbins, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Victoria, Ms
Kealy, Ms	Wakeling, Mr
McCurdy, Mr	Walsh, Mr
McLeish, Ms	Watt, Mr
Morris, Mr	Wells, Mr
O'Brien, Mr D.	

Motion agreed to.

MEMBERS STATEMENTS

Geelong sports summit

Mr EREN (Minister for Sport) — While it has been the winter break for Parliament, my duties as the Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans as well as the member for Lara have kept me very busy. One very important event that happened in my local electorate of Lara was a sports summit that I and my federal colleague, Richard Marles, the member for Corio, held last week. All tiers of government along with leaders from local sporting clubs came together to share their experiences of what is available for local clubs, along with what is working and what is not working at a grassroots level. We all know the importance that local sporting clubs have in our communities. These clubs are essential to the health and wellbeing of our community, and the sports summit was the first step towards all tiers of government and the private sector kicking goals for our clubs.

There were many examples of some great programs and initiatives that clubs are already rolling out to strengthen their clubs, but local sporting clubs are still doing it tough in the northern suburbs of Geelong. During the meeting we looked at issues regarding participation and how to encourage sponsorship opportunities, especially across junior sports.

The commitment made on the night to all band together to work on a solution shows the level of commitment by all involved, especially these clubs. This can-do attitude will ensure that this summit is just the first step towards what can be achieved, and I sincerely look forward to working with this group further to ensure that we make a real difference for the community. Thanks to all the clubs that came along and offered up their valuable time on the night and also in the future so that discussions with this government and other tiers of government can continue.

Elevated rail

Mr R. SMITH (Warrandyte) — Today I want to bring the attention of the house to this wasteful Labor government's spend of over \$20 million on advertising and propaganda, which is being used in a vain attempt to convince residents that the flawed sky rail project is actually a good thing. I remind the house that residents on the Frankston and Pakenham lines were deceived by the Andrews Labor government. The sky rail project is one that no-one voted for because, frankly, local residents do not want to have a 9-metre elevated rail line literally in their backyards.

Commuters have been bribed with coffees, muffins, cupcakes, fruit, pizzas, sports drinks, lollies, ice-creams and even barbecues in an attempt to appease them during the implementation of this chaotic and rushed project. This government has even stooped to bringing propaganda into local schools, with primary school children being forced to colour in designs for sky rail and watch Lego models of the construction being built to put on display.

The level crossing removal project has already had a budget blowout of almost \$1 billion, a blowout confirmed by the Treasurer during estimates hearings — another example of a major project botched by this Labor government. Rather than investing \$20 million in projects that will actually help ease congestion on our roads, this government prefers to waste Victorians' money on bribes of coffee, lollies and Lego models. No amount of propaganda is going to convince residents that sky rail is a good thing, and those residents will have their say in November next year.

Bendigo Hospital Aboriginal support unit

Ms EDWARDS (Bendigo West) — I was pleased to officially open the new Bendigo Hospital's Aboriginal support unit during NAIDOC Week. The new hospital in Bendigo is full of amazing spaces, which were designed for the people who will be using them, but I think this is the most special. It is more than a space; it is indeed a symbol — a symbol of reconciliation and a permanent reminder of our commitment to working with and supporting the Aboriginal community.

Indeed Bendigo Health has had a long commitment to providing support and services for the Aboriginal community. We are all too aware of the health gap that exists between Aboriginal and non-Aboriginal Australians, and we are determined to make a difference. Bendigo is proud of its cultural heritage and acknowledges the importance of the traditional owners of the land, the Djadjawurung people, on which our wonderful hospital is built. The Aboriginal support unit is built off the main internal street of the hospital and has direct connection to the land on the Drought Street entrance to the hospital, making it easily accessible and very visible to all who enter the new hospital.

The Aboriginal support area will house the Aboriginal hospital liaison officer. It will ensure the provision of resources and information, provide a space in which to support meeting the needs of the Aboriginal patients and their families, and increase the sensitivity of healthcare providers to Aboriginal and Torres Strait Islander health issues. The new space is a first port of

call for the Aboriginal community. It is a place for patients and families to be connected, and it provides a space for spiritual healing to occur in a safe and culturally cleansed environment to assist and support recovery. Congratulations to everyone who was involved in the creation of this space.

Gippsland East electorate road safety

Mr T. BULL (Gippsland East) — My office has received a considerable amount of correspondence regarding VicRoads plans to install wire safety barriers along Paynesville Road and Princes Highway between Stratford and Bairnsdale. I also attended one of three information sessions held last week. Feedback was certainly mixed, and without getting into debate on the effectiveness of the project, I wish to make some comments on public consultation.

It seems that with decisions on projects like this — and speed limit changes for that matter — VicRoads determines they are going ahead and then goes to the public for feedback. That is not consultation; the decision has been made. Consultation is going to the community first to gauge support and gain feedback on whatever the proposal is. This is putting the cart before the horse. I have been contacted by constituents who are concerned that, despite the consultation sessions, the overall planning and design will not alter, with only small tweaks to be made. In future I encourage VicRoads to engage the community before decisions are made.

I understand VicRoads will soon hold a community consultation session to invite comment on the proposed pedestrian crossings for the busy Esplanade in Lakes Entrance. Let us hope the decision is not made and community input will be considered on a project that is badly needed. It would also be appreciated if the minister could provide a time line. Having recently asked about the matter in this place, I was advised expressions of interest would soon be called for the development of the old slipway site in Lakes Entrance. I look forward to this process as this is prime waterfront location in the town that can be improved significantly from its current state of disrepair.

Bemm River helipad

Mr T. BULL — It was also a pleasure to attend Bemm River last week and look at the new helipad, which will be a great asset to the community.

Pop Up Shop for the Homeless and Those in Need — Ballarat

Ms KNIGHT (Wendouree) — Although we are all shivering through winter, some of us are shivering a little more than others. It is time to think about those who are doing it tough — those who are homeless, at risk of homelessness or who are living in poverty. I am so proud to say that there are wonderful people in Ballarat who are doing more than just thinking about those who are facing these challenges; they are doing something about it.

Last month Sarah Britten and Mel Morris held their sixth pop-up shop, where they collect donated items — non-perishable food, toiletries, blankets and clothes — and give them to anyone who needs them, no questions asked. Of course, due to the incredible generosity of the people of Ballarat, there needs to be a place to store all the items, and that is where Michael and Janine Harris come in. They own a family business called Advanced Self Storage and have donated six large waterproof storage units to the cause for two years. I would like to record my thanks, and I am sure the thanks of everyone here, for their fantastic contribution.

I would also like to acknowledge Ballarat Trades Hall Council, which have hosted five of the six pop-up shops — again an extremely generous donation — not to mention the team of volunteers who set everything up, work on the day and then pack up, and who all behave with such kindness and sensitivity towards those who are experiencing a really tough time and turn up at the pop-up shops. This is an incredibly generous contribution by so many volunteers. I would love to take the opportunity to thank Sarah and Mel, and of course Michael and Janine Harris and everyone involved.

Mornington Peninsula public transport

Mr MORRIS (Mornington) — I rise this afternoon to address the issue of public transport on the Mornington Peninsula. Public transport in my electorate does not consist of trams, trains and buses. With the exception of the excellent and well-loved Mornington Railway Preservation Society steam service, our public transport consists solely of buses. The coalition government, as part of the metropolitan rail development plan, committed to extend the Frankston railway line to Baxter. My understanding is that that decision is supported by the present government, and I look forward to that development proceeding in due course.

While rail services may one day carry peninsula residents, or certainly those on the western side,

currently policies intended to protect the special qualities of our towns and villages and maintain the green wedge will mitigate rapid population growth. I do not expect our population will approach the densities necessary to support heavy rail, or even light rail, in my lifetime. For the time being therefore peninsula public transport — at least on the western side — is likely to remain bus based. That does not mean that the services provided should be any less comprehensive than those available to other, more closely settled areas. Unfortunately they are.

The most recent review, completed in 2009, is not yet fully implemented. Since that time our resident population has risen from 147 000 to 161 000 people, a rise of almost 10 per cent. Visitor numbers have boomed. Unfortunately bus services have not been boosted accordingly. A review of peninsula bus services is now well overdue. I call on the Minister for Public Transport to initiate a comprehensive review of the peninsula public transport system not only to fill the current gaps but to genuinely futureproof it for the next decade.

Homelessness Week

Mr RICHARDSON (Mordialloc) — This week is Homelessness Week, when we turn our minds and attention to those in our community who are doing it tough and who are most vulnerable.

In the City of Kingston, as the local member of Parliament, I have teamed up with Chelsea Care Works, which is part of the Chelsea Community Church of Christ, to fundraise and to collect donations of foods and various non-perishable items. Together with Chelsea Care Works, Chelsea Primary School, Chelsea Heights Primary School and Edithvale Primary School, we are trying to raise money and collect non-perishable items. The concept is 'A can or a coin for Homelessness Week'. We have been overwhelmed with the wonderful response from our local community and the local paper, the *Mordialloc Chelsea Leader*, and we appreciate them getting on board. It is about creating awareness of this deeply challenging issue. It is about supporting those that are most vulnerable. The free food pantry that operates out of Chelsea Care Works has been operating for some time, but its stocks and resources are getting low, so we are calling on our local community to step up and donate a can of non-perishable food or non-perishable items or to make a gold coin donation to support people during winter. We know that 60 per cent of homeless people are under the age of 35. We need to do more with our policies and housing, but locally we will do what we can and unite as a community to help those most in need.

Sheriff prison program

Mr WELLS (Rowville) — This members statement condemns the Andrews government's latest policy to reward criminal behaviour with a time served scheme, which allows criminals in prison to have all of their unpaid fines wiped. It is completely misguided for Labor to promote this as a way to help prisoners blend back into society. Until now offenders who could not pay were able to serve additional prison time or perform community service to work off their debts. Most Victorians would expect that as a minimum. Now prisoners will not need to take any personal responsibility for their debts, even if they have racked up thousands of dollars in unpaid fines. Labor expects that these people will blend back into society better without having to take any responsibility for their actions or what they owe.

Labor's latest get-out-of-jail-free scheme undermines a most basic principle of justice — that everyone is equally subject to the rule of law. While criminals in prison can now see their thousands of dollars in fines just vanish, the poorest Victorians, who may have enormous difficulty paying fines, are still required to pay. What does this say to Victorians about respect for the law and being treated fairly? Victorians will be outraged by this travesty of justice, whereby Labor is, yet again, rewarding prisoners over law-abiding Victorians. It is incredible that any government would introduce such an unfair scheme, but Labor have outdone themselves in introducing this while Victoria suffers through an absolute crisis in law and order.

Strathmore Primary School

Mr PEARSON (Essendon) — I was absolutely delighted to participate in a sod-turning ceremony at Strathmore Primary School recently. The redevelopment of this great school was first championed by a former member for Essendon, Justin Madden, prior to the 2010 state election, but it was abandoned by the Baillieu-Napthine governments. However, the people of Strathmore never lost faith. I would like to pay tribute to school principal Debbie Starpins and school council president Heidi Fitzpatrick for their tireless commitment to their great school community. This has resulted in \$5.7 million in funding being provided to rebuild this great school. The people of Strathmore prize their schools and the level of education this affords them and their children. Building a modern school with state-of-the-art facilities will ensure that this can continue into the future.

Essendon electorate office staff

Mr PEARSON — Glenice Thomas was a volunteer for my campaign in 2014 and works for me on a casual basis. Glenice recently lost her former husband, who was the father of her two children. These last few days have been difficult for Glenice, Meg and Gareth, but, Glenice, our thoughts are with you and your family at this difficult time.

During the break one of my staff, Rachael Davies, turned 20, not long after returning from volunteering in an Indigenous community in the Northern Territory. Rachael is a wonderful member of Team Essendon and is an incredibly bright, conscientious and hardworking woman who will make her mark in any career she embarks upon. Happy birthday, Rachael.

Strathaird Reserve, Strathmore

Mr PEARSON — Recently I have been working with the Strathmore community to save the Strathaird Reserve playground. The playground has been used by the community for decades. The land is owned by VicRoads, which has spent the last three years negotiating with the City of Moonee Valley for it to purchase the land at a 50 per cent discount rate to be used as a park. Unfortunately none of the Buckley ward councillors felt that this was an issue worthy of debate and instead refused to fight for the community to save this park, despite the fact that council has a fund with millions of dollars in it to purchase public open space for the community. It is incredibly disappointing to see councillors abdicating their responsibilities in this way. I congratulate the community and in particular Sharon Mumford for her efforts on this matter, and I look forward to continuing to work with the community.

Central Gippsland Health Service review

Mr D. O'BRIEN (Gippsland South) — I call on the Andrews Labor government and the Minister for Health to publicly release the review now announced into workplace culture and service provision at the Central Gippsland Health Service in Sale. Concerns have been raised publicly in recent weeks of a poor workplace culture and loss of services due to staff leaving. While these claims have been denied by hospital management, they do require a full and thorough investigation and a report back to the community. I recently met with the board and management of the hospital and raised community concerns that have come to me over time about the culture but more particularly about service levels, including surgery. While the hospital assured me there was no downgrading, the government must also

commit to maintaining or improving services at Central Gippsland Health Service. The community will not accept health provision going backwards in the Shire of Wellington and, for my part, it will not happen on my watch.

Federation Training

Mr D. O'BRIEN — It has now been more than a month since Federation Training announced that a decision on its future role in Wellington shire would be announced soon. Time has well and truly come for the Labor government to step up to the plate and fund a new campus for Sale to replace the outdated Fulham campus. Courses at the campus have been cut and student numbers are plummeting. We need a new campus in Sale to deliver the skills and training needs of local students, workers and businesses.

Gippstar Awards

Mr D. O'BRIEN — Congratulations to all the Gippsland athletes recognised at the annual Gippstar Awards last week, including senior winner Aislin Jones from Lakes Entrance and junior winner Ben Burchell. Interestingly, both are shooters, as were a number of the monthly winners, highlighting the popularity of this legitimate sport in Gippsland. Also congratulations to the monthly winners from Gippsland South, in particular to Leongatha's Pat Kuhne on her special achiever award for decades of dedicated service to netball in Leongatha, and to Belinda Snell from Mirboo North, a star with the Opals who made a special effort to get to the awards on the night.

Ronald Palmer

Ms THOMSON (Footscray) — I rise to celebrate the life of Ronald John Palmer, known as Mr Footscray. He was born on 26 May 1926 and died on 18 July 2017. His funeral was on Tuesday, 25 July, at St John's Anglican Church in Footscray, and was attended by many people who have known him for a very long time. I want to take this time to pay tribute to his wife, Marjorie, and his sons Stephen, David and Simon for allowing us to be a part of Ron's life and Ron a part of ours.

Ron was in at least 28 to 30 community groups in and around Footscray. They ranged from sport, environmental, Rotary, the arts, education and so many more. He holds honours, awards and life memberships such as an Order of Australia for his contribution to the arts, sport, the environment and the community; a Centenary Medal; the Premier's senior citizen of Victoria award in 2007–08; the 1992 Footscray citizen

of the year award; the Paul Harris Fellow award from the West Footscray Rotary Club; and the Paul Harris Sapphire award.

He was a life member of the Australian Labor Party, a life member of the Western Bulldogs Football Club, a life member of Footscray-Yarraville City Band, a life member of Footscray Community Arts Centre, a life member of Footscray RSL and a life member of Gilmore College for Girls. There is not an organisation in Footscray that Ron was not a part of. He will be sadly missed by me, by the people of Footscray and by the Labor Party.

Energy prices

Ms RYALL (Ringwood) — The Andrews Labor government stands condemned for forcing up energy prices. The tripling of coal royalties out of greed and the forcing of the closure of Hazelwood immediately removed 22 per cent of our baseload power, something that every Victorian relies on. The impact on my community, in the electorate of Ringwood, is massive. Cost-of-living pressures, including the suite of additional and new taxes compliments of the Andrews government, mean that many people are doing it tough. This also means decisions are being made regarding turning on heating in the cold period and turning on air conditioners during the hot season. The impact on the vulnerable is alarming.

Small businesses are facing a crisis, particularly those that rely on significant energy for their business. A greengrocer I spoke to recently is looking at all the ways he can reduce costs because he simply cannot pass his massive energy bills on to customers, as that means not remaining competitive with the big supermarkets. LightFM, a community radio station with 1 million listeners in my electorate, face a tripling of their energy bills. They are a not-for-profit reliant on the generosity of the public for donations. Sporting clubs are doing it tough in the face of electricity costs. Hospitals have huge energy costs, and the question is whether the government is giving them extra funding for that. And there is an impact on community services. There is no-one that the reckless policies of this Premier have not impacted and continue to impact. This lies squarely at the feet of the Premier.

Bert Foster

Ms SPENCE (Yuroke) — I rise today to note the passing of long-term Craigieburn resident and World War II veteran Bert Foster. Bert enlisted in the Second Australian Imperial Force in 1941, serving in the Middle East and Papua New Guinea. He was discharged in

1946, marrying his sweetheart, Norma. Bert and Norma moved to Craigieburn in 1973 along with their children, Victor and Lynette. He worked locally at the Dunlop tyre factory in Somerton prior to his retirement in 1980, but he remained active in the community.

Last year I had the opportunity to profile Bert's story as part of my annual Anzac Day flyer. In the process of putting this together, the president of the Craigieburn War Memorial and Remembrance Committee, Kevin O'Callaghan, identified that Bert was eligible for the Australian Service Medal 1945–1975 for peacekeeping service in the Papua New Guinea theatre. It was a great privilege to help present Bert with this medal last September.

Bert's recollections of his service were vivid and detailed, including landing under enemy fire at Papua New Guinea's airfield and fighting close-quarter battles in difficult jungle conditions. He remained dedicated to preserving the legacy of our servicemen and women and attended the local Anzac Day service every year. Indeed this year, shortly before his 96th birthday, Bert laid a wreath at the new war memorial in Craigieburn. This memorial is an important project, and I know Bert was delighted to see it completed.

My condolences to Bert's family and friends, in particular his daughter, Lynette. I know that his contribution to our community and our country will never be forgotten.

Flashing speed limit signs

Ms McLEISH (Eildon) — Flashing electronic speed limit signs were finally installed outside Yea Primary School well into the winter. Although this has been good news for the school, there have been a number of disappointments along the way particularly with the process. At no time was the school given any information about the installation going ahead. The school had petitioned VicRoads, and I had petitioned the minister. I also wrote to the minister in September 2016, receiving a response in February 2017 — five months later. His letter indicated that we were successful and the lights would be installed early this year.

Well, early this year came and went, winter set in, as did the fog, and then there was some activity in the recent school holidays, with the installation completed just after school went back. Still there was no contact with the school, and amazingly it was some 10 days after installation that the signs were finally turned on — and still the school was not informed. Now, after a lot of angst and two-thirds of the way into winter, they are on,

and Rachael Hocking, the school crossing supervisor, and the schoolchildren have increased safety.

The news is not so good for the crossing supervisors and students at Woori Yallock and Wesburn primary schools. Both schools are in need of flashing electronic speed limit signs. These signs are desperately needed. Woori Yallock Primary School is on the Healesville-Koo Wee Rup Road, which is a major thoroughfare and carries a lot of heavy traffic. Fog and visibility is a factor here. Improved signage has been installed; however, this is not seen as effectively as the electronic signs. Wesburn Primary School is located on a sweeping bend on the busy Warburton Highway. Being near Mount Donna Buang, the weather is variable and at times very poor.

I call on the government to escalate these matters, put the safety of school students at Woori Yallock and Wesburn firmly on the agenda and install flashing electronic speed limit signs.

Mary Theresa Pathinathan

Ms HALFPENNY (Thomastown) — It saddens me today to give condolences to John Pathinathan, his children, Shiroma, Lorraine and Patrick, and their extended family. On Saturday, 29 July, I attended the funeral of their beloved mother and wife, Mary Theresa Pathinathan, at St Francis of Assisi church in Mill Park.

I first met Mary and John when I was elected to Parliament in 2010. I visited Mary and John at their home, where they welcomed me with open arms. I was struck by their generosity, support and kindness. They were important leaders in the northern suburbs generally and in the Australian-Tamil community of Victoria, working hard to support their community in Victoria and also abroad. Mary had such strong determination and strength, but what struck me most was her deep love for her family. John Pathinathan is a long-time and passionate member of the Labor Party. He serves his community with passion and dedication, and Mary supported him all the way. Vale Mary Theresa Pathinathan.

Macedonian independence anniversary

Ms HALFPENNY — On 2 August it is the annual celebration of Illinden, a most important day in the calendar year for those of Macedonian heritage. Illinden celebrates an uprising of Macedonian people against the Ottoman Empire, led by Goce Delchev. While the government only lasted three days, it demonstrated courage, strength, ingrained humanity and a great sense of justice. I had the great privilege to

celebrate the day with the Baranci seniors, the Goce Delchev seniors, the Macedonian Orthodox community and the federation of multicultural artistic associations.

Police resources

Mr WATT (Burwood) — Since the Andrews Labor government has come to power, we have seen a 64 per cent decrease in the operational hours of the Mount Waverley police station and a 71 per cent decrease at Ashburton police station, and in an answer to a consistency question the Minister for Police admitted that since July 2015 the Burwood police station has been completely closed.

The Burwood police station currently has graffiti on it. On Monday, which was yesterday, 3AW reported a citizen's arrest on the Alamein train line. On Saturday there was a road rage incident not far from my office, at the Burwood Village shopping centre. That was reported on Channel 7. If you went past yesterday, you would have seen the bin still knocked over. On Thursday there was a murder in Ashwood.

The decline in police numbers and increase in crime is a serious concern for those in my electorate. I have been contacted by constituents, particularly about the murder in Ashwood, and they have a few questions. They want to know: will the property be given to somebody who has already been staying there or is associated with the two parties involved in the incident? Will the Department of Health and Human Services clean out the property and give it to another resident? How long will it be left in its current state? Is anyone allowed to stay there in the meantime? Residents are worried about people coming and going from the property where there has just been a murder. Moreover, the residents are meeting on Sunday at a local cafe and —

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

Wooranna Park Primary School

Ms WILLIAMS (Dandenong) — I rise to highlight the forward thinking and innovative work of one of my local Dandenong primary schools, Wooranna Park Primary School. Last week the *Age* newspaper covered a story about eight-year-old computer prodigy Seth Yee, whose family decided to relocate from Singapore to Dandenong North so he could attend a school that challenged him and made the most of his talents.

It is no surprise to me that Wooranna Park Primary School is attracting students from around the world. It is not your average primary school. It is, we believe, the only school in Victoria to teach students how to use

blockchain technology, the technology behind Bitcoin, so they can create their own security-encrypted digital currency. Our Minister for Education has often spoken in this place about the need to prepare our young people for jobs that do not yet exist, and Wooranna Park primary has taken this to heart, dedicating significant energy to programs that equip students with skills of the future and for the future.

Wooranna's resident network engineer, Kieran Nolan, has outlined the many benefits of these advanced programs, saying it is a way of teaching financial literacy and digital literacy, and that it teaches students how networks talk to each other. He says the technology has also empowered students to control their online data, allowing them to prevent storage and exploitation by third parties.

The work of the school has long attracted international attention from academics and tech investors, and it was wonderful to see the school again acknowledged as a global leader in this field. Congratulations to school principal Ray Trotter, Kieran Nolan and the rest of the Wooranna team for being bold in their vision and for showcasing what can be done to prepare our young people for the economy of the future.

Kooka's Country Cookies

Ms STALEY (Ripon) — Last Friday, 4 August, Woolworths announced that it was removing Kooka's Country Cookies from its stores in New South Wales, Queensland, South Australia, Western Australia, Tasmania, the Northern Territory and the Australian Capital Territory. This is a very poor decision, and it will have a significant impact on the township of Donald.

Kooka's Country Cookies was established in 1994 largely to provide employment after what was then a run of bad seasons. It has grown from five members of staff to 25 currently. This decision by Woolworths will cut their sales by 15 per cent. I spoke today with one of the owners of Kooka's Country Cookies, Graeme Harris. He told me that if these sales are not replaced, it will cost five or six jobs in Donald. This is a very special business. Yes, it exists to make a profit and, yes, it certainly makes delicious cookies, but its main focus, according to Graeme Harris and Kelvin Clark, the two owners, is to provide employment in Donald. Woolworths making this decision is short-sighted, and it should be reversed.

Heather Hill

Mr DIMOPOULOS (Oakleigh) — I would like to pay tribute to a fine principal who has recently called

time on her career. Heather Hill was at Murrumbidgee Primary School for 24 years. She was an extraordinarily good principal and an excellent leader. She was a quiet champion and a steadfast leader of the Murrumbidgee school community. Heather will be missed for all her incredibly hard work, her care and her leadership. Thank you, Heather, and enjoy your retirement.

I would also like to thank all school principals in my electorate. I have had the opportunity to meet with many of them regularly, and I can safely say that they are amongst the best in the profession. For all the work they do — and it is enormous — they deserve our enduring respect.

Police numbers

Mr DIMOPOULOS — I recently welcomed the Minister for Police to Oakleigh to meet our terrific senior police leadership in Monash and Glen Eira. We spent time in Eaton Mall and toured the Oakleigh police station. It was a great opportunity to discuss this government's commitment to recruit 3135 new police, the major increase in equipment and technology, and our efforts to reduce family violence. I should remind the house that many billions are being spent by this government just on police and reducing family violence. We have set a new benchmark here in Victoria, and it is something we can be very proud of. I thank the Minister for Police for her diligence and her tireless commitment to the police portfolio. I would also like to thank our local police. They do a truly amazing job. I know we are already seeing more police on our streets, and I look forward to seeing many more as the rollout of the new recruits continues.

Buninyong electorate sporting facilities

Mr HOWARD (Buninyong) — Last month I joined the mayor of Ballarat, players from the Redan junior football netball club and others to celebrate the improved playing surface thanks to the new drainage and irrigation at Ballarat's popular Western Oval. At the event many attendees reflected on the days of playing knee-deep in mud. It is very pleasing to see that those days are over, with the new weatherproof developments enabling competition at the ground all year round.

The Andrews Labor government delivered \$50 000 towards the project, which also received \$110 000 from Ballarat City Council. This builds on the investment we have been making across the region, including \$100 000 for new change rooms at the Mount Clear Recreation Reserve and a further \$500 000 to refurbish the original pavilion to make the change rooms female

friendly and to upgrade oval two. This will benefit Mount Clear Junior Football Netball Club and Mount Clear Cricket Club. With growing numbers of juniors, women and girls signing up to play grassroots sport it is important that people have access to good facilities that will encourage them to get involved and stay active.

I visited the Elaine Recreation Reserve to celebrate the completion of a new footpath, which was funded by the Andrews government and will link the school bus stop, the shops and the reserve. While there I congratulated the new Elaine Cricket Club president, Julie Pantzidis, and the president of the Elaine Tennis Club, Jane Farhall.

The DEPUTY SPEAKER — The time for making statements has now ended.

COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017

Council's suggested amendments

Message from Council relating to following suggested amendments considered:

1. Clause 12, line 29, omit "\$2" and insert "\$1".
2. Clause 12, page 10, line 1, omit "regulations" and insert "regulations, in accordance with section 20(2)".
3. Clause 12, page 10, line 8, omit "\$2" and insert "\$1".
4. Clause 20, line 6, after "(b)" insert "subject to subsection (2)".
5. Clause 20, after line 13 insert—

“() The Minister must not recommend the making of regulations specifying an amount of \$1 or more as the amount of the levy unless the ESC recommends the specification of that amount in accordance with subsection (3).

() The ESC must not recommend the specification of an amount unless the ESC is satisfied that it is the lowest amount that is reasonably likely to result in the total amount of the levy collected within 8 years of the commencement of this Part being equal to the money spent on transitional assistance.

() For the purposes of subsection (3), the *money spent on transitional assistance* is the total amount paid by the State (whether as compensation or otherwise) to participants in the commercial passenger vehicle industry to assist those participants in relation to changes to the law that applies to that industry as compared with that law as in force immediately before the commencement of this Act.”.

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

That this house makes the amendments suggested by the Legislative Council.

In moving the motion I would like to make some comments and observations on the amendments that have been proposed by the Legislative Council and the process that has brought us to this point and to talk in a little detail about what has come back from the Legislative Council.

We had the opportunity previously — indeed I think it was back in March of this year — in this house to comprehensively and thoroughly debate the Commercial Passenger Vehicle Industry Bill 2017. There was a lot of debate in this place about the bill, and the legislation passed this place in March of this year. It was actually nearly 12 months ago that we made the announcement about the reforms that we were wanting to make to put the taxi and hire car industry on a level playing field with the emerging ridesharing sector but also to put in place protections for passengers, for drivers and for the community as we move to these changes and reforms.

Of course what was also an important element of the package — and it was a package as a whole that was proposed by the government — was the significant compensation and support that we were providing to the taxi and hire car industry, recognising that it was an industry that was going through significant transition and change not just as a result of the emergence of ridesharing but indeed over the past seven or so years. This is an industry that has gone through a lot of change.

During the debate earlier this year we talked about the changes that were made under the previous Liberal-National government following a review by Professor Allan Fels, known as the Fels review, and how that had a significant impact on the industry. Unfortunately at that time they did not address some of the issues around the ridesharing sector, which was an emerging player at that stage. It has been left to this government to tackle what has been a very complex piece of public policy. It is a complex regulatory space, and of course there are other matters that sit outside of the legislation that have added to the complexity.

Once the legislation passed this place it went to the Legislative Council, but before it was considered up there there was an inquiry undertaken by one of the Legislative Council committees that was completed in April. However, once the debate came back to the chamber in the Council there was a second inquiry. That, I note, was completed very quickly, and I would like to thank the members of that second inquiry for

completing it in time for the debate to be continued in the chamber in June. That second inquiry made some further recommendations about changes that could be made to the proposed legislation, and some of these changes go to the substance of what we are considering here today. The government very quickly responded to the upper house inquiry, and we made a number of our own responses to the recommendations, some of which sit outside of the legislation and some of which sit within the legislation.

I think it is important to note though that the inquiry into the Commercial Passenger Vehicle Industry Bill 2017 that was tabled in June 2017 was an inquiry that was made up of members of all political parties. Independents, crossbenchers — the entire constellation of the upper house, I think — had a chance to participate in that inquiry. We noted in our response that the report's findings of that inquiry and the recommendations supported the framework of the Commercial Passenger Vehicle Industry Bill, which was to regulate ridesharing and also implement a per-trip levy to fund the financial assistance for the existing industry.

Following that response being tabled there was another quite extensive debate in the Legislative Council at the end of the last sitting week. As part of that process there was a range of negotiations that were undertaken primarily, can I say, with the Greens political party and the Sex Party. I would like to acknowledge the constructive and courteous way Fiona Patten, a member for Northern Metropolitan Region, and Samantha Dunn, a member for Eastern Metropolitan Region, both in another place — we had extensive negotiations during that period of time — approached those negotiations, understanding that this was an incredibly complex and complicated piece of legislation that needed very careful consideration.

The sum of the process in the upper house — and it was an extensive one; there was an extensive committee stage conducted in the upper house — was that the bill passed the second reading in the Council. There were some recommended amendments, suggested amendments which the government agreed to through that negotiated process, that need to be put in this place for them to form part of the bill.

So that is why we are here. I am explaining the journey and why we are here today. I am moving those amendments suggested by the Legislative Council. I think what is very important is that after we go through this procedural part of the process the bill goes back to the Legislative Council for their ratification. Then I believe it has got to come back once more for our

ratification. It is quite a process. If we can conclude by the end of this week, that means that not only will we have the legislation passed and the new regulatory framework in place which will put those participants in the industry on a level playing field, but most importantly it also means that the financial assistance — that compensation package, the most generous compensation package of any jurisdiction in Australia — can start to be provided.

We have — and I will come back to this in a moment — started making payments from the Fairness Fund, and there has been correspondence going out over the past couple of weeks, but at the end of this week when the bill passes we can get into that significant compensation and support that will go to every single licence-holder. That is why I am very keen to see this process conclude in a positive way by the end of this week. It means that people who are waiting for these payments — they have been waiting for some time — can receive this support in the near future.

I will just talk about the suggested amendments that have been proposed and supported by the Legislative Council. The first of those is to link the legislation to the financial assistance to the existing industry. That was something that was debated at length in the Legislative Council and I do not intend to go over it again.

Another significant element of the debate in the Legislative Council were issues raised around the levy, the amount of revenue that the levy would collect — of course remembering that the levy is directly linked to the compensation that is being paid to licence-holders. The suggested amendment from the Legislative Council would start the per-trip levy at \$1, with the Essential Services Commission monitoring it, with the potential to increase it to ensure the amount spent on financial assistance is recouped within eight years. The levy can only increase upon the recommendation of the essential services commissioner.

This was a formula and an approach that was raised and put forward by a member for Northern Metropolitan Region, Fiona Patten, and supported by the Greens, and the government, on being given the opportunity to work through what was proposed, when it had the time to review it and obviously have a look at some of the budgetary and financial impacts, has been prepared to support this suggested amendment. Obviously our original proposition was that the levy be set at \$2. As a result of the negotiation process the levy will be set at \$1, but if it is not raising the revenue needed to pay for the compensation arrangements over an eight-year period, it can be raised following a process that involves the Essential Services Commission. This

seemed to us a fair and reasonable proposition, which is why we were prepared to accept it.

I do want to underscore why we introduced the levy. It was to provide that significant compensation and support to the industry, and we are not paying out that support to the industry over eight years. Those payments can be made as quickly as possible once this legislation is passed. We will not be paying it out over an eight-year period. Whilst government will need — or the Treasury coffers will need — eight years to recoup, if you like, the revenue through the levy, the funding will be paid out through the compensation up-front.

There were some other discussions through the negotiations about the fact that the government has made some additional changes to the package that we had proposed that do not require amendment. I will touch on these because they are contained in our response to the upper house inquiry and they were also a feature of the debate in the upper house. The first is that we removed the cap on the Fairness Fund. Removing the cap on the Fairness Fund was one of the recommendations that came from the upper house inquiry, remembering that the Fairness Fund is separate to the compensation package that has been provided — the transition package to every single licence-holder. We agreed to remove that cap on the Fairness Fund. It was previously set at \$50 million. We have removed that cap in order to support the eligible applications that are being processed right now. As I said, some payments have been able to be made already, and we have been very pleased to get some of that funding support out to those people who need it the most. There will be more payments made over the coming weeks.

Also — and these were particularly matters raised by the Greens and some of the other crossbench members who represent parts of regional Victoria — there were some issues around rebating and support for regional areas. That is why the government agreed to put in place a rebate scheme for regional areas that will provide geographic equity before the passage of the second bill. Members will be aware, I am sure, that, pending the success of this bill through this Parliament, hopefully by the end of the week, we will be very quickly following up with a second bill. It will contain a whole raft of other measures, particularly around some consumer protections, passenger protections and driver protections in relation to safety and fares. We also have the capacity to address some of the other issues that came up through the inquiry.

At this point I would like to read from *Hansard*, if I may, some correspondence between myself and a member for

the Council electorate of Eastern Metropolitan Region, Samantha Dunn, regarding the commitment that the government made for regional areas:

The per trip levy contained within the Commercial Passenger Vehicle Industry Bill ... does not come into effect until the legislation to implement the second stage of the government's commercial passenger vehicle reforms has been passed by the Parliament.

The recent parliamentary inquiry into the CPVI bill recommended that there be a reduced levy for regional and rural areas.

The government is aware that the Greens have circulated an amendment in response to rural and regional issues raised in the inquiry.

The government's response to the inquiry, attached, outlined a preferred approach to ensuring that any geographic inequities that result from licensing costs being replaced by a per trip levy are addressed.

If the Parliament supports the CPVI bill without the Greens amendment, the government will commit to putting in place a rebate scheme that will provide for geographic equity before the passage of the second bill.

That was the government's commitment, and I know that it was important for the Greens in both the upper house and this place to have that commitment made. We were very happy to provide that commitment in this place and in the other place. We will continue to have discussions and consultations on what that might look like as we develop and bring into this house the second bill on this issue. Of course, though, as I said, for there to be a second bill we have to finish the transactions on the first bill.

One of the issues I would raise at this point is that as part of this package of reforms there are going to be significant savings across the industry by the removal of licensing costs. It is in part because of that that we believe that fares in regional areas will be reduced. The bill removes the annual licensing costs of up to \$23 000 a year, and we think the removal of that \$23 000 a year and the \$1 per trip levy — you can start to do the sums — will provide for increased competition and provide consumers with increased choice and cheaper fares.

In putting these suggested amendments to the house this afternoon and going through some of that detail, I would hope that all members of this place can now be in a position to support the Commercial Passenger Vehicle Industry Bill. This is been a very long and complex process. It has reviewed the package as a whole, with some of those discussions leading some of these changes to the package that have been negotiated through the upper house. I think now is the time to pass the bill and provide certainty to the industry, whether

you are a taxi licence holder or a driver, whether you work in the hire car sector, whether you work in the rideshare sector or whether you are one of the emerging participants who wants to get into the ridesharing industry. Not all of the participants in the ridesharing industry are multinational corporations. Some of them will be small, local, community-based organisations that want to take up the opportunity that this framework provides to provide more public transport options to their communities.

Now is the time to get this bill finalised and passed so we can move forward with certainty for the participants in the industry who can provide a very valuable service as part of our suite of public transport options in this state — but also because it means we can start those financial payments as quickly as possible. We want to make those payments as quickly as possible to those licence-holders who are waiting to receive this support.

The passage of the bill this week will enable that, and it will provide for all parts of the industry to be on that level playing field in the future. It will provide passengers with more choice. It will provide for a more responsive sector, and that is why the government has worked very hard and very carefully through this package of changes and reforms to be able to put the bill once again to the Parliament and hopefully get it through as quickly as possible this week.

Mr HODGETT (Croydon) — I wish to amend the Council's suggested amendments, which are the subject of the motion of the Leader of the House, and I request that my amendments be circulated. I move:

Amendment No 1:

Omit "\$1" and insert "nil".

Amendment No 3:

Omit "11" and insert "nil".

Amendment No 5:

Omit "of \$1 or more" and insert "(other than nil)".

I rise to make a number of comments in relation to the amendments suggested by the Legislative Council in relation to the Commercial Passenger Vehicle Industry Bill 2017. I should say at the outset that there are many things I agree with the minister on and many things I do not agree with her on. I certainly agree with the minister that this has been a long process and that the legislation is complex; it is very complicated. We understand that, but we do not think that the bill should just be pushed through without us trying to achieve the best possible outcome for all involved.

Another thing I would agree with the minister on is that there has been a lot of uncertainty and a lot of confusion out there, and regardless of what happens with this bill and the amendments as we move forward with this, I seek from the minister that a process be set up for the industry, because we on this side of the house continue to receive many, many calls for information about process, implementation and the status of the bill. I am happy to have further discussions with the minister around that.

If we cast our minds back to the last sitting week, the bill was debated in the Legislative Council on Friday, 23 June, and I acknowledge the assistance of David Money, who provided some information and clarification around it. I think that did facilitate informed debate in the other house. I put on record my thanks for that assistance, which is not always forthcoming.

I will make a number of points. This has been a long process, and the legislation is complex and complicated. But we on this side of the house hold a firm view that we do not want to support or pass legislation without fighting for a better outcome for Victorian passengers or indeed a fairer deal for licence plate holders.

By way of summary, we on this side of the house have always held a number of concerns about the bill, but mainly about the \$2 tax. We think that will hit some of the most vulnerable people in the community. We understand that compensation needs to be paid. We understand politically the tactics that the government has been using in suggesting that without that levy that compensation will not be paid, and I will come back and make a few comments on that. We have opposed the tax mainly on the basis that the Premier went to the last election promising no new taxes, but here is another tax which we think hits some of the most vulnerable in the community — the short trips where \$2 will be whacked on at each end. With people already struggling with the cost of living — with power supplies and all sorts of things that I will not go into in this narrow debate — we think that the levy should not only be reduced from \$2 to \$1 but that it should be reduced to zero.

We also argued very strongly for a sunset clause for the operation of the tax. The government is going to raise money to pay compensation to licence-holders, but we thought the government's figures were rather conservative. We think a sunset clause should be put in the bill to give some certainty to people so that if that tax or levy does get up, we achieve a better outcome and that tax will not continue forever and a day. I heard

the minister say, and I accept the minister's comments, that future governments could remove it, but we thought it would be a better outcome if we inserted a sunset clause into the bill.

As the minister mentioned before, we had concerns about whether the levy should apply uniformly across Victoria or whether there should be a reduced rate in rural and regional areas. I note the negotiations that were conducted with the Greens. The minister has read into *Hansard* her letter to Ms Samantha Dunn, a member for Eastern Metropolitan Region in the Council. Whilst that gives us some confidence that something might be done there, there are many on this side of the house who question the last paragraph of that letter, which says if the Parliament supports the Commercial Passenger Vehicle Industry Bill without the Greens amendments, the government will commit to putting in place a rebate scheme that will provide for geographic equity before the passage of the second bill. To us that is a case of, 'Hand on heart, trust us. We'll get a good deal for you'. We would rather see the detail of that, because people in rural and regional Victoria continually raise the argument with us that they do not have access to Uber services at present and may never have access and question the need to pay this levy on every trip.

I have been out to the electorate of the member for Ripon and I have been to a number of members' electorates in regional Victoria.

Mr T. Bull interjected.

Mr HODGETT — The member beside me at the table mentions Lakes Entrance in his electorate of Gippsland East. Everywhere we go people continually tell us stories of how they might catch a taxi down to the shops to do some shopping, or they might get a bus or a lift down to the shops and then catch a taxi home, and this is going to add to their costs. Certainly older Victorians or any Victorians who might use taxis to get to medical appointments where it could be a \$6, \$7 or \$8 trip are all of a sudden going to be slugged with an extra \$2 tax each way. So we continue to hold those concerns.

That is what is in the bill. What is not in the bill is the compensation. Whilst it is very difficult for us to continue to debate that, we believe in a fairer deal for licence-holders. Recommendation 3 from the inquiry into the Commercial Passenger Vehicle Industry Bill 2017 — an inquiry that handed down a number of key findings and recommendations and an inquiry conducted by a joint parliamentary committee — states:

That the Victorian government consider increasing compensation to primary and subsequent licence-holders in

an independent and clearly articulated, transparent, equitable and non-arbitrary model for the valuation of perpetual licences and that this model be based on market value valuation methodology.

We thought that left the government with enough room to manoeuvre there. We did not put a price on it; we understand the complexity and the difficulty of this process, but everyone voted for those findings and recommendations, including government members. There was no minority report. We thought that offered a good way forward for licence-holders, to give them a fairer deal in relation to this. As a result of that, in our party room we were opposing the bill because we supported the findings and recommendations of the inquiry and the areas I have outlined above.

I did mention before that I understand politics comes into this, and I understand the political tactics of the government when they run a bully campaign or a scare campaign suggesting that if there is not a levy, if there is not a tax, they are not going to give any compensation to anyone and therefore, as a direct result of that, the Liberal-Nationals do not support compensation. There could not be anything further from the truth. We certainly support fair compensation. We certainly support a payment sooner rather than later. Rather than trickle an amount out to people over eight years, we certainly agree with paying that sooner rather than later, and we leave it to the government as to how they pay that. But there is certainly no truth whatsoever in the suggestion that we are opposing or not supporting any compensation to taxi licence holders. We just do not think they are getting a fair deal.

As I said, I thought recommendation 3 of the key recommendations and findings in relation to the inquiry into the Commercial Passenger Vehicle Industry Bill by the joint parliamentary committee, which had members from both sides, was a sensible way forward. Certainly we oppose this bill and would look to those findings and recommendations should the bill not pass and the government be looking for an alternative.

We do not believe there should be a \$2 tax, particularly when the Premier went to the people of Victoria at the last election with a promise there would be no new taxes. We think the government could explore other methods of how they could fund a fairer compensation package. As the minister outlined in her contribution, this has been a long process. There have been a couple of different inquiries into it and much feedback from industry and stakeholders across the board.

I conclude with the comment that there is a lot of uncertainty, confusion and anxiety out there amongst stakeholders. As we move through the debate on this

bill this week in both houses, I would certainly ask the government, through the minister, to set up a process to provide information on where to from now so that those people who have questions about what this means for them, where the bill is up to and the status of the bill can be given that information very quickly. But as far as the current process is concerned, in terms of looking at the suggested amendments from the Legislative Council, whilst we support a reduction in the tax from \$2 down to \$1, we believe it should be zero. Based on this and the other areas of concern that I have outlined on behalf of the Liberal-Nationals coalition, we oppose the bill overall.

Ms STALEY (Ripon) — I rise to join the debate on the amendments suggested by the Legislative Council and the proposed amendments circulated in the name of the member for Croydon. I strongly support the amendments circulated by the member for Croydon. I do so because one of my strongest concerns about this bill goes to the exact issue that has been discussed by the minister and the member for Croydon in this debate, and that is the impact of this bill on rural and regional taxi licence holders and their customers. Across my electorate I have undertaken quite a lot of consultation with both licence plate holders and those who use taxis, and it would be completely true to say that neither support being taxed in this way.

I understand that the minister, in her original speech on the bill, talked about how this was not a tax on individual trips, it was a tax on plate holders who could then choose whether they passed that on to their customers. That thinking is also reflected in the government's response to recommendation 1.3 from the upper house committee which called for a reduced rate of levy in rural and regional areas. In response the government said that they could consider a rebate scheme. That would be a rebate scheme to the licence plate holders in which the licence plate holders would have to pass the tax on to their customers, because the alternative would be a very bad cash flow situation for them. If they have passed on the tax and they have got a rebate, then they will get it twice. If they do not do that, they will therefore wear the cash flow situation. The structure of the bill does not actually end up allowing for the rebate scheme that the government has successfully sold to the Greens to get them to withdraw their proposed amendments.

It is my view that the letter read into *Hansard* from the minister to Ms Dunn of the other place is not sufficient to guarantee that people in rural and regional areas, who do not have access to Uber, who do not have access to ridesharing, will not be slugged a tax. That is why I

strongly support that we take out the provision of the \$1 levy and replace that with nil.

If we remember who uses taxis in rural and regional areas and for what purpose, they are largely short trips and they are largely for everyday occurrences. People use them to go to the doctor and they use them to pick up their shopping. They are used by some of the most vulnerable people and people on low incomes because there are no other public transport alternatives or because they have mobility issues. We do not believe that those people should be forced to pay a tax for a ridesharing service in metropolitan Melbourne and Geelong that is not available to the people in my electorate of Ripon.

I also want to cover off on one of the things that is mentioned in the government's response to the upper house inquiry's request to put in a differential levy or not have a levy in country areas. It says:

It would be both legally and administratively problematic to have a different levy amount based on where in the state the trip was booked, or took place.

Given that the levy applies to plate holders, taxi plate holders do have restrictions on their licences about where they can operate. If you have a country licence, you cannot operate it in metropolitan Melbourne, so that point is just wrong. It would actually be quite simple to identify the country licence-holders who are prohibited from driving in metropolitan Melbourne, and therefore it could be applied to them. It would be administratively easy. However, the government has not chosen that path. We are left in a position where we have been given the opportunity, given the amendments from the Legislative Council, to have another look at how this bill is not acting in the interests of country Victorians who do not have access to ridesharing and who are unlikely to have it. It is very, very unlikely that we will get Uber or other ridesharing apps in places like Donald or in the western part of Victoria. I would urge all members of this place to consider the amendment circulated in the name of the member for Croydon. As he said, it will not stop compensation being paid to plate holders. I reiterate that we completely support the payment of fair compensation. However, it is not necessary to tie it to this levy and it is particularly wrong and wrong-headed to tie a levy to people who cannot and are unlikely to ever use ridesharing services. This is clearly a tax on country people for something they cannot and do not access. Many political parties in this government — ours, the Greens, the Sex Party — have raised the issue of the inequity of this bill doing what it does and having a flat rate.

There is a reason we do not like this legislation; there is a reason we say this is not fair and that the government has not been persuasive. To say via a letter, 'Trust us. The next set of legislation will deliver what you want', through some sort of differential levy or a rebate scheme — I really think that the Greens and the Sex Party have been hoodwinked. I therefore urge them at least to support the amendment in the name of the member for Croydon.

Mr HIBBINS (Pahran) — I rise briefly to speak on the amendments that have come from the other place in regard to the Commercial Passenger Vehicle Industry Bill 2017. We will be supporting these amendments because we believe that the reduction to a \$1 levy is much fairer. We thought the initial estimates from the government in terms of revenue that would be raised from this levy were very conservative and we believe that the \$1 levy will still meet the government's needs in terms of the compensation they will be paying.

We also had concerns about the effect the levy would have on taxi fares. The government seemed to indicate that they did not think the levy would be passed on or have an impact on passengers. Taxi operators and rideshare operators seemed to have a different view and we were certainly concerned that the cost impact of the levy would be passed onto passengers. Our concern was particularly around those who rely on taxis day-to-day. People who live in rural and regional areas, the elderly, people with a disability — all of the people who rely on taxis to get around on a day-to-day basis — would be negatively impacted by the prices they now need to pay for their fares, so we support the reduction to a \$1 levy. As outlined by the minister in the letter that she read into *Hansard*, we are really pleased to see that we got confirmation from the government that the levy will be reduced in certain regional and rural areas through a rebate scheme, which we were very keen to see. In terms of what the previous member indicated, it is a really simple equation. We will be looking to that second bit of legislation being implemented. I do not think it is really a case of being hoodwinked; I think it is a pretty clear process from what we have gone through and there is obviously further legislation to come.

In regard to the amendments put forward by the opposition that essentially seek to abolish the levy, we felt that \$2 was too high but when it got to \$1 we thought that was a reasonable compromise, so we will not be supporting those amendments but we will be supporting the making of the amendments that have come through from the other place.

Mr WATT (Burwood) — I rise to speak on the Commercial Passenger Vehicle Industry Bill 2017. I

spoke when this bill came through originally and talked about my concerns for participants who are currently in the industry. I have also talked previously about the comments made by those on the other side, in particular comments the Minister for Roads and Road Safety made three or four years ago. While trying to repeat those comments last time we actually shut down Parliament. It was a complete shambles so we probably will not go there again, talking about comrades and talking about the fact that those on the opposite side might be destroying the value of the taxi industry and how particular people have had their livelihoods destroyed by acts of government without appropriate compensation. Last time I did that we shut down Parliament, so while I will not try to quote those on the other side I will still make these similar points.

I have recently spoken to more people who are involved in the taxi industry and also in the hire car industry. My concern with the suggested amendment to the bill is that, while supporting the opposition's amendment to the suggested amendment on the basis that the government said it would introduce no new taxes, which is a complete breach of faith with the people of Victoria, what the government is doing in this whole sphere is a complete breach of faith with those people who are involved in the taxi industry. At the last election the government lied to taxi licence holders, told them they would protect them, told them they would look after them, and right now they are destroying the livelihoods of many in the taxi industry who have put years and in some cases decades into supporting an industry backed up by a government guarantee. Some people have said to me, 'That is business. It is a business risk'. I would say that this was an industry that was supported by the government. It was set up by the government, it was supported by the government.

The government, a Labor government, then introduced a secondary market so that people could then trade those licences. Those licences were treated as assets by the commonwealth government, by the state government and by the secondary market as assets, and now we have the government saying, 'They are not assets. They are licences to be able to participate in a market but they are not assets and therefore we do not have to pay appropriate compensation'.

I hear the minister talk about the report through the upper house, noting the fact that it was unanimous. Correct me if I am wrong, anybody on the opposite side who wants to tell me. There was not one single member on that committee who said the report and its recommendations should not be supported, including members of the Labor Party. I want to go to the actual report and talk a little bit about the recommendations of

the report. I particularly want to go to recommendation 3:

That the Victorian government consider increasing compensation to primary and subsequent licence-holders in an independent and clearly articulated, transparent, equitable and non-arbitrary model for the valuation of perpetual licences and that this model be based on market value valuation methodology.

What we know is that people had a licence which was treated as an asset, which they could then sell, and the government is taking that off them. We can have discussions about the method that the government is using to take that off them and whether or not we are actually compulsorily acquiring a licence which was an asset and whether we are compensating people.

I note from a press release of February this year that the minister did not use the word 'compensation' at all. Today she mentioned compensation, but previously she did not mention the word for fear of actually having to pay reasonable compensation based on an independent market valuation. Today she says the government is proudly providing compensation, yet previously she used words like 'transition package', 'targeted assistance' and 'support package', and never once used the word compensation, for fear that people might actually say, 'Well, if you are providing compensation, maybe that compensation should be fair and reasonable'.

I must say that in a previous debate on changes that were made to the taxi industry, the Labor Party, the opposition at the time, and members who are now in cabinet argued very strongly that compensation should be fair and reasonable and said something along the lines of, 'You will pay at the ballot box for the way you are treating taxi licence holders'. Let us see. Certainly in some areas we did pay the price for not listening at the last election. But I must say the government clearly have not been listening. It is not so much that they just have not been listening, it is the fact that they did listen and then they lied about it, and then they decided to go down a path which was directly contrary to what they had offered.

I know those on the opposite side would probably like to pretend that it did not exist and it does not happen, but my concern arises from the calls that I am getting and the emails that I am receiving from people who have said there is no transparency in this process. People have no idea what will happen. I spoke to somebody some 15 minutes ago who made the point to me that she had actually met with the minister last year, I think it was, and was told that compensation would be coming through in two weeks: 'Don't worry about it, two weeks

and it will all be good. You will start receiving some payments'. They are yet to receive payments.

There is a serious concern amongst people who have been involved in the taxi industry for a long period of time. It affects the mental health and wellbeing of those people who are in the industry. Certainly it is something that I would like to see for those people. I would like to see some fairness for them. I would like to see the government uphold the promises that they took to the last election. One was for no new taxes. That has been broken a number of times, and we will not stand for it here in this house. The Liberals and The Nationals say, 'Enough is enough, stick by your promises. You said no new taxes'. That is why we are proposing these amendments. We are saying, 'No, nil, not \$1 — nothing, no new tax'.

But more importantly than that for me is to take care of those people who have contributed to an industry for a long period of time, who have been over-regulated by governments for a long period of time. Governments have insisted that the taxi industry become rigid by placing overbearing regulation on it, and now they complain about the fact that the industry is rigid, that it has not adapted. How can a market adapt when the government does not allow them to adapt, when the government introduces legislation and regulation which stops them from being able to innovate?

The issue here is not the fact that the taxi industry has not done the right thing. The issue here is not that the taxi licence holders have not done the right thing. The issue here is that the government has not done the right thing. The government continues to do the wrong thing. The government needs to stand up and look after people. I keep saying that people's mental health and the wellbeing of people is of major concern to me. It is not just the taxi industry but also the hire car industry. I have tabled a petition in this place with 1270 signatures of petitioners calling for fair and reasonable compensation for licence holders.

I really am worried about those people who have already done things; and there are people who I know who have seriously considered whether or not it is worth going on, not only in the industry but at all, and that is because of the government's actions. It is not because of anything they did in the industry, but it is because the government has taken their licence, which was worth quite a lot of money. The value of licences is open to dispute, but it is indisputable that it is more than the amount the government is offering. The government offers \$100 000 for the first, \$50 000 for the next three, and if you have got more than four, 'Barley, Charlie, you get nothing'.

I call on the government, as I have done previously, to once again look at what they are doing and look at the way they are treating people. They need to look at what they are doing to people's livelihoods and look at how people's lives have been ruined by what they are doing.

While I support the amendments that are proposed by the member for Croydon to the Council's suggested amendments to this legislation, I certainly do not support what the government is doing in this area. I do not support the government saying, 'Trust me'. I have just been contacted by a hire car licence holder who still does not know what is going on; he is getting no information from the government about how he is going to be compensated for his licence. He does not know really how much because the indications that I have been given are different to the indications he has been given. I say to the government: do the right thing.

Ms SHEED (Shepparton) — I rise just to say a few words on this bill. It is a bill that I supported in its first passage through this place, and I now support making the suggested amendments that have come down from the other place. One of the main concerns that I expressed when I spoke last time on this bill was in relation to the then proposed \$2 levy. The fact that it has been reduced by half and that that will be the final outcome of today's deliberations is pleasing in that it is half of what it was and it will lessen the impact on taxi fares in regional areas. The average sort of fare in a regional area is between \$7 and \$9, and most people who take a taxi are using it for short trips. They are often the elderly, the disabled and people who otherwise do not have access to reasonable public transport, which is very often the case in regional cities.

This is an area that has had to face very serious disruption. I certainly feel for the taxi licence owners and all of those involved in this process, but it is a situation that went on and on. Uber arrived and the disruption occurred. It has taken quite a few years to get to this point. The one thing that I am hearing everywhere is that we need to resolve this situation, that something needs to be done. It seems that both the committees of inquiry into this matter have unanimously decided that something needs to be done.

We have a bill before us which provides a solution. It will never make everyone happy. I have not seen any alternative legislation from anywhere else. The only amendment proposed today is that the Council's suggested \$1 levy be reduced to nil.

It is important that this legislation be passed and that some certainty is introduced into things. I come from an area where whenever you plant a crop you have no

certainly as to whether it will rain or whether that crop will be harvested. A lot of hardship occurs around that, and I think taxidriviers have certainly been facing this for a very long time. If there is one good thing to come out of it for them, it will be that they will leave today or when this bill passes knowing what their situation is and what they are facing, and they will then have to grapple with the consequences of that.

The Fels inquiry and the report that came out of that several years ago resulted in a significant reduction in the value of licences, and to some extent the taxi industry for a very long time has been facing massive change, and that probably started back in the 1990s to the best of my recollection.

The Essential Services Commission will be involved in the process of looking at what the implications of the \$1 levy might be in regional areas, and I believe there are several other safety nets that have been put in which provide some capacity for amelioration of hardship in regional areas, should that then play out as the years go on. On that basis, I continue to support the bill and support achieving finality in this matter.

Ms BRITNELL (South-West Coast) — I am pleased to rise and speak to the Commercial Passenger Vehicle Industry Bill 2017 and support the amendments circulated by the member for Croydon to omit ‘\$1’ and insert ‘nil’.

We were told that there would be no new taxes, and there is no doubt that this is simply a tax. I agree that we should support compensation for the taxidriviers; that is not something I am disputing. However, what my concern mainly centres around is the people of the South-West Coast electorate. We do not have Uber services at this point in time, and in some areas where we have taxis — Koroit, Port Fairy, Portland, Warrnambool — who knows when that will occur. I am very concerned for the people who will be affected who do not have access to public transport. You cannot just get a bus up the street from anywhere in these places. If you are elderly or disabled, particularly if you have mobility restrictions and cannot walk 100 metres to a bus stop — if there is one — or if you cannot use public transport because you are in a wheelchair, then you have absolutely no other option than a taxi. So if taxis are not available and Ubers are not available, where does this leave our elderly?

Not only that, but putting the tax on taxis when there is no other option in the country is unfairly taxing people who are not able to use Uber. If you are trying to get to the supermarket to do your grocery shopping to be able to eat, if you are going to the doctor for an

important medical appointment or if you are going to an elderly socialisation service such as the Archie Graham Community Centre in Warrnambool, then you are usually paying \$8 or so per trip. If you are going from the airport to the city in Melbourne and you are paying \$70, an extra \$1 or \$2 is nothing, but if you are 80 years of age and you are on a pension and you are totally reliant for your socialisation, your health and your food needs on going via taxi and if you do four times a week — \$8 there plus another dollar or two, and \$8 back, four trips a week — you have taken your budget from \$64 to \$72 by adding an extra dollar at least, and twice that if it is \$2. This is extraordinarily difficult. It is a lot of money in a pensioner’s budget and weekly income.

Not only this: if Uber ever do come, what is the incentive for them to install the mobility requirements of someone who needs wheelchair access? In our part of the world, there might be one or two clients in Koroit or Port Fairy — the smaller areas — that need wheelchair access. There is no business case for someone with an Uber vehicle to put a wheelchair-accessible mechanism in. What provisions have we made as a community to ensure our disabled are able to continue to be transported to and from appointments et cetera?

I just do not think that this is a fair or well thought through situation, particularly for people in my part of the world, where there is no public transport, where people are not able to use Uber and where the elderly, the disabled and people with poor mobility are relying on these taxi services to buy their food — which is their health and nutrition — their socialisation and their mental health. I think this is poorly thought through and a terrible move for my part of the world, and I am very concerned, as are many, many people in my electorate who I have spoken to, at what putting a tax on a taxi journey of either \$2 or \$1 will do for people right now. This is a significant tax for the people affected, who are the most vulnerable members of our community.

The ACTING SPEAKER (Ms Ward) — Order! The Leader of the House has moved that the Assembly make the amendments suggested by the Legislative Council. The Deputy Leader of the Opposition has proposed modifications to the amendments suggested by the Legislative Council. The house will first deal with the Deputy Leader of the Opposition’s amendment to suggested amendment 1. I advise members that the Deputy Leader of the Opposition’s amendment to suggested amendment 3 is consequential on his amendment to suggested amendment 1. If his amendment 1 is defeated, the Deputy Leader of the

Opposition cannot proceed with his amendment to suggested amendment 3.

The SPEAKER — The question is:

That the word proposed to be omitted from suggested amendment 1 stand part of the suggested amendment.

Members supporting the amendment moved by the Deputy Leader of the Opposition should vote no.

House divided on question (members in favour vote no):

Ayes, 47

Allan, Ms	Knight, Ms
Andrews, Mr	Languiller, Mr
Blandthorn, Ms	Lim, Mr
Bull, Mr J.	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Nardella, Mr
Couzens, Ms	Neville, Ms
D' Ambrosio, Ms	Noonan, Mr
Dimopoulos, Mr	Pakula, Mr
Donnellan, Mr	Pallas, Mr
Edbrooke, Mr	Pearson, Mr
Edwards, Ms	Richardson, Mr
Eren, Mr	Sandell, Ms
Foley, Mr	Scott, Mr
Garrett, Ms	Sheed, Ms
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms
Hennessy, Ms	Thomas, Ms
Hibbins, Mr	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr
Kilkenny, Ms	

Noes, 35

Angus, Mr	O'Brien, Mr M.
Asher, Ms	Paynter, Mr
Battin, Mr	Pesutto, Mr
Blackwood, Mr	Riordan, Mr
Britnell, Ms	Ryall, Ms
Bull, Mr T.	Ryan, Ms
Burgess, Mr	Smith, Mr R.
Clark, Mr	Smith, Mr T.
Crisp, Mr	Southwick, Mr
Dixon, Mr	Staley, Ms
Gidley, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Victoria, Ms
Kealy, Ms	Wakeling, Mr
McCurdy, Mr	Walsh, Mr
McLeish, Ms	Watt, Mr
Morris, Mr	Wells, Mr
O'Brien, Mr D.	

Question agreed to.

Council's suggested amendment 1 agreed to.

Council's suggested amendments 2 to 4 agreed to.

The SPEAKER — The question is:

That the words proposed to be omitted in suggested amendment 5 stand part of the suggested amendment.

Members supporting the amendment moved by the Deputy Leader of the Opposition should vote no.

House divided on question (members in favour vote no):

Ayes, 47

Allan, Ms	Knight, Ms
Andrews, Mr	Languiller, Mr
Blandthorn, Ms	Lim, Mr
Bull, Mr J.	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Nardella, Mr
Couzens, Ms	Neville, Ms
D' Ambrosio, Ms	Noonan, Mr
Dimopoulos, Mr	Pakula, Mr
Donnellan, Mr	Pallas, Mr
Edbrooke, Mr	Pearson, Mr
Edwards, Ms	Richardson, Mr
Eren, Mr	Sandell, Ms
Foley, Mr	Scott, Mr
Garrett, Ms	Sheed, Ms
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms
Hennessy, Ms	Thomas, Ms
Hibbins, Mr	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr
Kilkenny, Ms	

Noes, 35

Angus, Mr	O'Brien, Mr M.
Asher, Ms	Paynter, Mr
Battin, Mr	Pesutto, Mr
Blackwood, Mr	Riordan, Mr
Britnell, Ms	Ryall, Ms
Bull, Mr T.	Ryan, Ms
Burgess, Mr	Smith, Mr R.
Clark, Mr	Smith, Mr T.
Crisp, Mr	Southwick, Mr
Dixon, Mr	Staley, Ms
Gidley, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Victoria, Ms
Kealy, Ms	Wakeling, Mr
McCurdy, Mr	Walsh, Mr
McLeish, Ms	Watt, Mr
Morris, Mr	Wells, Mr
O'Brien, Mr D.	

Question agreed to.

Council's suggested amendment 5 agreed to.

Ordered to be returned to Council with message informing them of decision of house.

**PLANNING AND BUILDING
LEGISLATION AMENDMENT (HOUSING
AFFORDABILITY AND OTHER MATTERS)
BILL 2017**

Second reading

**Debate resumed from 21 June; motion of
Mr WYNNE (Minister for Planning).**

Mr CLARK (Box Hill) — The Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017 deals with three separate topics. The first concerns amendments to allow councils to more clearly enter into section 173 agreements under the Planning and Environment Act 1987 in relation to affordable housing; the second makes changes to the provisions applicable when amendments are sought to a planning permission to erect a wind farm; and the third amends provisions in the Building Act 1993 to specify that proceedings for indictable offences under that act are not to be brought by councils but are to be brought solely by the Victorian Building Authority (VBA).

I will deal with the third and probably most straightforward of these topics first. The proposed amendments to the Building Act arise from changes that the government made relatively recently to create indictable offences — that is, more serious offences — for certain breaches of the Building Act. Those amendments arose out of recent experience with some persons, in flagrant defiance of their legal obligations, engaging in demolitions that were illegal and thereby highlighting the fact that stronger penalties were appropriate and desirable.

The problem was that the government's amendments went somewhat further than perhaps was necessary. This was a concern that our side of the house raised during the course of the debate on those amendments. We thought some of them which created new offences had the potential to impose criminal liability on persons who either were not aware that they were committing the offence and/or had no control over the actions that gave rise to that offence. We put the point of view at the time that if people deliberately and knowingly engaged in serious wrongful acts, such as intentionally demolishing a building when that demolition is illegal and when they know it is illegal, then they should feel the full force of the law and should be subject to very stringent penalties indeed. On the other hand we raised concerns that there were some circumstances in which that would not apply, and people who act in good faith

could end up being prosecuted for quite serious criminal offences.

The amendments proposed in the bill currently before us in part address those concerns, and they do so by confining prosecutions for these serious offences — for these indictable offences — to the Victorian Building Authority. As the minister observes in his second-reading speech, councils are not well-equipped to investigate and prosecute indictable offences, and the intention is that the VBA will consider the issue in light of its operational policy and may take up the matter, or if it considers the indictable offence should not be prosecuted, it may take other enforcement action or refer the matter back to council for action.

The minister elsewhere in his remarks said that the government is committed to only prosecuting the indictable offence in the most serious of cases, and he says that this commitment is secured through the operational policy of the Victorian Building Authority. Securing these sorts of policy objectives through an operational policy rather than through the law on the statute book is very much a second-best solution. When it comes to criminal law the liability of citizens should be set out on the statute book and not be subject to the operational policy of an authority such as the Victorian Building Authority. There may be scope for discretion where the law and the offence has been specified as clearly as possible but unexpected circumstances occur that mitigate the situation, but offences should not be drafted in the first place with an obvious breadth that can see them extend beyond the scope of where they should apply. Unfortunately the situation remains with the provisions that have been put — some of them — on the statute book in the Building Act 1993. As I said, the amendments proposed by this bill go some way — but only some way — towards mitigating that undesirable situation.

I turn now to the provisions relating to affordable housing. They seek to provide a framework in which responsible authorities — particularly local councils — may enter into section 173 agreements in relation to affordable housing. This is probably a topic that councils can currently enter into section 173 agreements in relation to, but these amendments make that explicit and provide a framework for doing so. What they provide explicitly in proposed new subsection (1A) to section 173 of the Planning and Environment Act is that:

Without limiting subsection (1), a responsible authority may enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing.

The amendments define affordable housing as being housing, including social housing, that is appropriate for the housing needs of very low income households, low-income households or moderate-income households. They say that for the purposes of determining what is appropriate for those housing needs 'regard must be had to the matters specified by the minister by notice published in the *Victoria Government Gazette*'. They further go on to provide that the matters specified by the minister in such a notice 'cannot include price ranges or prices for the purchase or rent of housing'. The amendments go on to provide definitions of low-income households, moderate-income households and very low income households by reference to income ranges specified by an order under the act, and they provide that social housing has the 'same meaning as in section 4(1) of the Housing Act 1983'. Then there is a further provision that allows the Governor in Council, by order in the *Victoria Government Gazette*, to specify the ranges of income relevant to the amendments by reference to statistical data published by the Australian Bureau of Statistics. The amendments also insert as one of the objectives of the Planning and Environment Act new proposed paragraph (fa): 'to facilitate the provision of affordable housing in Victoria'.

The objectives of the amendments are clear. What is unclear is exactly how those amendments are going to operate in practice. We have been told what the regime cannot do — that is, the minister cannot include prices or rent levels in what the minister specifies — so the question then arises as to how exactly these provisions are going to operate. It would seem that the only way, or at least the most obvious way, in which they could operate is simply by a section 173 agreement providing that a certain proportion of the dwelling units in a particular development must be occupied by persons who come within the various brackets of very low, low or moderate-income households. If that is the way the section 173 agreements are envisaged to operate, the question then becomes how those provisions are going to be overseen and enforced.

It is all very well to specify that in an agreement, and maybe for a council to supervise the initial letting or occupation of the development for which approval has been given. But then of course as time goes on ownership or occupation of dwelling units can change, and it is not clear from what is in the bill or what has been said in support of the bill exactly how it is envisaged that councils will ensure that the units that have, under a section 173 agreement, been set aside or designated for households in various income brackets are in fact going to be occupied by households in those

brackets. This is a specific concern that the opposition has about these provisions, and we will be seeking responses and further information from the minister in relation to these provisions when the bill, hopefully, is considered in detail later in the week.

More generally of course there are broader policy concerns that should be raised about the way in which these amendments seek to address the needs of households of all different income levels to be able to find housing. There are issues about whether this is the most effective way of doing so, whether it gets the greatest possible return for social housing provision for the cost that is being incurred, whether there could be more effective ways of achieving more or better social housing for the same cost that a developer is incurring through one of those section 173 agreements and whether greater transparency could be achieved in what is in effect a levy or an impost that is being imposed on a developer for the laudable objective of helping people find housing. How transparently is the impost being imposed on that developer being recorded, measured and accounted for? Would it be better to have an explicit cash levy on a developer and for the proceeds of that levy to be applied transparently and clearly to the acquisition of social housing?

There will also potentially be practical difficulties in adjusting the various tests for the income levels that are involved and indeed more practical difficulties for those operating the units concerned — that is, those who are responsible for their letting or sale from time to time — in relation to determining exactly what those income levels are. Indeed there are issues about the privacy of the personal data of the potential occupants — for example, is it expected that the owner of one of these designated social housing units is going to be entitled to require prospective tenants to provide tax returns, statutory declarations or other evidence of income in order to prove that they qualify? Will councils be able to require tenants to produce that information in order to identify whether or not there has been a breach of the section 173 agreement by the developer or current owner of the property concerned? These are all important issues that need to be addressed, as indeed is the potential for the regulatory burden, the red tape, associated with this approach to social housing to provide a deadweight cost that detracts from the effectiveness of this approach as a means of seeking to provide affordable housing.

Then of course more generally there is the fact that this is a very limited response to a far broader failure by government to address the issues of population and planning, because the primary driver of decreases in

housing affordability is the fact that demand for housing is exceeding its supply in many areas, and that of course is pushing up the price of housing, be it the price in terms of sale prices or the price in terms of rental. As this side of the house has made clear, the current government badly lacks a comprehensive population policy for Victoria that recognises the constant ongoing pressure on all sorts of facilities and infrastructure, including housing stock, from a rapidly growing population and does not provide ways of ensuring that housing stock and other infrastructure and services are able to keep pace with the pressure of population, particularly across metropolitan Melbourne.

The government's reaction to that has been on the one hand tardy and on the other hand excessive in the extent to which it is trying to force inappropriate overdevelopment into established suburbs and increases in density in established suburbs that go way beyond what is necessary to keep pace with population levels and to provide for renewal and enhancement of the housing stock. So while the government brings this particular measure to the house it has comprehensively failed to address these two far broader issues that are causing an enormous amount of grief and concern to Victorians right across our state.

The third of the measures contained in this bill are those relating to applications to amend referred wind energy facility planning permits. These are planning permits that have been granted in the past by the minister — and I understand many of those permits that are affected by this provision are those that may have been granted back in the time of then Minister Madden. Some of those early permits have covered design, size and other details of wind farms that now with the changes in technology since the permits were issued have left the holders of those permits in a situation where they want to proceed with a substantially different wind farm configuration from that which is authorised by the permit, and so they need to come back to the minister to seek a change to that regime.

What the government says these changes are going to do is create a simplified and more straightforward regime under which these applications for amendments are to be referred to an advisory committee that is going to be established under the act. The government argues in favour of that, saying that it is a more streamlined and straightforward process that enables these applications to be dealt with more expeditiously and therefore will allow wind farm construction to proceed more speedily.

However, the problem is that many of the changes that may well be sought under this new process are very substantial changes indeed. They can be massive changes to the height of proposed wind turbine towers. They can be massive changes to the proposed blade length of the towers, and the consequence is that, whereas the original towers may have been of a size and a scale that had been debated through and had been found acceptable to the local community, or at least people who had objected to it had put their case on the basis of the application at that time, now potentially communities will be faced with a far larger, potentially far more intrusive scale of wind farm, and they will have very little say in it at all because the processes under the act are going to be abridged by this.

That is a matter that is of concern to the coalition. It is a matter that we will be seeking further information about from the minister when the bill is considered in detail, hopefully later this week, because it does raise concerns in many local communities as to whether legitimate rights will be curtailed — their capacity to raise legitimate objections and concerns — and whether good planning, good development and sound policymaking in this area is taking a back seat to a single-minded drive by the government in a particular direction without considering the other factors that should be taken into account.

There is a further specific issue that I will be seeking some explanation about, either from the minister in consideration detail or indeed if other government members are able to offer a response during the course of the second-reading debate, and that is what the proposed new section 6(2)(kf) in the Planning and Environment Act 1987 to be inserted by clause 8 actually does, because what the minister has said, as I indicated earlier, is that these applications will be referred to an advisory committee process. However, on my reading of the provision to which I have referred, this is a discretionary matter for the minister and it is open to specify classes of applications to amend wind turbine planning permits that are wholly exempted from the normal requirements, not just where they are modified so as to require referral to an advisory committee, because those two limbs of the paragraph are linked by the word 'or'. In other words they can be either wholly exempted or modified, which would seem to go beyond what the government is saying in advocating these measures. The minister is in fact giving himself or herself, as the case may be from time to time, the power to wholly exempt these wind farm permit amendment applications from the usual requirements. So I certainly seek the government's explanation on this issue.

Overall, in conclusion, while the objectives of each of these three provisions in the bill are understandable, the amendments to the Building Act, in our view, while they are a step forward do not address the fundamental underlying problem. The amendments in relation to affordable housing raise many questions about their enforcement and their application, as well as to their wisdom as to the optimal policy to provide for affordable housing, as well as the fact that there are many other aspects of the current housing situation in Victoria that are not being addressed.

The wind farm provisions do raise concerns about restriction of the rights of local communities to have their legitimate say. These are all matters on which we are looking for further information and an explanation from the government, during both the course of the second-reading debate and consideration in detail. This is not a bill that we will be opposing, but we do believe that these matters need to be addressed during the course of debate.

Mr EREN (Minister for Tourism and Major Events) — I too wish to make my contribution on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. The purpose of the bill is to implement a framework for voluntary arrangements to facilitate the provision of affordable housing in Victoria through the planning system. This will give developers, the community and local councils certainty about how those arrangements will be applied in Victoria.

As you know, Acting Speaker, back in the 1990s there was a bit of an exodus in terms of our population. In the 2000s they started to come back, and now we are accelerating that comeback to the point where we are the fastest growing state in the nation. When you consider that Melbourne last year had, I think, a population growth of about 140 000, that is considerable.

Consider that the forecast for the next 10 to 15 years and beyond means we will have at least about 110 000 people per annum moving to our state, which means we will exceed the population of New South Wales by around 2030 to 2035. When you also consider that some 26 per cent of those people that are moving back to our state are indeed from New South Wales — you know, surprise, surprise — of course they are running away from the rat race that it is.

The New South Wales government obviously did not plan accordingly in terms of its infrastructure needs and so there is a considerable amount of pressure on not

only housing affordability in terms of purchasing and mortgage belts, but particularly around rental as well. This bill will obviously go a long way towards making sure that we somehow capture and harness the energy that is going on in terms of people wanting to live here because it is a great place to live, work, raise a family and do all of those things that people aspire to do. Certainly this government is in the business of making sure that we can accommodate those people that are wanting to live here through the planning systems that we have.

This bill will also facilitate the processing of variations to called-in wind farm permits, which will reduce time delays and costs for applicants seeking to amend wind farm permits. The bill will amend the Planning and Environment Act 1987, the PE act, to establish a framework for voluntary arrangements to deliver affordable housing by inserting a legal definition of affordable housing into the PE act, inserting a new objective into the PE act to facilitate the provision of affordable housing in Victoria and of course inserting a new provision to enable councils to enter into agreements with landowners for the development or provision of land in relation to affordable housing. Those agreements will utilise the current provisions in the PE act relating to section 173 agreements.

The bill will also amend the PE act to enable a planning scheme to specify that objections to certain classes of application to amend wind farm permits that have been issued after being called in by the minister will be exempt from referral to the panel. The bill will make statute law revisions to the Building Act 1993 and related building legislation, and it will also include minor reforms which support the Building Legislation Amendment (Consumer Protection) Act 2016 and Building Amendment (Enforcement and Other Measures) Act 2017 to provide that councils are not responsible for the administration and the enforcement of indictable offences under the Building Act.

This bill will implement the policy framework set out in the Victorian housing strategy *Homes for Victorians: Affordability, Access and Choice* to facilitate the provision of affordable housing through the planning system. Of course, Acting Speaker, as you may know, currently councils can make voluntary agreements with developers to provide a portion of affordable housing in a development. The issue in some areas has been controversial. I know that certain parts of Geelong inherently think that it should be totally privately owned homes, and they do not want social housing or public housing within the vicinity of where they live. That is a political issue for many areas around our state,

and I think that that is totally unfair. Within my electorate there is a huge proportion of public and social housing, and what is now being realised is that obviously to disperse the demographics of social and public housing — to have public housing in areas that are not really inundated by public housing or social housing so that there is a mix of demographic, a mix of socio-economic background — goes a long way towards solving some of the issues related to generational unemployment — for example, in my area, generational drug and alcohol abuse and family violence, and I can go on.

I think it is important to make sure that we get this right, that we mix the housing lots up in terms of private development and also social and public housing. I think of the number of issues that have come up in terms of the public housing list, and certainly in Melbourne, for example, there were issues. There was a sense that people were homeless, and obviously the government and the council, Melbourne City Council, are doing whatever we can to assist wherever we can with the housing needs of those people who are doing it tough and doing it rough. Certainly our government, and I will get to that a bit later, has invested heavily in social and public housing, and I am very proud of that. This bill before the house will give some opportunity to actually have some mixed developments.

The bill is of course vital to ensure that we see more affordable housing developed by the private sector. This model has been followed in New South Wales, South Australia and California. In New South Wales almost 4000 affordable housing dwellings were delivered through urban renewal between 1995 and 2011. In South Australia over 2200 affordable units were delivered after successful inclusionary zoning on greenfield sites between 2005 and 2011. This was 16 per cent of the total stock delivered.

These case studies show that supporting the provision of affordable housing through the planning system works and that the system actually works. We as a government are taking the lead when it comes to housing affordability, and I must commend the minister responsible. It is a fine balance. Obviously we have got to get it right, and he is doing a great job. We are ensuring that it is easier for first home owners to get into the market by abolishing stamp duty for those homes under \$600 000, and of course there is a scaling back going all the way up to \$750 000 in terms of scaling back the stamp duty. We have also doubled the first home owner's grant to \$20 000 in regional Victoria, and that is going to see, as of 1 July, some stimulation in the construction industry and give some

opportunity for young people and indeed not-so-young people to buy their first home because it is really a boost, and I think it is working. On top of all of this we are backing these amazing programs by building and redeveloping more social housing which supports the vulnerable Victorians in our society and creates thousands of extra jobs in the construction industry.

We announced a record \$799 million investment and \$2.1 billion in new housing and homelessness initiatives reversing the devastating cuts of the last government, which of course people would remember. By June 2018 our social housing stock will tip over 86 800 units — a new record — and plenty more are coming. Our \$1 billion Social Housing Growth Fund will add 2200 more homes in four years. The billion dollar loan guarantee, the \$100 million loan facility and the 4000 management transfers will help build even more homes. We will also invest \$152 million in our family violence housing blitz in addressing that very important issue — the fastest growing category of homelessness — women escaping family violence.

In the limited time that I have left to make my contribution, can I say that we are trying our best as a government. This sort of legislation that comes through this place is extremely important for Victorians. Whether you are in social or public housing, whether you want to enter the private sector or buy your first home, it is so important to have this legislation, and I am really pleased to be speaking on it. I wish it a speedy passage through this place.

Mr T. BULL (Gippsland East) — I rise to make a contribution on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. As we have heard, this is a bill for an act to amend the Planning and Environment Act 1987 to facilitate affordable housing supply and modify the requirements for determining certain applications to amend wind farm planning permits. I will touch on both of those issues. The bill also amends the Building Act 1993 and the Building Amendment (Enforcement and Other Measures) Act 2017.

This bill introduces a new definition of affordable housing and provides for the Governor in Council, on the advice of the minister, to make an order specifying a range of household incomes. They can be classified as very low, low or moderate. I understand from the second-reading speech that it does not define affordable housing so much as it puts a definition on household incomes, which I think is quite a different thing. The bill will also enable a responsible authority, usually a council, to enter into a voluntary agreement with a

landowner for the development or the provision of affordable housing. I am interested in the minister's explanation as to how this differs from what can currently take place, because we see this going on within the local government framework presently.

As with all affordable housing considerations, we need to make sure, and this is of fairly paramount importance, that those most in need of public housing and affordable housing receive access to affordable housing options across the board. Therefore this new classification, if it is to be beneficial in any way, must have the appropriate income tests applied. This is where the government needs to ensure that whatever is brought in is given priority in relation to identifying those that are certainly most eligible and that we do not have a system that is taken advantage of in any way, shape or form. We need to know that these classifications are indeed going to work.

We also need to make sure that any changes do not result in increased red tape and bureaucracy for either those developers who are looking at establishing affordable housing options or indeed those who are seeking it. The issue of affordable housing has obviously been something of paramount importance to governments of all persuasions for a period of time, but the recent public housing figures that came out in June showed that the priority housing waiting list has increased by 2000 people from December 2014. This is not the general housing waiting list; this is the priority housing list that has increased by 2000 since December 2014. We need to make sure that these classifications of income are accurate, that they cannot be taken advantage of and that they result in serving the people who are in greatest need of affordable housing.

I want to speak briefly on the changes to wind farm permits, specifically where this bill amends the Planning and Environment Act 1987. What it is going to do is allow the minister to refer an amended permit to a standing advisory committee if a significant change is sought and if indeed that application receives objections. We have heard about some of the applications. There have been moves to increase the density and there have been moves to increase heights. These are all issues that can impact on surrounding property holders and those people who are living within communities. We do not need a system here that rules out the opportunity for community members and those who are potentially impacted by these issues to make commentary and to provide feedback into the decision-making process.

An honourable member — Like Fishermans Bend!

Mr T. BULL — We are talking about wind farms, Minister. This specifies the advisory committee's terms of reference, and it only allows consideration of the proposed amendments to the permit rather than relitigating the entire wind farm permit. It also specifies what will be 'significant change' to a permit, such as an increase in the total number of turbines, an increase in the height of a turbine or the changes in locations to the turbine, as we spoke about, and for neighbouring property holders they can be significant.

Now the question that local communities will want answered in relation to this is: how will they have their concerns heard should the proposed changes to wind farms go ahead to the panel system that is being suggested by the government? At what stage will they get a say? At what stage will they get to influence any detrimental outcomes that they perceive will occur? I hope that the minister will outline the process for community input into any proposed changes, as the detail around how the community will have its say appears to be lacking at this point in time.

The final part of the bill refers to amendments to the Building Act 1993 brought in by the recently passed Building Amendment (Enforcement and Other Measures) Act 2017, which clarify new indictable offences under that act and provide for significant fines and jail time for people found guilty of illegal building work. In this chamber during debate on the amendment bill — and I recall this quite well — the coalition sought, unsuccessfully I might add, to moderate that act to ensure people in the building industry were not subjected to excessive penalties. It was a clear point made by a number of speakers. The amendments to the Building Act represent a retreat from the government's previous position and an admission that the commentary coming from this side of the chamber at that time was justified.

The bill removes the ability of councils to administer and enforce indictable offences under the act. It specifies that the Victorian Building Authority will be responsible for the enforcement of the new provisions of the act. The changes are clearly a step back from the extreme penalty regime previously inserted by the Building Amendment (Enforcement and Other Measures) Act 2017. I guess the question here is: how will these changes play out on the ground and will they achieve the desired outcomes? Do they go far enough in recognising the deficiencies of the original building amendment act? These changes are in some way a recognition of the coalition's efforts to decriminalise aspects of the earlier bill, effectively acknowledging that it was ill thought out in the first place and lacked

adequate industry and community consultation. There was an enormous amount of industry feedback saying that the government had got the original bill wrong, and here we are, not too long after that, with this amendment bill rectifying those mistakes because the government did not listen at the time. Again the question is: does this go far enough?

In summing up, we look at the changes this bill proposes in the area of affordable housing and hope rather than believe they will achieve any meaningful improvements, because simply providing definitions to income will not do that. On the wind farm references, we hope that these do not remove the established rights of communities to object to planning proposals if they see fit, and that there are provisions for communities to legitimately raise their concerns and have input into what is being proposed. Communities should be afforded the right to have their say on changes at some stage of the process when we are talking about developments that are so big. In relation to the changes to the building legislation, we look forward to seeing these play out on the ground and hope that they go far enough in rectifying the mistakes that were made earlier.

Ms GREEN (Yan Yean) — I take great pleasure in joining the debate on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. It is bills like this that really underscore the difference between Labor in government and those opposite in that we actually do care about inequality and those many, many households across our state and across our nation who are struggling with housing affordability, particularly in the light of the very, very flat rise in household incomes.

As someone who has studied the most recent census data, I was really quite shocked to learn that in many of the postcodes in the community I represent, in the five years since the previous census there has been very little movement in wages. In five years there has been almost no movement in wages. For no less of a body than the Reserve Bank of Australia to have raised as an issue in the past month or so that low wages are incredibly damaging to this nation's economy into the future means that government at a federal level needs to not be doing what they are doing and backing in cuts to penalty rates, opposing increases in minimum wages and encouraging the bringing in of cheap labour to underscore unionised workplaces. You hear the shrieks from the other side against trade unions, but trade unions operate in democracies and they operate to provide safety in workplaces. They also fight for wage justice, and that is something those opposite would not

understand. It really means that we as a state government need to take action around the issue of housing affordability, and that is exactly what we are doing with the bill before the house. I will go into that in more detail later.

The other part of the bill seeks to make changes in relation to the wind farm area of the Minister for Planning's portfolio responsibilities. That goes to the other great difficulty for people in a low-wage environment, and that is the increased cost of energy. We have not just left it blowing in the wind, so to speak, and to the forces in the market. We know that we have to get involved both in affordable housing but also to keep the cost of energy down.

The previous speaker for The Nationals, the member for Gippsland East, raised some concerns about whether the community would have input into and would be consulted on parts of this bill. I remind him and I remind the house that that was what was completely lacking when the previous Minister for Planning, who is now the Leader of the Opposition, was in charge of planning in this state. There was almost no community input and almost no community consultation. He ought to remember, the next time he is putting up his hand to drive around in one of those fancy white government cars as part of a coalition government, that that is what the leader of the coalition stands for — that is, not allowing that community input. Whether it was doing deals around the kitchen table in Ventnor or whether it was doing deals that did great things for his mates in delivering nice little improvements to their bottom line and profits for those who invested in Fishermans Bend and had inside knowledge of what was going to happen, communities are now saying they need schools and transport and everything else. Unfortunately the previous Minister for Planning rezoned the land for development before all that was done, so it means the cost to the taxpayer or private investors in future who want to provide those community services will be enormous compared to what it would have been had the previous Minister for Planning done the right thing.

The previous Minister for Planning also usurped the role of local government in relation to growth area infrastructure charges with the notion that deals could be done behind closed doors. We know the previous Minister for Planning specialises in deals done around kitchen tables, behind closed doors and around dinner tables at Lobster Cave while drinking Grange —

Mr McCurdy — On a point of order, Acting Speaker, I ask you to bring the member back to the

bill that is before the house today, rather than have her casting aspersions on everybody on this side of the house. It is clearly a planning and building legislation amendment bill, and I ask you to bring her back to relating remotely to the bill rather than making up stories.

The ACTING SPEAKER (Mr Carbines) — I ask the member for Yan Yean to continue her contribution, bearing in mind the content of the bill.

Ms GREEN — Thank you very much, Acting Speaker. I was really pleased to see the measures that were in this government's budget around housing affordability, which have given a real fillip to people in my community, especially those seeking to buy a newly constructed house. First home owners can be assisted with \$10 000 from a first home owner grant, or if they are wanting to purchase in Beveridge or Wallan they can actually get \$20 000 from a first home owner grant for a newly constructed house. Also, first home buyers will no longer be slugged with the cost of stamp duty.

The outer suburbs are a location that the previous Minister for Planning completely forgot when he changed the act and said that his focus was about infill housing and that VicUrban, as it then was, would no longer be involved in outer suburban developments. At the time I pleaded with him for particularly Aurora in Epping North, which had been initiated by a government authority, to actually be completed. I said that I was really concerned that this would not happen, and the previous Minister for Planning said he was going to take legal action against me for lying. He never followed through on that, but he made the threat. But what the community in Epping North knew was that the VicUrban office closed, the Aurora office closed, there were tumbleweeds rolling down the street and none of the things that were supposed to be funded for that community were funded.

We are definitely a government committed to having the proper planning framework in place to provide affordable housing and to ensuring that the wind industry can flourish in this state. It was just on a whim that the previous Premier shut down a great industry that was providing a lot of jobs in Portland. I do not think the next Premier they installed after their first one was happy about that, but he went along with it anyway. We actually do say that wind is a viable industry for this state and a viable way to generate electricity. Having alternative sources of electricity means that we can bring costs down for all energy users but particularly those who do not receive salaries from the high end of town — those who cannot afford to go

to the Lobster Cave for dinner, who may rely on benefits or who may be in this low-wage economy that the Reserve Bank of Australia has warned against.

I want to particularly commend a group up in Wallan who are really supporting affordable housing for those who are doing it tough, I commend the bill to the house and I commend the Minister for Planning, who is in the chamber, a great minister — whether it is in housing or in planning — who does care about inequality, unlike those opposite.

Ms SANDELL (Melbourne) — The Greens are glad to see many of the changes proposed in this bill, and I am pleased to speak to a couple of them today. The two that I would like to speak to are the streamlining of processing of changes to wind farm permits and also the changes aimed at facilitating more affordable housing. I understand there are other changes in the bill, but I will leave those to my colleagues in the other place.

I would like to speak firstly about the changes that relate to affordable housing. As other speakers have mentioned this bill does introduce a framework to help facilitate affordable housing units in new developments and also introduces a definition of low-income households for the purposes of providing affordable housing. Because there is currently no definition of what constitutes affordable housing there has been a pretty higgledy-piggledy approach when, for example, councils and developers enter agreements to provide affordable housing in new developments. So I am hoping that this bill and the changes within it will make things clearer and hopefully make affordable housing available to those who need it the most.

However, it does need to be noted that agreements for developers to provide affordable housing in their developments are at the moment only voluntary. Too often developers provide affordable housing — they only include it in their developments — not out of goodwill or some desire to give back to the community but actually just to maximise their profits. They are allowed to build more units or to significantly increase the size of their skyscrapers and then just provide a token amount of affordable housing in exchange for this significant increase in height. This has happened many times in my own electorate of Melbourne. In particular I remember one case in North Melbourne where a developer was able to add on many, many storeys to their development in return for only providing one affordable housing unit — that is pretty atrocious. These are developers who are making huge extra profits for very little community gain.

This is also in the context where Melbourne is facing a housing crisis. Rather than just asking developers to perhaps include some more affordable housing, or encouraging them to do so, we really should as legislators, as policymakers, require them to do so. Many cities around the world are doing this. Cities like New York and London have models that we need to look at. Some cities have targets where up to 40 per cent of new developments need to include affordable housing. The elephant in the room here really is that we are in the grip of an affordable housing crisis, and governments of both persuasions — Labor and Liberal — have failed particularly when it comes to public housing. There are still over 35 000 applicants languishing on the public housing waiting list in Victoria, and this has not improved since this Labor government came into office.

Just asking developers to voluntarily include a couple of affordable housing units here and there is really not going to fix this problem. This is a problem that is much, much bigger than something that can be fixed by a couple of units here and a couple of units there. We really need a large-scale public housing build like that which happened in the 1960s. We have done it before; we need to do it again. Not only do we need to build this public housing, we actually need governments to value this public housing by providing proper maintenance and proper security, rather than just building it and then letting it fall into disrepair, like so many governments have done over the years, and then using that disrepair as an excuse to sell it off, to transfer it to community organisations or just to demolish it.

But instead of taking the approach of building more public housing to meet the demand, this Victorian Labor government is actually planning to sell off public housing land to private developers across Melbourne, including in my own electorate. Labor wants to demolish hundreds of homes and replace them with expensive private apartments, along with a small increase in public or social housing. This means that private developers will make huge additional profits but the people who actually live in public housing and the people who actually need public housing will lose out. We have been promised a 10 per cent increase in public housing through this so-called renewal project, but in many estates we are losing two, three and four-bedroom properties, which are being replaced with one-bedroom or just studio apartments. Technically there might be an increase in public housing units but there is actually a decrease in the number of tenants who are able to be housed on those estates.

Where will families go? There are a lot of people in my electorate with rather large families who are looking for public housing or are in public housing but are significantly overcrowded. There is a real shortage of family accommodation, not just in my electorate but across the board. People also might not be able to come back to their homes in the communities where they have built their families and their lives, and residents who do remain will lose parking and open space.

Mr Pearson interjected.

Ms SANDELL — The member for Essendon is interjecting and saying that it is not the case that people will not be able to come back to their homes. I would really like to see that in writing from him.

Mr Pearson — On a point of order, Acting Speaker, the Minister for Housing, Disability and Ageing recently signed the Victorian Public Tenants Association's pledge which explicitly states that all public housing tenants who are relocated as a consequence of the public housing renewal that is currently occurring will have a right to return.

The ACTING SPEAKER (Mr Carbines) — I do not uphold the point of order, and I ask the member for Essendon not to interject when he is out of his place, let alone the fact that interjections are disorderly and that the member for Melbourne should not respond to interjections.

Ms SANDELL — I look forward to all the residents being relocated during the renewal process — being able to move back into their communities in a timely manner — because that has not been the case in other renewal projects. There have been many people who have been displaced and unable to return to the place where they have built their community. I sincerely hope that is not the case with this project.

Many homes in the estates that are going to be renewed, particularly in my electorate, are sorely in need of an upgrade, but instead of selling off the land to private developers there is an easier solution — the government could just spend the money to fix them up. If we sell off public housing land, that is something we will never get back. We saw a really great report from a Melbourne University academic, Dr Kate Shaw, recently who put it better than I could. She said that selling off land for private development to fund affordable housing is a 'little like keeping the front of the house warm by chopping up the back for firewood'. It is unsustainable. At some point further investment will be required and there will be no land left to sell. I would like the member for Essendon to —

Mr Pearson interjected.

Ms SANDELL — The member for Essendon is interjecting and casting aspersions on this research. I wonder if he would say that to Kate Shaw's face.

We need to acknowledge in this state that good, well-resourced public housing is simply the best fit for large-scale affordable housing. We cannot simply pass the buck to non-government organisations (NGOs) to provide community housing or affordable housing and have governments wipe their hands of this matter. That is what we are seeing here: we are seeing land sold off for affordable housing. But will this all be public housing or will it be community housing?

There is a real difference. Public housing is the only way to guarantee that those who are in greatest need will receive housing and will be afforded the protections necessary, including security of tenure and capped rent. We need public housing; it is the best way to provide affordable housing in this state. But we need it on a large scale. We cannot just have one unit here and there. We cannot have governments simply washing their hands of providing affordable housing and saying that it is the responsibility of the community or the responsibility of NGOs. That is government wiping its hands of the matter and it is completely unacceptable.

The changes in this bill are fine, but we simply cannot kid ourselves that they will really do much to solve the housing crisis we are in at the moment, with over 35 000 people on the waiting list and many more waiting to get on the waiting list.

Leaving public housing aside, I would also like to talk to another part of the bill which is about wind farm permits. The changes in this bill mean that where there are only minor changes to wind farm permit applications, such as changing the alignment of a service road within a site, for example, or moving a substation a short distance, these types of changes do not need to go to a full planning panel but can be looked at by the minister. This is a good improvement. We are very happy with it and we hope that it will ensure that wind farm projects can go ahead in a timely manner and that we can really get started with transitioning all of Victoria's energy to clean energy sources.

It is a good change, but it is a small change, as are many of the changes in energy policy that this government has put forward. When it comes to climate change, as I have said many times before, we actually need big changes and we need them really fast. While we are on

this topic, I would like to point out that we are still waiting for legislation on the Victorian renewable energy target, promised to this state by this government. It has been nearly a year since Labor made the announcement but we are still waiting for that legislation. Some states have already opened auctions for renewable energy in Australia. In Victoria we are really lagging behind if we do not get that legislation passed and get those auctions going.

We need ambitious targets, we need to get them moving and we need to do it now. We could simply talk about the issue forever. We could wait forever for the federal government or for other states to get themselves in alignment, but actually this government should just bring in the legislation and simply get it done, because as I have said before, the issue of climate change is urgent. We are in a climate emergency. Any climate scientist worth their salt will tell you as much. Tinkering around the edges just will not cut it because we have left it too late.

We have seen this government do some really good things on renewables. We have seen our trams being powered with solar, and we have seen some money dished out for renewables grants. That is all really great, but we need a vision, a big vision, a vision that actually protects this state from the impacts of climate change. It is a little bit disheartening when we see this government on the one hand talking about their renewable energy credentials but on the other hand releasing a coal policy that says Victoria is open for business when it comes to the coal industry. It is also disheartening when we have the government confirming that it is talking to AGL about a gas terminal in Western Port and when the Minister for Resources is appealing to the federal government for money to help explore for gas reserves in Victoria. We have also heard some concerning noises about exploring for conventional gas in the Otways, which would be a huge mistake. All of this says to me that Labor is not really interested in getting out of fossil fuels, and that to me is really scary because fossil fuels need to stay in the ground if we want to have any chance of averting the worst impacts of climate change. There are no two ways about it: that is simply what the science is telling us. It is not what I am saying; it is what the scientists are saying. We need to listen to them, and if we do not, it will be at our peril.

In conclusion, the Greens support this bill. It has some really good small changes, but there is a lot of work ahead of us if we are going to fully address the problems of housing affordability and climate change that are facing our state.

Ms KNIGHT (Wendouree) — I am really pleased to have the chance to speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. The main purposes of this bill are to amend the Planning and Environment Act 1987 to facilitate affordable housing supply, to modify the requirements for determining certain applications to amend wind farm permits and to make miscellaneous amendments to the Building Act 1993 and the Building Amendment (Enforcement and Other Measures) Act 2017. These amendments relate to affordable housing, some smaller building-related changes and smoothing the process of varying some wind farm permits. I will touch briefly on all of those three points, starting with housing affordability.

Across Victoria, the affordability of housing is an increasingly important issue. It is an issue that is affecting people across the state, and obviously that includes regional Victoria. It affects many people, particularly younger Victorians, struggling to buy their first home. Those who rent are struggling with high rent or living in accommodation that is not suitable for them as a consequence of being unable to afford something suitable. Also, the number of people needing public or community housing is increasing.

My husband and I have five kids between us who are between the ages of 23 and 27, and none of them has bought a house. None of them can see a time when they would be able to afford to buy a house. That is completely different to when I was their age, when you were able to afford to at least have a mortgage rather than paying rent, but this is an option that I think kids who are the age of my kids are increasingly struggling with. The Andrews government has recognised that and has taken some really bold steps to address the issue of housing affordability for those very reasons and other reasons as well.

Eliminating stamp duty on homes up to \$600 000 and cutting stamp duty on homes costing up to \$750 000 for first-time buyers is one of those really bold steps. Doubling the first home owner grant to \$20 000 in regional Victoria is a terrific way of enticing people to regional Victoria to live, but it is also a great boon for our local building industries. The government is also giving a chance for first home buyers to co-purchase their home with the Victorian government, providing for long-term rental leases for people living in rented homes and building more social housing for vulnerable Victorians. I know when I was renting on my own with three kids, including a child with autism, one of the biggest stresses for me was having that lease

terminated — not being able to have that consistency, not being able to really tell the kids, ‘This is your home; it is going to be your home for a long time’, and not having that feeling of being settled. That is a really incredibly important change right there.

As the minister said in his second-reading speech:

This bill proposes to amend the Planning and Environment Act 1987 to establish a clear framework for voluntary arrangements relating to affordable housing.

Councils and developers will have a clear definition of ‘affordable housing’, making the provision of affordable housing an objective of the act. The bill allows councils to have voluntary agreements with the inclusion of affordable housing on land to be developed. Councils will be helped to bring in voluntary agreements for affordable housing with a range of supports, including, as I said before, the definition of affordable housing, a model voluntary affordable housing agreement and non-statutory ministerial guidelines on policy objectives relevant to negotiating an agreement. Quite simply, the Andrews government believes people should be able to afford a home in which to live. In addition to the great steps outlined in the May budget, this bill provides a further mechanism to achieve that.

In addition to important reforms to facilitate the development of additional affordable housing in Victoria, this bill includes provisions to streamline the process for amending called-in planning permits for wind farms. I know in the west of our state, including around Ballarat, the construction of wind farms is creating jobs — lots of jobs. Just over a month ago the Premier visited Nectar Farms at Stawell to announce a memorandum of understanding for a project that will build a huge wind farm, provide battery storage and allow the expansion of the Nectar Farms operation. I will just quote from the Premier’s media release:

Nectar Farms is now looking to start work on the \$215 million stage 2 of their expansion plans, which will develop a further 30 hectares creating 250 ongoing jobs and 300 direct and indirect construction jobs.

The co-located 196-megawatt Bulgana green power hub backed up by a 20-megawatt battery will make the expansion a reality by providing the secure and affordable energy that Nectar Farms needs for its hydroponic greenhouses.

Adding to the wind farm building blitz in western Victoria, the 56-turbine \$350 million wind farm is expected to create another 800 direct and indirect jobs during construction, with a further 19 ongoing once built.

From the number of jobs being created just through this one project it is easy to see the great value of wind

farms to our state. More than 1300 jobs connected to just one project is not something to be sneezed at. That is not even to mention the environmental benefits.

The minister's second-reading speech outlines the current situation requiring changes to the process of amending permits for wind farms granted after a call-in by the minister:

Currently it is mandatory that any objection to an application to amend a called-in permit be referred to a planning panel where that objection is made within time. The panel must hold a hearing and give interested parties the opportunity to be heard. The panel process takes several months minimum due to the hearing process, and the time taken to write the panel report. This process can also increase an applicant's costs, due to the need for legal representation, expert witness reports and panel costs.

The minister went on to explain that a planning panel is not required where the permit was issued by a local council rather than by the minister after calling it in. The position of objectors to the proposed amendment will still be heard and their objection considered as part of the minister's decision-making process, but importantly this will be able to occur in a more timely way than is currently possible.

The bill contains a number of changes that are proposed to be made to the Building Act 1993 and the Building Amendment (Enforcement and Other Measures) Act 2017.

I just want to talk about a technical amendment. The minister's second-reading speech clearly outlined the need for this amendment. He said:

The current provision provides for immediate suspension of a registered building practitioner if the practitioner is insolvent under administration or is an officer of a body corporate that is insolvent under administration.

The minister went on to describe that amendment. Any action to suspend the registration of a registered building practitioner who is insolvent under administration or is an officer of the body corporate that is subject to external administration has my full support. Victorians place huge trust in registered building practitioners. In many cases their life savings are at stake, and we need to make sure that every registered building practitioner in Victoria is able to live up to the trust that is placed in them.

The bill before the house does a number of important things. It better facilitates the construction of affordable housing in Victoria, and for all the reasons that I talked about before, that is really important. It provides for a better process for consideration of proposed

amendments to certain wind farm permits where the original permit was granted after a call-in by the minister. That means jobs in this state. It makes changes to the Building Act 1993 to ensure the Parliament's intention is achieved as well as bringing the prosecution of indictable offences in the Building Act within the purview of the Victorian Building Authority. These are very worthy changes, and this bill has my full support. I wish it a speedy passage through the house.

Mr SOUTHWICK (Caulfield) — I rise to speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. This bill covers a number of areas. Its purposes are to facilitate affordable housing supply, to modify the requirements for determining certain applications to amend wind farm planning permits and also to make amendments to the Building Act 1993 and the Building Amendment (Enforcement and Other Measures) Act 2017. It looks specifically at some of the areas regarding permits relating to wind farms. I want to make some comments about housing affordability and the second purpose of the bill, which deals with wind farm permits and the proposed changes to the application process there.

There is no question that Victorians are doing it tough when it comes to cost-of-living pressures. Housing affordability is an important part of the cost of living. I am sure many of us would agree and would have a lot of examples of people struggling to purchase their first home, many having moved further and further away from where their families have lived and where they have lived for most their lives because of housing affordability. I know that a lot of people live in my area specifically for religious reasons and because of the amenity that is provided for that, but unfortunately, because of skyrocketing prices, they are not able to live there anymore. They are not able to get into the market, full stop.

Whatever we can do to assist in that is very important. There are a number of questions in relation to his bill in terms of what it does for the overall housing market — such as what it does to the rental property market and what it does in terms of developing an effective low-income test. There is the potential to create uncertainty and distortions in the sale and rental markets and to create difficulties in terms of ongoing regulations to ensure appropriate access to affordable housing. The intent is very important, but there are a number of issues with this bill when it comes to the area of housing affordability.

It is very important to state that housing affordability is one important component of the cost of living. The issue of cost of living has been raised by a number of members in this house. It includes a whole range of things, including the cost of being able to put food on the table, which includes the cost of supermarket goods and the cost of power, which I will spend a bit of time talking about.

There was a report done recently by Coles, one of the major supermarkets, which assessed pricing and affordability in terms of groceries in every state. Victoria ranked the highest in the nation in terms of cost-of-living pressures. That study found that 23 out of 80 local government areas in Victoria fell into the top 20 per cent of cost-of-living pressures, the highest percentage of any state or territory. Close to 60 per cent of Victoria's local government areas — 58.8 per cent — fell into the top two cost-of-living score ranges. To have the reputation of being the highest in the state when it comes to cost-of-living pressures is a reputation that no state would want, but unfortunately that is the reputation that we have under this current government, which is intent on pushing up every element of the cost of living, and the best example of that is power prices. Every Victorian is experiencing the full front of power increases due to poor policy by the Andrews Labor government. They had a very, very big —

Ms Green interjected.

Mr SOUTHWICK — The member for Yan Yean can carry on all she likes, but she knows that this government had an important decision to make when it came to the closure of Hazelwood power station. They allowed Hazelwood to close within five months of it making the announcement that it would close — five months. Initially the government said, 'This won't be a problem. The closure of Hazelwood and taking 22 per cent of supply out of the market will do nothing to power prices'. The Premier in fact said there will be a 4 per cent increase in power prices at worst and that it would result in about an 85 cents a week increase in cost of power for each and every Victorian. What a joke! What an absolute joke and a disgrace for the Premier to make those sorts of claims, knowing full well the dire situation that we are now in.

This government still has got its head in the sand when it comes to power prices. The Minister for Energy, Environment and Climate Change says, 'It's all a supply issue. We get more supply in the market, we reduce power prices'. Well, der — of course we do. But what does this government do? It closes down a power station and takes 22 per cent of power out of the

market. Rod Sims, the chair of the Australian Competition and Consumer Commission, last week said on ABC 774 that when you take out one of the main electricity generators, such as Hazelwood, then you have a net result of power prices going up, and that is what has happened to each and every Victorian. We will see between now and November 2018 many examples of businesses going to the wall, of individuals having to struggle to heat their homes and of them having to make important decisions, due to this government's failure when it comes to energy policy. Only on the weekend we saw struggling pensioners, retirees, families and singles cutting back on heating, food and holidays to cope with the rising costs of essentials, such as energy bills.

One in five Victorians who responded to a FiftyUp Club member survey ranked energy bills as the nation's most important cost-of-living pressure. We are seeing situations where many Victorians are going to bed early because they cannot afford to keep their heating on and would rather keep warm under a blanket. We are seeing some people not being able to have hot showers and effectively turning their hot water off. This is an absolute disaster, and it lies fairly and squarely with this government.

When it comes to the wind farm change proposals that we have got here, it is quite ironic that we have had a government that went to the election saying, 'We are going to fast-track these wind farm permits. What we are going to do is take the decision-making away from the local authority. We are going to give the minister power to be able to rubberstamp and sign off many of these permits'. Well, I can tell you, as the shadow minister that also has responsibility for renewables, I have spoken to many of those wind farms that have been struggling to get decisions out of the minister's office. The fact is they have been sitting on the minister's desk for up to 18 months — sitting there waiting for a permit for such a long time. From what I have been told, it is because one person is sitting in the planning department who has total responsibility for this whole area. This is so important to the government in terms of kickstarting their renewable plan for more energy that you would think they would devote a little bit more time to it. Instead what we are doing is again more of trying to change things back and giving even more power to the minister when it comes to this at the expense of those in the community.

We think that certainly an energy mix is important. We think that, yes, we need to have a complete energy mix which includes renewables but is underpinned by baseload power — absolutely important. This is in

contrast to the Labor Party, which wants renewables at the expense of everything else, including baseload power. But what we see from this government very clearly is that they are happy to fast-track these wind farm permits at the expense of their local communities to ensure that local communities do not get a say. We know the mistakes that were made in the past. There are many examples of wind farms that have been put forward with very, very little consultation. The best way for these major projects — very huge towers of the size of skyscrapers that we see in Melbourne's CBD — to live harmoniously in a community is to have proper community consultation. We want to ensure that the local communities have the ability to be on board with these sorts of things that are going to exist in their communities and that they are not being steamrolled and the decisions being made wholly and solely in Spring Street.

These are very important decisions, and I think what the government are doing is they are reacting very, very quickly to the energy crisis that they have. I do not agree with much from the Greens — absolutely very little at all — but the member for Melbourne made a very valid point. Here is a government that is pushing for a Victorian renewable energy target (VRET). We are still waiting. They announced it more than 12 months ago, but we are still waiting for details about that target. Instead they are rushing out and approving projects with no details of what their VRET will be. We need this government to get off their backsides and the minister to do a bit of work, to release their renewable target, whatever it is going to be, and at least give some understanding and certainty to the market, not an increase in the cost-of-living pressures that each and every Victorian faces thanks to an incompetent government.

Mr PEARSON (Essendon) — I am delighted to make a contribution on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. I will be confining most of my comments to the affordable housing elements of the bill.

It has been said that Australia's relationship with property is not dissimilar to the Americans' relationship with firearms. There is a deep-bedded relationship between the Australian people and property. It is interesting that during the break the HILDA survey — *The Household, Income and Labour Dynamics in Australia Survey: Selected Findings from Waves 1 to 15* — was released. I have been reading that today, and it is quite a good read.

What we have seen as a society and a community is that from, say, 2009 to date — from 2009 to 2016 — is a massive increase in property values. If we look at metropolitan Melbourne — and I have obtained the statistics from the valuer-general via the parliamentary library — the median house price in 2009 was \$418 500. In 2016 that figure was \$635 000. If you look at full-time average total earnings in 2009, people were earning \$64 896 gross, and in 2016 it was \$82 804. We should bear in mind that during this seven-year period — and we are looking at metropolitan Melbourne — the value of a home has increased from 6.45 times gross earnings to 7.67 times gross earnings. Just in a very short period of time, that is a huge increase. Running concurrently with that is that if we look at the dollar in terms of net present value, we have actually seen household income over the course of that seven years effectively decline.

I looked at the HILDA report in terms of median household income in 2015 prices. In 2009 it was \$77 411, and in 2015 it was \$76 225. So we are looking at a set of circumstances where we have seen rapid value uplift in terms of property values, but we have seen real incomes stagnate or decline since 2009.

I listened to the member for Melbourne's contribution, and it was a disappointing contribution on many levels. What struck me about the member for Melbourne's contribution was that she does not really seem to appreciate the problem that her electorate confronts, nor does she have any appreciation for a viable solution to tackling it.

For those of you who do not know, the electorates of Essendon and Melbourne share a common boundary, being Racecourse Road, so many of our communities overlap and many of the issues that we deal with are quite similar. We have both got large public housing populations. A case in point in terms of the laziness demonstrated by the member for Melbourne is seen when we look at median gross household incomes to median house prices. In preparing for this bill I thought I wanted to look at my electorate, particularly Ascot Vale and Flemington. Back in 1994–95 the price of a house in Ascot Vale was 2.8 times the size of your gross income; in Flemington it was 2.4 times. By, say, 2000 it was five times in Ascot Vale and 4.2 times in Flemington. By 2009 it was 8.4 times in Ascot Vale and 7.8 times in Flemington, and in 2013–14 it was 9.4 times in Ascot Vale and 9.5 times in Flemington. Clearly what is going on in inner urban areas is that we are seeing a rapid increase in home prices that has occurred over a very short period of time. Effectively

what that means is we are looking at people being locked out of the market.

I assume that the member for Melbourne, like other members, wants to have good public services available for her constituents. I know I do. I know that in the schools my children attend I want really good teaching staff. I want to make sure that if my child falls ill and I have to go to the Royal Children's Hospital at 3.00 a.m. I am seen by a qualified nurse, that if there is an incident where I need the services of the Metropolitan Fire Brigade they will be on the scene, or that if there is an issue around community safety in my community, sworn officers of Victoria Police can come to my address or wherever I am at short notice. All of the people in these occupations by their definition earn an income that is average in terms of weekly earnings. That is just the reality.

The issue, though, is that you need to make sure that people have the ability to live close to where they work, otherwise you end up with an almost economic apartheid whereby we want to have good services provided to us but we do not want to provide homes in our communities to enable these people to live there. We are seeing that at the moment in terms of the public housing regeneration that is occurring in our communities. We are seeing those communities changed and altered by having the private owner, the private renter and the public housing tenant all living together. That is going to see an uplift in density, yes, but it ensures that there is affordable housing for people living in inner urban areas. There is clearly market failure at work. When you have a set of circumstances where someone 25 years ago could buy a house for 2.8 times their gross income and now it is at 9.7 times their gross income, there is market failure. There is a requirement to make sure that action is taken to address that and to ensure that you provide affordable housing for key workers to provide those key services.

The member for Melbourne in her contribution talked at length about this almost utopia of broadacre public housing estates. I am not sure quite how much time the member has spent in her public housing estates, but I certainly spend a lot of time in mine. The concentration of poverty, disadvantage and economic exclusion has a deleterious impact upon those people who live in those communities and particularly their children. The member quoted Kate Shaw. I am not sure if the member has read Kate Shaw's work; I certainly have. It is 25 pages of anecdotal stories of public housing tenants who live in Kensington and Carlton for which she asked those tenants to tell her what they think about the redevelopment that occurred a few years back. It is

intellectually lazy. It is a lightweight piece of research that has been bandied around as some sort of evidentiary base to stop the renewal of public housing dwellings.

What I would encourage the member to do, if she is so inclined, is to read the work of Professor Raj Chetty from Stanford University. Raj has looked at taxation returns — albeit in America — and income returns across America, and this is overlaid with a racial lens. For example, if you are looking at a town like Atlanta, Georgia, which is a highly segregated community, the chance that a child born in the bottom 20 per cent of the community can reach the top 20 per cent in their life is 4.7 per cent. If you look at Sacramento, which is an integrated community and where there are broad network advantages, it is around 11.7 per cent.

So if you actually care about the people who are represented in this place, if you care about their children, if you care about breaking down economic dislocation and disadvantage and if you care about creating a more equitable and fair society, it is not done by creating ghettos and it is not about recreating the slums of the 20th century and making them the slums of the 21st century. It is about making sure that people have the ability to live with other people who might have jobs, who might have better educational standards and who might be able to provide a level of comfort and support to their neighbours. That is the pathway forward.

The reality is that a bill like this is just so vitally important, because we need to make sure that we create a far more just and equitable society. What we are seeing at the moment are these massive changes that will give you a set of circumstances — through no fault of the people themselves — where people are excluded from being able to participate and have access to capital. If we have a rigid, stratified, class-based society, that is not in society's interest and it will lead to a weaker community. With those brief comments, I commend the bill to the house.

Ms BRITNELL (South-West Coast) — I rise to speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017, which deals with several matters, including some changes to how certain wind farm planning permits can be amended — a key issue for my electorate. The bill also looks at facilitating affordable housing supply and makes several building-related amendments, but I will be focusing my contribution on the wind farm planning permit amendments. I note that I am reserving my position on this part of the bill while

not opposing housing affordability measures and supporting amendments to the Building Act 1993.

I have deep concerns that the changes to called-in planning permits will take away the opportunity for communities to have their objections to amended wind farm permits heard. Renewable energy is an important part of the energy generation mix, and I am supportive of that, but this proposal simply aims to reduce time for developers and ensures the government will reach its unrealistic renewable energy targets. Renewable energy supports jobs in my community, and it is good to know that there is some use for the prevailing winds we get — we certainly get a lot of them and, let me tell you, they are not welcome in the dairy at 5 o'clock in the morning — but we cannot rush the shift to renewable energy. As AGL put it:

We can't just switch off today or things won't switch on tomorrow.

They are taking a responsible approach to changing their energy generation mix, and we as a state should be doing the same. Energy needs to be affordable and reliable. At the moment renewables cannot offer that alone, but as technology changes, the capabilities of renewables may too. But at the moment we have to be able to keep the lights on, keep warm and ensure we have enough baseload power to do business, manufacturing and farming. A whole range of other industries need reliable and affordable power to ensure sustainable economies which can then afford reasonable environmental management that is responsible.

These proposed amendments will be applicable to three wind farm developments in my electorate — Ryan Corner, Woolsthorpe and Hawkesdale. Permits for these wind farms were issued up to 10 years ago. Amendments have recently been lodged to decrease the number of towers but to make them much bigger, making them stand between 126 metres and 180 metres tall and have red flashing lights on top.

I will disclose now that the Woolsthorpe wind farm will have towers on the boundary of my farm, the closest one being 1.75 kilometres from my home. Turbines will also be adjacent to other land that we lease, but I have not objected to wind farms in the past. My concerns are not about the wind farms themselves; my concerns are around the changes to permit amendment processes that would not apply to other building permit processes.

The changes proposed for the Hawkesdale wind farm will mean much taller towers, with the closest tower just over 1 kilometre from the Hawkesdale township boundary. This is a town with a kindergarten,

swimming pool, P-12 college, shops and a pub. The wind farm will not just be in the backyard of one or two people; it will be in the whole town's backyard. Just for reference, the clearance between the West Gate Bridge and the Yarra River is 58 metres. These towers will be almost three times that in size. There will be 31 of them dotted around the landscape, with red lights flashing on top of them. That is just one of the farms. There are three, and they are all starting to line up. I am not going to get involved in the discussions around infrasound and noise that people have been talking about for some time, but I will say while there is conjecture over this issue there is some fear within the community.

The Woolsthorpe wind farm, which will be next to the Hawkesdale wind farm, also has requested amendments to have fewer towers but increase their size, and it is the same at Ryan Corner not far down the road. At the moment any objection to an application to amend a permit that has been called in must go to a planning panel. That panel gives interested parties the opportunity to be heard. What this government wants to do is skip that process for called-in wind farms; rather, any objections will be sent to a standing committee. Essentially this will mean proper planning processes will not apply. Community voices are essentially being ignored. The government is setting up a process to make it easier for the wind farms, which may be contentious for whatever reason, to be built. The panel process for the Hawkesdale wind farm began this week, with community members and other interested parties being able to have their say. In terms of the Hawkesdale wind farm, what happens if these changes are legislated before the process is finalised? Will it just stop? Are these changes retrospective? Will the community's objections be ignored?

If this happens for regional Victoria for wind farms, why cannot it be the same for developments in the city? If the developer of a new apartment building has a permit for the approval of, say, a 30-storey building, they cannot just go back and change the plans to make it 80 storeys; they have to reapply. It should be the same for wind farms. According to the Melbourne City Council, a developer would have to apply for a section 72 amendment to change the permit preamble or permit conditions or make significant changes to the endorsed plans that may have an impact on other properties. Melbourne City Council states the decision-making process and appeal rights for a section 72 amendment are the same as those for a new planning permit application with one exception — sometimes VCAT decides that a permit or part of a permit issued cannot be amended by the responsible authority. This restriction will be on the

permit, and that means the permit or part of it can only be amended by VCAT.

Why would this process be any different in the country? I would consider a 50-metre change in tower height to be a significant change, so why would it not be treated as a new permit application? Why shouldn't the community get to have their say? These are permits that were issued almost 10 years ago, and suddenly the companies want to make a significant change to their plans. To me the fair and reasonable thing for them to do would be to apply for a new permit and let the process begin again.

I have had constituents visit my office concerned about the amendments to the Hawkesdale wind farm. Many of them did not object originally; they were okay with it. Then a second application was made, and then a third, and suddenly the town was surrounded. One farmhouse will have wind towers on three sides. Two are proposed to be right on their boundary, meaning access tracks to their farm will be impacted. They have been offered trees to help negate the visual impact, but they would have to plant the trees right at the house to block the view of a structure 180 metres tall. People live in the country to have open space; they do not want their homes to be surrounded by trees metres from their door, blocking them in. One constituent feels the approach to wind farm planning is haphazard, with no real consideration given to where turbines are being built.

As I said from the outset, my contribution is not about the value or worth of wind farms; it is about a balance, ensuring communities and other interested parties have the opportunity to make their case and have their concerns heard.

Mr McGuire (Broadmeadows) — This bill is important because it aims to pave the way for an increase in affordable housing developed by the private sector. This comes at a critical time, when we have mortgage stress, when we have wages growth flatlining, and we have a proposition that is about a generational issue as well — about how first home buyers get their opportunity at the great Australian dream.

This bill introduces a new definition of affordable housing into the Planning and Environment Act 1987 and provides for the Governor in Council, on the advice of the minister, to make an order specifying a range of household incomes as a very low income range, a low income range and a moderate income range for the purposes of the definition of affordable housing. Currently councils can make voluntary arrangements with developers to provide a portion of affordable

housing in a development; however, there is no consistency in approach, no guideline on the structure of agreements and no legal definition of what constitutes affordable housing. This creates the problems of uncertainty, inefficiency and ambiguity, and the lack of a legal definition can lead to challenges at VCAT and ultimately a failure to deliver affordable housing — the key proposition at the centre of this bill.

These changes provide the legislative backing for voluntary agreements between councils and developers, providing certainty about how affordable housing schemes can be applied. Through the provision of accompanying non-statutory ministerial guidelines, the matters that a council can have regard to when negotiating agreements will be listed, improving the transparency and consistency of affordable housing agreements. That is a clear proposition that is in the public interest. You will be able to see what the deal was and what the dividend is for affordable housing. With a legal definition and greater guidance on the structure of affordable housing agreements, the hope is that there will be an evolution in the affordable housing sector as developers, councils and housing associations increasingly make use of the planning mechanism available.

The Victorian government is implementing the proposition in the housing strategy *Homes for Victorians* by facilitating the provision of affordable housing through the planning system. This bill enables a responsible authority — and usually that will be the council — to enter into a voluntary agreement with a landowner for the development or provision of affordable housing. Affordable housing agreements are intended to be voluntary. It will not be possible to condition a permit to force a developer to enter into an agreement. Really what the government is looking to achieve here is getting a better balance and delivering what needs to happen. I represent a community that is right at the heart of this issue, and historically we have had neglect of the proposition of housing. What we now need to do is to come up with these better partnerships that will deliver affordable housing.

Here is the opportunity: the Broadmeadows electorate is only 16 kilometres from the centre of the world's most liveable city. It has blue-chip infrastructure — it has two train lines in, it has a spur into the Ford site, which is the size of a suburb, it has the Tullamarine Freeway, which the Andrews government is widening, it has the ring-road and it has the curfew-free international airport at the back door. So this is prime real estate.

It is not just as you have heard me through the *Creating Opportunity: Postcodes of Hope* strategy articulating this; the market is catching up. The reports in the local paper have recently put the rise since March at about 17 per cent in this community. So I have given you all the best property tip you are likely to get for a long time on where you should be looking. This is the new vision and the new plan. We are putting forward that we can actually unlock the value of the almost 2000 old housing commission pastel-coloured concrete homes that were built in the 1950s for the 'factory fodder', as they were then regarded. How can we unlock the value of them being on almost a quarter of an acre block, take out the stigma of the old housing commission and redo them in a way that looks at what is an enlightened 21st century method of having public-private social housing? How do we unlock the value of this?

I note that the Minister for Planning and former housing minister is in the chamber. He has been part of putting up a model for what was the old Mews estate, now Valley Park. That has taken an area that was derelict and had crime and major social problems and is helping to turn that around. The creative response that came from the developers — and from memory it was Australand that won the public tender for this — was to come up with something that is much more enlightened for the 21st century and provides better homes.

So these are the issues that we have been wrestling with. There is obviously a historic context to areas like Broadmeadows. I remember citing the 1956 *Report of the Royal Commission to Inquire into the Operation of the Housing Acts of Victoria and the Administration of the Housing Commission*. I quote from that report:

Poor housing conditions result directly in physical illness and indirectly in tensions and dissatisfactions which cause broken homes, drunkenness and juvenile delinquency, leading to vice and crime. In this connection, poor housing conditions do not necessarily mean small frontages, leaking roofs and lack of facilities. It may involve a solid structure, put up in the wrong place, without thought to the requirements of life other than mere shelter.

Here we are in the 21st century with a wonderful opportunity. It really underscores one of my arguments about getting a city deal and a regional deal for Melbourne's north with the commonwealth government. The connection there is that city deals made between the Australian state and local governments are designed to make our cities better places to live and conduct business. They provide a mechanism to renew cooperation beyond partisanship. Through city deals, governments, industries and communities will develop collective plans for growth

and commit to the actions, investments and reforms needed to implement them.

This is an opportunity. When you look at what are the new industries and the new jobs that we need to create, this is the prime position in which to do it. Housing is a critical proposition. This is the chance to do it. I see in the report on mortgage stress that even some of the communities within this area are going through that issue as well. So it is the culmination of deindustrialisation, it is the culmination of mortgage stress and it is the culmination of large numbers of poor people being put into an area where there is the highest unemployment in the state.

That comes to what is our creative response, and that is one of the key propositions that we are looking at. Australia's major cities are facing a severe reduction in affordable housing, with 15 per cent of Victorian households currently suffering housing affordability stress whereby housing costs absorb more than 30 per cent of total weekly household income. Coupled with the increasing lack of social housing stock, housing has reached a crisis point for many low income earning Victorians unable to rent privately. This problem is exacerbated when concentrated in suburbs with high levels of disadvantage, and that is the issue that I am raising — that Broadmeadows is not just one of these; it is top of the list in these categories. Therefore it is imperative to analyse the options for future renewal of the housing market, drawing solutions back to the area's local context in order to predict their effectiveness.

This is where I am trying to see opportunity from adversity and how we can come up with a vision and a plan. I put that forward in *Creating Opportunity: Postcodes of Hope* as a strategy to do that and get a coordinated proposition, because that is always what this community has suffered from — a lack of a vision and a plan that can be delivered over time. This bill goes to being another part of the architecture that will allow for such ingenuity and innovation to perform and deliver on behalf of these communities that need it most.

Mr CRISP (Mildura) — I rise to make a contribution to the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. The Nationals in coalition are not opposing this bill.

The purpose of the bill is to amend the Planning and Environment Act 1987 to facilitate affordable housing supply, to modify the requirements for determining certain applications to amend wind farm planning

permits and to make some amendments to the Building Amendment (Enforcement and Other Measures) Act 2017 and the Building Act 1993. Really it is about housing affordability, it is about some aspects of our wind farm planning permits and it is about illegal building and how that is enforced within the building industry.

I will talk about affordable housing first. The bill amends the Planning and Environment Act to introduce a new definition of 'affordable housing' and enables the Governor in Council on the advice of a minister to make an order specifying a range of household incomes as very low range, low range and moderate range for the purpose of defining affordable housing. It enables a responsible authority, usually a council, to enter into a voluntary agreement with a landowner for the development or provision of affordable housing and also makes sure that councils cannot force a developer into an agreement. It looks at some of the issues there, and I will talk about those before we get to wind farms.

When it comes to security in life, it is about a job and a roof over your head. The provisions are interesting, and I will be watching very much how they roll out in Mildura. Mildura, like any other place in Victoria, is looking for some affordable housing, and it is very much in the realm of how the Mildura Rural City Council and those who develop housing go about this task. Mildura Rural City Council have been very cautious in how they approach these matters, and that is as a result of them having a statutory planning department and being naturally cautious about how development occurs. To look at how we can go about this, I think Mildura Rural City Council will need to decide if affordable housing is to be a focus for them. Then they will need developers who are confident to work with the council.

For the legislation to provide a benefit, a lot of goodwill will be needed between the community, the council and the developers. Some of the developers in Mildura do attempt to provide affordable packages, and in order to do that they have to look at their costs and how they can go about making housing for this category of people that we would like to help out more affordable. There are issues with density, there are issues with costs, there are issues with fees and charges and there are issues with delays. These are very much for the community, through their council, to decide. These are the costs that are involved in developing a piece of land, building a home on it and making it affordable.

Many of these costs are in fact beyond the developer's control, but they very much affect affordability. The

challenge here is to see what the Mildura council can do in building a partnership. Particular issues that do come to me include the fees and charges regime in local government and certainly the delays in some of those processes. If you are a developer, every day that a project is delayed costs money, and that money has to go on to the cost of the housing, which again is affecting the ability to make the housing as affordable as possible.

A recent example that could be used to show some of the issues that are faced here is that of Telstra provisioning within a housing estate. That is a two-stage process where a developer must put the pits and pipes in to service the subdivision and then he must pay Telstra to put the cables in. Depending on where you are, councils have different views about when they consider that the provisioning has been required. Some councils accept that the pits and pipes and the payment to Telstra will satisfy that provisioning regime. Other councils want to wait until the cables actually go in the ground. In Mildura we have had an example of where this has delayed the issuing of titles for up to six months.

Mr Wynne interjected.

Mr CRISP — The minister interjects, and very wisely. I was about to get to that. In order to solve that particular issue, the minister's office intervened to give the Mildura council some comfort to get on with a winery. However, Minister, the not-so-good news is that a housing developer was back in my office saying that the issuing of titles was held up, that in that particular case the council had taken comfort from your letter but it had not been able to take comfort in the housing. It is an issue that is ongoing. It is a separate subdivision and perhaps separate to what this bill provides. However, it is a matter that will be subject to ongoing discussion. Those sorts of issues add costs in, and they are costs that deliver little benefit in trying to make housing more affordable. They are the challenges that we face and we need to work through.

Briefly I want to discuss a couple of the other issues, including the wind farm permit issue. Mildura does not have any wind farms as yet. They are very close to the boundary of my electorate but not quite there yet, so I cannot really comment other than to talk about some of the initiatives and to take a moment of the Parliament's time to pay tribute to Ken Cobden, a gentleman who a decade ago decided to start to build a wind turbine in his backyard. Ken is a very, very experienced pilot in Mildura. I spent a lot of time with Ken sitting in a plane going various places, and we talked about this a lot.

Ken completed a design which was probably one of the best amateur or non-large designs I have seen in a while, so well done to Ken. The prototypes that Ken worked with are probably about the only ones I have seen in Mildura, so this is one for other areas.

A number of the members mentioned energy. I would love to talk on energy, but perhaps that is for another day. The bill amends the Building Act 1993 to clarify the new indictable offences under the Building Act, providing for significant fines and jail time for people found guilty of illegal building work, under the recently passed Building Amendment (Enforcement and Other Measures) Bill 2017. The bill removes the ability of councils to administer and enforce indictable offences under the act. I think these are reasonable efforts to be able to do that. Indictable offences are —

Mr Wynne — Serious.

Mr CRISP — Yes, they are serious, as the minister quite correctly says, and they belong with the experts. It would at times test many of our local governments to successfully proceed with that, so I think our local governments would be collectively heaving a sigh of relief to see these clauses within this particular bill. I think I have covered very much what I needed to cover. On affordable housing — which is a very important issue — I will have to wait to see how it pans out in the Mildura electorate.

Mr STAIKOS (Bentleigh) — It is a pleasure to rise to speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. It is a bill that does a number of things. It introduces a framework into the planning system for voluntary arrangements to facilitate the provision of affordable housing. It streamlines processing of applications for variations to called-in wind farm permits to reduce unnecessary time delays and costs for applicants seeking to amend permits. It makes necessary legislative amendments to ensure that councils are not responsible for the administration and enforcement of indictable offences under the Building Act 1993. I will be focusing my remarks on the housing affordability aspects of the bill.

When you consider the great program of this government since it was elected nearly three years ago, it all comes back to one thing, and that is dignity, whether that is in education, giving opportunity, giving the best possible start in life to every Victorian; whether that is in jobs, ensuring that as our economy transitions we have in Victoria the jobs of the future so that Victorians can have the dignity of work; but also when

it comes to affordable housing, and that has never, ever been more important because, as we know, the great Aussie dream of owning your own home has never been more out of reach for so many Victorians.

That is why I was heartened when the Premier released our housing affordability strategy *Homes for Victorians*, which you would absolutely argue quite rightly would be the most comprehensive strategy for housing affordability in Victoria's history. It included a number of initiatives, and I am going to go through them a bit later, but I think it also demonstrated that there is an economic imperative in investing in people being able to afford stable and secure housing.

The modelling that backs up this strategy indicates that the initiatives in the strategy could add more than \$3.7 billion in net present value to Victoria's economy and that this increased construction activity will deliver a boost of around 50 000 construction sector jobs over the next four years. They are pretty significant numbers, but there is nothing more significant than the need to provide Victorians with housing in this period of time, where owning your own home is more and more out of reach and has been getting worse for quite some years.

This bill does a number of things. It importantly introduces a new definition of affordable housing into the Planning and Environment Act 1987, that definition being:

... housing, including social housing, that is appropriate for the housing needs of ...

- (a) very low income households;
- (b) low income households;
- (c) moderate income households.

The bill enables a local council to enter into a voluntary agreement with the landowner for the development or provision of affordable housing. This has direct relevance to my electorate, and I will come to some of the current activities of the Glen Eira council in a moment. Of course these affordable housing agreements are voluntary, but this will mean that we are replicating a system that has been in place in a number of jurisdictions and has resulted in a lot of success: in New South Wales more than 4000 affordable dwellings; in South Australia over 2200 affordable units; and in California over 29 000. We are not reinventing the wheel. We are doing something that is tried and tested.

If you look at a number of VCAT judgements from across Melbourne and across Victoria, there have been

a number of situations where VCAT has thrown out an attempt by a local council to insert an affordable housing requirement into a planning permit. I can list a number here, but I will throw one into the mix from a local area and that was in the City of Glen Eira in relation to the development at Caulfield Village, where Glen Eira council sought to make the developer include social housing in the development. That was unfortunately thrown out at VCAT. The developer, as I understand it, did offer to set aside some dwellings at a discounted rate, but that really was a one-off. That is not what the affordable housing policy is.

Then when you consider the affordable housing policy in this bill, there is an important system in place to make sure that affordable housing actually remains affordable housing, even though the succession of ownership of those dwellings. Comprehensive guidelines will set out matters such as price points for social through to affordable housing for rental purchase, how subsidies should be applied in the provision of social housing and how the investment in affordable housing is retained to prevent units being inappropriately sold. These affordable housing agreements will be put into force through section 173 agreements under the Planning and Environment Act.

Currently in the City of Glen Eira we are debating the proposed redevelopment of a precinct which is now known as East Village, which has some of the last remaining industrial sites in Bentleigh East, the suburb where I grew up. It is more than 22 hectares of land; it comprises a number of warehouses, offices and factories — some in use, some not in use. Nearly half the site is currently taken up by Chassis Brakes, which unfortunately will be closing at the end of the year. There is a time for renewal. The Victorian Planning Authority is assisting the council with structure planning the site, and the council is currently negotiating with the owners of the land the possibility of a section 173 agreement for affordable housing.

So for the City of Glen Eira this strategy and this legislation are very timely because if you look at the recent census, the City of Glen Eira has a rental affordability crisis. In my electorate around 10 per cent of rental households spend more than 30 per cent of their income on rent. There is a lot of rental stress in my electorate in the City of Glen Eira. I applaud the efforts of the City of Glen Eira, now with the support of this government, through this strong strategy and through this legislation to do something substantial that will address this problem, because if I go back to the beginning of my contribution, it is about dignity.

My family are long-term residents of my electorate of Bentleigh East. When my dad bought his first house in Bentleigh East in the early 1980s he bought it for \$70 000. Back then your average house cost around three times your average wage. It is about 10 or 11 times now. It is out of reach for Victorians, and only this government has a strong strategy to address this very real problem, a strategy that includes a number of other initiatives, like abolishing stamp duty for first home buyers on homes up to \$600 000, cutting stamp duty for homes up to \$750 000, doubling the first home owners grant to \$20 000 in regional Victoria, helping first home buyers co-purchase their home with the Victorian government through the Homes Vic program and also making long-term leases a reality. These are very good initiatives, some of which I note might be picked up by the commonwealth. So this, again, is an example of Victoria leading the way. With those few words I support the bill, I commend it to the house and I wish it a speedy passage.

Mr RIORDAN (Polwarth) — I rise to also speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017, which could almost be described as a Trojan horse bill. This bit of legislation, like the one we saw with the Country Fire Authority at the end of the last session, where some quite valuable and useful legislation was brought to the house wrapped up in a whole bunch of other nonsense, is the government continuing its tradition, straight out of the blocks for the start of this session of Parliament, and attempting to do the same thing.

The member for Bentleigh gave us a lovely little chat about how unaffordable housing has become in Bentleigh, a suburb in which he grew up and knows well. I have great sympathy for that as someone who has also grown up and lived my life in my electorate. I think it is an absolute damning indictment of this government that their way of making housing more affordable in my electorate is to let planning run wild, go loose and have no community involvement. I can suggest to the member for Bentleigh that if he would like to lower house prices in Bentleigh, let him get the Minister for Planning in Bentleigh and start whacking up permits that are 10 years old and altering them without consultation with the community. If the people down there think a sky rail is a bit of a problem, that has nothing on what uncontrolled wind turbine development is doing in very, very important and pristine parts of —

Ms Ward — On a point of order, Acting Speaker, I would suggest that the member is quite early on in his

speech straying from the body of what this bill is actually about. I do not know that wind turbines, or what he refers to as a sky rail, has really got to do with this legislation. I ask you to direct the member to focus on the legislation at hand, and he might be better off referring to his own electorate instead of somebody else's.

Mr RIORDAN — On the point of order, Acting Speaker, I draw the member for Eltham's attention to the fact that half of this legislation refers to wind turbines and the unabated, uncontrolled way that the minister can inflict harm, pain and misery upon thousands of people across my electorate. So I think it is entirely relevant. We are talking about housing affordability, and my city colleagues are bemoaning the fact that they are now paying 12 times their yearly wage on a house —

The ACTING SPEAKER (Mr Pearson) — Is the member still talking on the point of order?

Mr RIORDAN — I am. I am just making it very clear that the point of order is a pointless point of order.

The ACTING SPEAKER (Mr Pearson) — I know we are very excited about it being our first day back. It has been a wide-ranging debate, but I would encourage members to try to stick within the confines of the bill. I know the member was making a number of contributions, but if those contributions could be within the confines of the bill that would be appreciated.

Mr RIORDAN — Moving on, affordable housing is an admirable goal for any government of the day to achieve, and it is one that I would certainly support — any measure that can help people make that first dip into housing. However, that is not the bit that I have a concern about. My concern is about what this bill will inflict upon many, many people across my electorate and upon those who may choose to move to my electorate in the future.

We have a situation where companies, mainly foreign-owned, have put in applications up to 10 years ago or more for large, enormous, huge-scale industrial developments in otherwise pristine rural areas. For example, Berrybank, with 99 wind turbines; Dundonnell, with 96; Mortlake South, with 51; and Mount Gellibrand, with 44. They are the ones that have been sitting there for 10 years or more. These are applications that have gone through extensive community consultation. They have at times caused much angst and heartache for the people in those communities, even though communities do not necessarily want them or people have genuine concerns

about the proximity of structures that are twice the height of the West Gate Bridge and close to the height of the Rialto building, and yet the government is allowing uncontrolled wind turbine development.

These are structures, these are buildings, these are industrial constructions. For example, Mount Gellibrand alone, which is the smallest of the wind farms, requires 350 000 tonnes of rock just to put in the roadway and the facility. If you extrapolate that out across Berrybank, Dundonnell and Mortlake South, for example, you can see the scale of truck movements, of quarries and of materials that need to be acquired. Then of course these are structures that have relatively limited life expectancies.

The average life expectancy will be about 25 years, and the Minister for Planning is not taking into account what legacy they will leave — the blight on the landscape they will leave — unlike any other energy industry. I know that this government is very anti-coal and it is anti-everything else that can generate electricity, but when it comes to wind farms they are perfectly happy to blight the landscape with large-scale industrial development that has no clean-up consequences — unlike a quarry, unlike a coal mine and unlike many other forms of development where proponents have to allow for the clean-up. They have to put bonds aside and they have to make provision for how they are going to be dealt with in the future. But, oh no, not these. The local communities will be left with this legacy for eternity, having to worry about this, but they have no say in where they get sited.

One of the tragedies of this legislation is that people who originally agreed to an idea or agreed to have a wind turbine or a series of wind turbines close to where they live and where they work every day will now find themselves having agreed to or shown little resistance to something that can be changed entirely. We are seeing now that wind turbines, with changes in technology and development, can be considerably larger than before and as a consequence will be noisier. And they can now be sited within less than a kilometre from people's homes.

In one case, a particular resident in my electorate, whose husband is gravely ill, built a retirement home in a spot that meant a lot to them and had lovely views of a volcanic cone. It was a lovely place to be, but now, during this process, they will have their house surrounded on three sides by a large industrial complex and will not receive a cracker, not one cent, for that impact on their home and the way they live. And yet the minister thinks that is an okay solution. It is making

that house affordable because those people know they will never get back the money that they have invested in that home. It will be very affordable, but not very livable. It is a shame to see that happen as a result of this legislation. It would never happen in the city, and that is the shame of this.

We have heard time and time again that renewable energy is the way forward and this government has very much tied its colours to that mast, but it is coming at a cost. It is coming at a cost to people who are not able to protest loudly enough or to have a fair say. When the government is so keen on this type of energy option for the state, it makes me wonder, as a country member, where are the proposals for the St Kilda foreshore, where are the proposals for Albert Park and where are the proposals for around the MCG precinct. Where are the proposals for 220-metre high concrete structures of 350 000 tonnes of concrete leering over the seats of Brunswick and Richmond? One has to ask that question because that is certainly the question that is being asked in my electorate.

There is no equity in this. There is a veiled attempt by the government to tout its desire for affordable housing, and that is certainly a desire that both sides of the house share. But this side of the house and this member certainly do not share its desire to wrap up such a warm and fuzzy aspiration in an act that will see the wholesale destruction of a landscape and of people's right to live peacefully within their communities in a safe and hassle-free way.

Ms HALFPENNY (Thomastown) — I rise to also speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. I say at the outset that I am in complete support of this bill and want to put on the record how proud I am to be a member of the Andrews Labor government that is looking at the really difficult issues around housing affordability and renewable energy to ensure that we have a future for our kids, both in terms of living standards as well as addressing things such as the very real threat of climate change into the future.

First I would like to talk about the housing affordability part of this legislation, because in this state there are not a lot of levers the state government has at its disposal when looking at housing affordability — but at least this state government is actually trying. We are in a situation where wages are the lowest they have been in 50 years and are falling in real terms. On the other hand we have interest rates that are extremely low but the prices of houses in the state, in particular in the metropolitan areas, are sky high. It is very distressing to

see that one of the great Aussie dreams, home ownership, is becoming more and more difficult for more and more people.

The electorate of Thomastown at one time had the highest level of home ownership of any electorate within the state, but looking at the new information coming from the Australian Bureau of Statistics census this is not the case now. In the past 12 months, for example, the price of homes in Thomastown has increased by 23 per cent. The member for Broadmeadows was giving some tips about when to buy, but the boat has well and truly gone when it comes to Thomastown as we have seen, as I said, a 23 per cent increase in home prices in the last 12 months alone. Of course when we look at mortgage stress and rental stress — that is, where more than 30 per cent of a household's income is being spent on rent or mortgage — about 11 per cent of renters pay more than 30 per cent of their income in rent. The same number, 11 per cent of households, are spending more than 30 per cent of their income on their mortgages to try to buy their own homes.

When we look at this legislation and what the state government is trying to do, there is an overall plan, and this legislation talks about some of those overall objectives. In terms of the amendments we are talking about today, this is an attempt to implement a framework for voluntary arrangements that facilitate the provision of affordable housing in Victoria through the planning system. The bill gives developers, communities and local councils certainty about those arrangements and how they will apply in Victoria.

The other part of the amendments in this bill, which the member for Polwarth was going on about, are changes to allow for the continuing use of wind farms, which are incredible job creators. If you look at places like Keppel Prince Engineering — I think it was in Warnambool — it is about creating jobs in these new areas of industry and of course providing alternative energy to coal-fired power plants, which we know have a great effect on climate change.

Looking at the voluntary framework arrangements to deliver affordable housing, we are looking at things such as putting a legal definition on what affordable housing actually is in the planning environment. There is a definition and we talk about affordable housing into the future. The bill is also looking at inserting a new objective to facilitate the provision of affordable housing in Victoria so that developers and councils, through the planning schemes, can look at ensuring that

there are homes and buildings that actually can be deemed to be affordable.

The bill also inserts a new provision for councils to enter into agreements with landowners for the development or provision of land in relation to affordable housing. Those agreements will utilise the current provisions in the Planning and Environment Act 1987 relating to section 173 agreements to facilitate councils and developers entering into agreements and negotiating around planning permits for developments that will provide a balance by allocating a certain amount of homes that will be deemed to be affordable as well as the other homes in the development.

These are the issues that I think the Labor government is trying to address, in addition to the announcements in the budget around things like providing first home buyers with better deals on stamp duty and grants for first home buyers as well as providing additional support to encourage those in regional areas to purchase homes in regional areas to try to take some of the pressure off some of the metropolitan areas, to try to reduce the demand structures that are causing prices to rise.

In overall terms, this legislation, while it is very specific and looks at some narrow areas around the planning schemes for housing affordability, is another step in the right direction in terms of doing what we can to enable the next generation to buy their own homes. The unfortunate thing is that we also need a federal government that is going to also try to look at some of the things that prevent home ownership, because they have the greater levers. Of course if we are going to have falling wages, then people are not going to have the capacity to purchase their own homes and we are going to see further mortgage and rental stress, which is already increasing now.

We really need to see the federal government, the Liberal government, step up in this area to ensure that the Aussie dream of owning your own home is not a dream but in fact can continue to be a reality into the future. But they have just got too many distractions. They have got too many other issues that they are fighting and bickering about within the government rather than looking at some of the things that people really care about and that affect everyday people in their day-to-day lives. Of course housing and having a roof over your head is one of the most fundamental basic human rights. The state Labor government is looking at trying to do what it can to ensure that people have this, but it is imperative that the federal Liberal government do more in this area to ensure that people

really and truly can aspire to achieve that Aussie dream of owning their own home.

Ms STALEY (Ripon) — I rise to speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. I will be restricting my remarks to division 2 of part 2 of the bill, which refers to applications to amend referred wind energy facility planning permits. I do so because there are a lot of wind farms in Ripon and I think it is important that we understand what this legislation does.

What it does is curtail the rights of communities to raise legitimate objections to major changes to wind farms. The wind farms that we are largely talking about are legacy wind farms. There is one in Ripon at Stockyard Hill. That wind farm was called in and approved by the then planning minister, Justin Madden, in October 2010. That wind farm has 157 turbines which were originally planned to be 132 metres tall. It would have been the largest wind farm in the Southern Hemisphere. There were very significant community objections to this wind farm, and it went through a lot of processes. The original size of the wind farm was reduced because of community objections.

That wind farm project has recently been sold with a permit to increase the size of the wind towers from 132 metres to 180 metres high. For those of you who probably cannot visualise what 180 metres looks like, that is about the height of 101 Collins Street. It is the height of a skyscraper, and there will be 157 of those at Stockyard Hill. It is a travesty that this bill seeks to take away from the community any ability to object to such a massive increase in structures. It is particularly galling to know that were there to be a planning permit for a 132-metre building in Melbourne and the developer decided not to build that building but wanted to increase it from 132 metres to 180 metres, that would have to go through the full process again and allow objections. Yet if you are in the country, if you are in Ripon, this government has no intention of helping you to object to such a massive increase in size. I think that in this particular case it is just inarguable that there is one rule for the city and another rule for the country and places Labor does not care about.

To not allow communities the right to object leaves lifelong and ongoing scars in communities. People can understand if you go through an objection process with pros and cons and when all of the issues around a development are aired. That allows the community to heal at the end of that process, irrespective of the result. In the end many wind farms across my electorate, and I have many of them, are strongly supported by the

community. But the one that this bill affects has not been strongly supported by the community; it has always divided the community. To now have this legislation, which will affect this wind farm, come before us in a way that removes rights for country people but not for the city tells me about the priorities of this government.

It is utterly flawed to pursue wind energy at the cost of community cohesion. There is no need to do that. There is great support for wind energy across country Victoria. This does not need to be done. The government should not be doing this. They should continue to maintain the rights of people to object, and it is shameful that they are not doing that.

Mr DIMOPOULOS (Oakleigh) — It gives me great pleasure, as colleagues of mine have done, to speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. This is a very important bill. While the provisions on wind farms are no less important, it is interesting how the opposition choose to focus just on one aspect of the bill and not the other.

This is another commitment in the process of being delivered by the Andrews Labor government, a government that has recast the perception of governments around the country and a government that executes what it committed to execute. As others have mentioned, we have a policy of homes for Victorians, and part of what is being delivered through this bill today is contained in aspects of this policy. But that is not the only thing we are doing. Again, as some of my colleagues have already talked about, we are doing an extraordinary amount in relation to affordable housing generally, new home ownership and a whole range of other things. Stamp duty exemptions for regional Victorians purchasing a home is probably one of the most critical. There are stamp duty exemptions for homes in metropolitan areas up to \$650 000 and a cascading reduction in stamp duty for homes up to \$750 000. In my community, while homes are often worth in excess of \$1 million, many good apartments and townhouses are within that range and my community can benefit.

There are provisions that we have announced which are very bold, like the government partnering with a first home purchaser to help them afford the deposit, so the government becomes a bit of a shareholder in order to allow a new home owner to afford a property. These are really bold policies. The press release of the Minister for Housing, Disability and Ageing, when he

announced that for the first time ever and the first time nationally, states:

A \$1 billion Social Housing Growth Fund, a collaboration between government, the private and philanthropic sectors, will provide dedicated assistance to community housing associations to help support up to 2200 households.

Set up using capital provided by the government, the returns will be used as a funding stream to build new social and affordable homes, and subsidise rent for Victorians in need of housing assistance.

At the same time, the loan program — the first of its kind in Australia —

as I said —

will allow registered housing associations to borrow funds for new homes at a lower interest rate.

...

A further \$100 million in low-cost loans will also be made available to registered housing associations.

The management of 4000 public housing properties will be transferred to the community housing sector to improve services to tenants ...

And there were a whole range of other historic reforms.

As the member for Thomastown said, state governments have a fairly limited number of levers in this space, but I think we have used all of them. Of course we are waiting, as many of our communities are waiting, for the federal government to make some significant changes to the tax structure of this country to really expedite home ownership and affordability of home ownership for a whole cohort of Australians.

Federal Labor of course had the policy position of negative gearing changes announced, in summary, to get rid of negative gearing for existing properties and only provide it for new properties. It got a lot of traction in the community, I remember, but they are the kinds of things that the federal government can do to make a profound impact. As far as the Victorian government is concerned, and as my good friend the member for Bentleigh said, all the policies of this government are characterised by a sense of providing Victorians with dignity, and this is what this policy, this bill, seeks to do today.

My community, just to give a bit of context with the help of the most recent census figures, has one of the highest rates of renters in the state of Victoria. The average rate of renters across Victoria is 28 per cent. In the electorate of Oakleigh it is 41 per cent. So it is 28 per cent for Victoria and 41 per cent for the Oakleigh electorate. Of course we have got a major university in the electorate, but I think it is far more than just the student cohort. On

top of that, regarding rental stress, the average for Victoria is 10 per cent of renters suffering rental stress. For the Oakleigh electorate the figure is 17 per cent. Average mortgage payments in Victoria per month are \$1728, and in the Oakleigh electorate they are \$2000 a month. This is a material issue, in my view, beyond the average in the electorate of Oakleigh. That is why it is something that I feel very, very strongly about and have done for some time.

This bill helps shape a very important aspect of this debate, and that is really around supply because planning has a significant impact on supply. Also laws can model good behaviour and can entice parties to come together for good proposals. This is what this bill seeks to do. Getting directly to the elements of the bill, as the minister has said, it will amend the Planning and Environment Act 1987 to establish a framework for voluntary arrangements to deliver affordable housing. It does this in three key ways. It inserts a legal definition of affordable housing into the act so that there is a bit more clarity in this policy space. It inserts a new objective into the act to facilitate the provision of affordable housing in Victoria, so the act will actually have as one of its objectives the facilitation of affordable housing, which I think is pretty profound. As I said, laws model good behaviour and aspirations in a community, and this is what this bill seeks to do.

The third aspect of the amendments will be to insert a new provision to enable councils to enter into agreements, as colleagues have said, with landowners for the development or provision of land in relation to affordable housing, and those agreements will utilise the current provisions in the Planning and Environment Act relating to section 173 agreements. Section 173 agreements are pretty commonplace amongst councils. I know that one of my councils, the Monash City Council, has used them for many years now — 15, 20 years — to very good effect to effectively build multi-deck car parks around Monash paid for in part by cash-in-lieu contributions developers have made to councils in lieu of car parking. They are very good agreements. They work, and they provide a community benefit. I think this bill seeks to facilitate more of that in the affordable housing space.

Also, as the minister said, councils are already attuned to issues of affordable housing and have been introducing housing provision as part of rezoning applications and permanent applications, but they have been stymied by an ambiguous planning system that is not clear about what we want to achieve in the affordable housing space. We are going to improve that. Apart from all the actual funding and other

material differences that we are making in affordable housing in the state of Victoria, this bill seeks to change a really important aspect, which is the planning aspect, which will assist councils in making this a reality in a number of ways. One is obviously the formal way of publishing in the *Victoria Government Gazette* matters specified by the minister that a council must have regard to when entering into affordable housing agreements, so it will provide some clarity around that. Those matters will be relevant to the planning system and may include the location of housing in relation to services and public transport, amenity and household size. We will also provide non-statutory ministerial guidelines that establish the policy objectives to be considered and matters that a council should have regard to when negotiating an agreement. We will even provide a model voluntary affordable housing agreement which will include standard clauses that are examples of best practice as well as alternative clauses for achieving particular outcomes.

The bill has a lot more in it than that, including absolving councils of responsibility for indictable offences, the wind farm provisions and a whole range of other things, but I have focused my points around affordable housing because it is such a key issue. I am incredibly proud of the commitments made by this government, by this Premier, by this Minister for Housing, Disability and Ageing and by this Minister for Planning to improve, really beyond what any other state in the country has done, housing and the affordability of housing for all Victorians. This bill makes a contribution to that objective. I commend the bill to the house.

Mr ANGUS (Forest Hill) — I rise to make a brief contribution in relation to the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. I note at the outset that the purpose of the bill is to amend three acts. First of all the Planning and Environment Act 1987 will be amended to facilitate affordable housing supply and to modify the requirements for determining certain applications to amend wind farming planning permits. The bill also makes miscellaneous amendments to the Building Act 1993 and the Building Amendment (Enforcement and Other Measures) Act 2017.

We can see, as a number of other members have commented on, that the overall objective of the bill is in relation to affordable housing and the amendments to the Planning and Environment Act 1987. They do a range of things, including introducing a new definition of affordable housing and providing for the Governor in Council, on the advice of the minister, to make an order specifying a range of household incomes — a very low

income range, a low income range and a moderate income range — for the purposes of the definition of affordable housing. It also enables the responsible authority, which would usually be a council, to enter into a voluntary agreement with a landowner for the development or provision of affordable housing and confirms it would not be possible to condition a permit to force a developer to enter into an agreement.

It is interesting that there has been a lot of discussion about affordable housing, but I think one of the broader issues that we need to touch on in relation to this particular bill is the whole issue of the cost of living and affordability more generally. Obviously housing affordability is a very key component, but then if we look at that more broadly, we can see that certainly constituents, including in my electorate Forest Hill, are really suffering under the weight of significant cost of living increases in a range of areas. I suppose that is in many ways unsurprising because we can see following the most recent state budget that we have the highest taxing and highest spending government that we have ever had in Victoria's history. We can see that despite the repeated promises leading up to the 2014 election by the now Premier a whole range of new taxes have been introduced, and those taxes have had a direct impact on various aspects of the cost of living, as I say, certainly for my constituents and for most Victorians in one way or another.

If we think of just one of them — for example, the new energy tax on coal royalties — we can very quickly see the direct result of that, being the closure of the Hazelwood power station, the loss of hundreds of local jobs, the flow-on impacts of horrendous proportions on the countless other local businesses and of course the ultimate outcome in terms of higher electricity prices here in Victoria. It is ironic in a lot of ways that we are looking at this particular bill and trying to deal with affordable housing when by the same token the direct action of the current government has just made the cost of living and the overheads for most Victorians continue to increase the strain on them.

We can look at other new taxes that have come in. The land tax surcharge for absentee owners has increased, and there is also a stamp duty surcharge for foreign buyers. The fire services property levy has increased. There has been an increase in stamp duty on new cars of 1 per cent. There is new stamp duty on off-the-plan property purchases. That has a direct impact on housing affordability. There are new stamp duties on property transfers between spouses. I have spoken about this before in this chamber. That is a perfectly legitimate taxation and business planning tool, but the government

has chosen to place a further impost on that and therefore create a further cost. There is the vacant home tax through which the Treasurer works out whether or not the home that you own and use is in fact vacant under his definition. All of these things add to the cost of living.

As I said, there are increases in utility costs, but there is a whole range of other taxes and charges. The government has unleashed the burden of these tax increases onto the broader community. Responding to housing affordability is one thing, but we have got to consider household affordability as well in relation to people who in a fairly flat wages environment are trying to keep their heads above water. That is certainly what I am hearing in my electorate of Forest Hill — that people are finding it very, very challenging to make ends meet with, as I said, wages pretty much flatlining and these overheads just continuing to ratchet up year on year.

A number of things are directly attributable to the government, and this is something that the government needs to come to grips with and have a good look at. It is all well and good to bring forward a bill like this, but with it the government is attacking the vast majority of Victorians who, as I said, are struggling to keep their heads above water. That is without even looking at the people on fixed incomes. Obviously this lower interest rate environment for self-funded retirees and other older folk who are perhaps not working at all, with oftentimes fixed or relatively fixed income levels, the incremental increase particularly in utility costs as well as other costs, is creating a significant impost on them, so that is a matter that should not be overlooked. I think it has been overlooked tremendously by this government — they have ignored it. Rather than try to address it in any way, they have added to the burden, to the impost, upon the broader community. That is a significant problem for many people in our community and certainly many people in the electorate of Forest Hill.

The bill goes on to talk about applications to amend wind farm permits, and that is dealt with under the Planning and Environment Act 1987. A number of my rural colleagues have made comments in relation to that issue, particularly members in electorates where there are significant numbers of wind farms, both existing and proposed. This includes members in the electorates of Polwarth, Ripon, South-West Coast and Buninyong, where there are many wind farm projects either existing or proposed. That is another matter that needs to be dealt with at a local level, and local communities need to have more of a say on this issue than they currently do.

The bill then goes on to look at the Building Act 1993, and it makes a number of amendments in relation to some of the offences contained in that bill. As I have said, overall, and in conclusion, we need to be encouraging the government to look at relieving the impost on households, not adding to it through their ever-increasing tax grab, which is having a negative impact not only on households but also on businesses here in Victoria.

Mr CARROLL (Niddrie) — It is my pleasure to rise to speak on the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. At the outset I want to congratulate the Minister for Planning on this bill, but can I also congratulate members on this side of the house on their fine contributions, including the members for Bentleigh, Oakleigh, Essendon and Thomastown. You heard the theme coming through: ‘We are proud to be part of the Andrews Labor government, but more broadly we are proud to be part of the labour movement’. If you look at what the Andrews Labor government is doing on housing affordability and if you then look at what Bill Shorten and Chris Bowen have done on housing affordability, I believe that was what led the federal Labor Party to come within one seat of forming government at the national level.

When I was attempting to buy my home I missed out at successive auctions purely because there is a massive tax windfall for investors who are buying homes. I missed out to investors on a couple of occasions, and I literally had to be the last man standing at one auction to get my house. I know I paid more than what the house was worth, but that was what I had to do to compete with the investors. When you compare what the Andrews Labor government is doing and the levers we are pulling on housing affordability at the state level with the lack of action by the national government, the latter has literally been a policy-free zone. We all remember when Joe Hockey basically said that people need to get a better job and when Malcolm Turnbull said you have to get your parents to shell out for you. They were literally the statements coming from our national leaders on housing affordability.

Housing affordability is an emotional thing. All sorts of things are tied up that. It is well and truly the barbecue stopper conversation of the day. When you look at the price that people are purchasing homes for and the proportion of their income going to service their mortgage, it is quite incredible. In 1980 it was 16 per cent. Today some 20 per cent of a person’s income is literally going to service their mortgage. But if you look at the changes in the demographics of some of the

homes, it is interesting that families are smaller today but the floor space of new homes has increased by 45 per cent, and there are more spare bedrooms.

I know the planning minister, with a keen eye to livability, has done some great reforms in terms of saving the great Aussie backyard. I remember I did a Facebook post at the time. He announced that policy during summer, which was an ideal time to announce it, and my Facebook post on saving the Aussie backyard went through the roof. But I also know from the Moonee Valley City Council that this reform is making a difference in terms of size of townhouses and the size of backyards. It is producing a quality in products that has been missing from the market, and the planning minister should be congratulated for that great initiative.

Mr Wynne interjected.

Mr CARROLL — Exactly. But as I said, as Labor Party people, from the commonwealth to the state level, we should be very proud.

As Parliamentary Secretary for Justice I think it is very important to acknowledge the work of the consumer affairs minister and the previous consumer affairs minister, who did an outstanding job in terms of trying to stamp out underquoting. Now, through the Labor government’s reforms — particularly for first home buyers — when you go to inspect a property you will get the sales history for the suburb, you will get the report on the previous selling prices for that suburb and you can also get data on what the homes in that street have previously gone for. We are trying to make prospective buyers, particularly first home buyers, as informed as possible when it comes to purchasing a home. We do know that it is such a big investment, and it is a debate we all follow. I like following the Grattan Institute. I think John Daley at the Grattan Institute has done some remarkable work in terms of housing affordability.

If you look at history, you will see that John Howard and Peter Costello introduced the first home owner grant back in the early 2000s. In particular John Howard halved the capital gains tax concession. I watch the *ABC News* regularly, and Alan Kohler always puts up a chart. When John Howard halved the capital gains tax concession, the chart for house prices literally skyrocketed and has never come back. Only federal Labor has a policy to actually tackle that housing concession. All stakeholders are on side, but Malcolm Turnbull, with his cabinet full of multiple property

investors, particularly Peter Dutton, has not been prepared to bite the bullet.

Closer to home, though, what has been frightening me is the Maribyrnong defence site. I was very lucky to be with the member for Footscray when we had the Premier come out to have a look at that site. This site was full of contaminated ammunition. For about 100 years the site had been used and become contaminated. We had a great agreement under the previous Labor administration for about 3000 homes.

Mr Wynne — Three thousand three hundred.

Mr CARROLL — Yes. That has basically been torn up by the commonwealth government. They want to build 6000 homes, and they are saying this is a solution for housing affordability. When you have a look at some of the proposals that have been in the newspaper, we are talking basically towers — waterfront mansions. How a waterfront mansion becomes a solution for housing affordability has got me beat. I am very fortunate to have had the Premier there for a close inspection.

There is the work that is being done with the planning minister. We are very much working closely to see what we can do. In terms of the removal of contaminated waste, it is very important that that is not done with a piecemeal approach; it needs to be a holistic approach. The commonwealth government needs to work with the state government to ensure that what we do at the Maribyrnong defence land site is done appropriately. It is about 127 hectares and 10 kilometres from the Melbourne CBD. It is huge and has enormous potential, but it needs the nearby Maribyrnong tram terminus extension. The commonwealth needs to wake up to itself and work with the state government on the Maribyrnong defence land site, and I am very hopeful that that can happen.

I do want to put on record Labor's record on affordable housing. We are leading the nation. We abolished stamp duty for first home buyers on homes valued up to \$600 000 and cut stamp duty on homes valued at up to \$750 000. We doubled the first home owner grant to \$20 000 in regional Victoria to make it easier for people to build and stay in their community. Having been in Bendigo last week, I could see that it is making a real difference to young people in regional Victoria being able to get a foot in the door. We are also helping first home buyers co-purchase their home with the Victorian government through the HomesVic program, and we are making sure, through the work of

the consumer affairs minister in particular, that long-term leases are a reality.

It would be remiss of me not to highlight the work we are doing through the Royal Commission into Family Violence. The review by Marcia Neave shows that housing affordability and places to go for victims of family violence are real concerns. There is also the work we are doing to ensure that housing is immediately available for women, their children and pets, who may need secure housing quickly.

I also want to commend the planning minister for the reforms he has made across the board to residential zones. I met with Moonee Valley City Council just yesterday. The planning minister is working to bring back livability and to get the process right between general residential zones and neighbourhood residential zones. To protect the character and protect the amenity in our communities is critical.

My family has been part of the Niddrie electorate for 40 years. Airport West, the suburb where I grew up and where Mum and Dad lived for 40 years, has changed significantly. It was once a working-class suburb, but now it is very difficult to get a foot in the door. There is the tramline and the work that has gone on at Essendon Fields. The gentrification that we are all seeing every day is having a real impact.

The reform in this legislation is critical. It is critical to making sure that we do everything we can to ensure that people of all ages, including retirees, have a mechanism in place to get a house and have a roof over their heads. By amending the Planning and Environment Act 1987 we will establish the framework for voluntary arrangements to deliver affordable housing. We are amending the definition of affordable housing in the Planning and Environment Act and inserting new objectives into the act. We are inserting new provisions to enable councils to enter into agreements with landowners for development or provision of land in relation to affordable housing. Those arrangements will utilise the current provisions of the Planning and Environment Act in relation to section 173 agreements.

I want to conclude by saying I was with Premier Bracks at the opening of the Codrington wind farm. In that tradition the current planning minister is making sure that our wind farms have security and that they are a part of our renewable energy program in the 21st century. I commend the bill to the house.

Mr THOMPSON (Sandringham) — I am very pleased to join the debate on the Planning and Building

Legislation Amendment (Housing Affordability and Other Matters) Bill 2017. Housing affordability is one of the greatest challenges that we confront as a state in terms of the ability of people to manage mortgage repayments and to have sufficient disposable income, having paid utility bills, transport bills, medical bills and unexpected expenses, to have a reasonable, quiet life.

In the 1960s there was a focus on this on the part of government. It was the view of the government that if you gave people jobs and the opportunity to own their own homes, those two policies would be the basis of a worthwhile society. Land supply was an important factor, as was a growing employment base. The availability of brown coal in the Latrobe Valley enabled investment by General Motors and Ford in Victoria, which expanded the employment horizons for many people. In the postwar period as well there was the migration boom from England and southern Europe. People arrived in the state with their suitcases and were able to carve out their dreams. People from southern Europe elected oftentimes not to take Saturdays off but to continue to work two or three jobs a week to take advantage of what work was available to build a future for their families.

In terms of housing affordability within the Sandringham electorate, back in the 1960s it may have cost a person buying a new home an amount three times an average gross annual income. Some 40 or so years later, that price had increased to 10 times the average annual salary, and today it would be an increase over and above that. Relative to incomes the cost of housing has increased, and that has placed significantly more pressure on Victorian home owners and placed the market out of reach for many different people.

I place on the record the circumstances of a single mother with a couple of children, who, even in rental accommodation, has to pay a high level of rent to be able to have housing proximate to schools, public transport and employment. That high level of rent means that there is less disposable income available, so measures that are directed towards improving housing affordability are of value and benefit to the wider community.

I would like to comment on some planning issues in the Sandringham electorate because there are a number of greenfield sites coming into the market. One is on former CSIRO land, where great work has been undertaken by a former federal member for Goldstein, Andrew Robb, the Friends of the Highett Grassy Woodland, the commonwealth government and the CSIRO to quarantine a certain amount of open space on the former

CSIRO land in Highett. Places Victoria had a keen interest in that site. They were very keen to take it over. They bought a block of land that provides access to Bay Road at one end, thinking they could develop it, and I recall some very keen conversations with the experts at Places Victoria to evaluate what could be done to achieve a better community outcome by incorporating public housing on the CSIRO land and even linking it to the Gas and Fuel land owned by the state on the other side of the railway line to see what world's best practice plan could be developed for affordable housing and also for retaining good open space.

Regrettably Places Victoria withdrew from bidding for that development. They sold their land, and it is yet to be seen how that land use will be defined. In the case of the Gas and Fuel land, I recently asked the responsible minister a constituency question:

I refer the minister to the former Gas and Fuel site in Highett and a proposed amendment to the Kingston planning scheme to introduce a development plan overlay that affects the site, and I ask: will there be community consultation regarding public open space, height limits, on-site car parking and vegetation setback on the Nepean Highway side of the corridor and any other matters affecting the local community?

Public open space is a critical issue. As Melbourne becomes more densely populated and more heavily urbanised we cannot say goodbye to a way of life that postwar generations had the privilege of enjoying — with backyards, open space and places where young children can grow up and roam free in urban neighbourhoods.

The Department of Treasury and Finance (DTF), I am advised, is currently preparing the former Gas and Fuel site on Nepean Highway, Highett, for sale. DTF has not yet applied for a planning scheme amendment for the site; however, it intends to do so shortly. It is likely that the application will be exhibited and, in this event, will be available for community consultation. The land was originally approaching 9 hectares, and some land has been excised for a courthouse, but when you have a greenfield site, it is important you have a sense of vision for the next 100 years so that there is provision for netball courts, basketball courts, soccer pitches or sporting ovals for cricket, football and other things rather than so heavily building on the site that you diminish the square metres per capita once planned for that particular precinct. There is very great responsibility on the part of government and the Department of Treasury and Finance as they look at this land to ensure that there is strong provision for public open space.

I make comments in relation to golf courses. I would not urge the rezoning of any golf courses in Melbourne, as they are part of the heart and lungs of our city, and we should seek to preserve open space to the optimum degree possible. As the record shows here, there is Royal Park, Fawkner Park, Albert Park, Studley Park, Fitzroy Gardens, Treasury Gardens, the Royal Botanic Gardens and Kings Domain, and it is those open spaces that are so highly valued today. We have the capacity to make the planning decisions now that will provide important open space into the future. So there is a very high priority on the part of government to ensure that there is adequate provision for open space.

In the Sandringham electorate there has been concern regarding the lifting of height limits in Mentone. Sometimes height is not the only arbiter of good design and functionality of new developments. There can be factors such as setback, architectural finishes or the quantum of on-site parking that takes vehicles off the street. In the City of Kingston there is a mismatch between the planning vision and the reality of car ownership per household. The area around Jean Street and Garfield Street in Cheltenham is heavily gridlocked. There is limited space for car parking. Sometimes only one car park has been provided per two-bedroom dwelling, and there are many difficulties in the local area. There needs to be a greater emphasis on the provision of car parking.

Also, our population has been projected to grow, but there has been inadequate planning for that population growth, and I cite the examples of the grade separation works on the Frankston line, where at the Mentone and Cheltenham stations the loss of car parking was the result of the trench method. The only new car parking that was going to be provided was replacement car parking for the car parks that had been lost. For a once-in-100-year infrastructure project we need to be thinking about the next 100 years, because only a certain number of people are able to walk, ride or catch a bus to the station. Some do need to drive for a multitude of reasons, and we need to make sure that there is sufficient car parking.

Finally, the bill touches on wind energy. Victoria has been the beneficiary of its brown coal since the 1950s, and this has provided employment, but there are major difficulties with the cost of electricity in Australia. Wind power will not provide the baseload power that is required, and we need to provide baseload power to continue to drive employment in this state and give people the opportunity not only to have a job but also to own an affordable home.

Debate adjourned on motion of Mr BATTIN (Gembrook).

Debate adjourned until later this day.

ENVIRONMENT PROTECTION BILL 2017

Second reading

Debate resumed from 7 June; motion of Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change).

Mr BATTIN (Gembrook) — I rise on behalf of the coalition to speak on the Environment Protection Bill 2017, and I will put it on the record straight away that the opposition will not be opposing this bill. The Environment Protection Authority Victoria (EPA) is obviously a very important authority. There is not a lot of change made by this bill. Obviously one part of it is to make sure of the continuation of the Environment Protection Authority, which as we know is very important. The bill also aims to provide a new objective of the Environment Protection Authority; to provide a new governance structure for the continued Environment Protection Authority, and that is just making changes around the governance of the authority going forward; to provide for the governing board of the Environment Protection Authority; and to make consequential amendments to the Environment Protection Act 1970 and the Public Administration Act 2004.

I went on the record fairly early as saying we are not going to oppose the bill. We do not believe there are many changes in it that are going to affect too much overall in the way the Environment Protection Authority operates or the way that it will work in the future. We understand there are some parts of this that will reduce red tape, and red tape reduction obviously is a positive. We will be supporting that.

Part 1 of the bill provides for preliminary matters — namely, the purposes and commencement of the bill, which are covered. Part 2 provides for the Environment Protection Authority, a rather general part which does not deviate from the current arrangements of the EPA.

The EPA, as everyone will know, has a very important role within our community. We all know how important our environment is and we understand the importance of making sure that protections are in place and are policed, as well as the conditions of how people can work within our environment. We have seen some cases fairly recently, particularly around the fire in Coolaroo, which everyone in this house knows caused a great deal of stress particularly for residents around that

area, obviously for the businesses involved and for the firefighters et cetera who have to turn out to an event like that. Such a large fire is a big concern for the local community. Many would have seen in the media reports at the time that residents were forced to evacuate due to the smoke and toxic fumes coming from the fire. That is something that we aim not to see within our state. We do not want to see this sort of fire, obviously, at any time across the state, but to have a fire in such an area and in the circumstances that occurred was quite an issue going forward.

The EPA needs to make sure that they can go into businesses like this. They do not just need access but they need the power and authority to make sure they can prevent the stockpiling of these sorts of things — tyres, recycled waste et cetera — going forward. We know that the EPA has been to this venue in Coolaroo on multiple occasions, trying to make sure that this kind of fire did not occur, but it happened. I think we have had four fires over the past 12 or 18 months at that particular location. The Environment Protection Authority needs to have the authority to go in there and the powers to prevent such fires happening in the future, to demand that a business acts. The EPA needs to have the authority to say that the business needs to clear an area, needs to put safety measures in place and needs to make sure that they are working in the best interests of the environment of the local area. It was quite a large-scale fire that we saw there.

Another area where we see a potential risk for the future is the stockpiling of tyres. Stockpiling of tyres is something I know the member for Ripon raised with us before. We understand that at the moment the Stawell dump could contain as many as 9 million tyres.

Mr Wynne — It is unbelievable.

Mr BATTIN — That is exactly right. It is unbelievable to think that you could have 9 million tyres in one location. We have gone up there and had a look around that area. It is an eyesore. It is quite obvious. It is one of the biggest eyesores you will see anywhere in Victoria — to see that many tyres on one property. We understand that it is a private company that owns it. That is not the only location of concern. It is not just tyres but other waste; we have got a glass dump over in western Victoria. There are other areas that also have massive amounts of stockpiled waste. This one obviously happens to be tyres.

When you look at how the 9 million tyres affect the local community, should a fire go up in Stawell — and we have had fires go through these areas — you almost have to have a minimum number of fire trucks sit around that

venue. They need to make sure the tyres do not catch on fire. When we have high fire danger days I understand they have to have their own truck on site. Looking at the truck that was there when I went past, it was not exactly the greatest fire truck in the world that was sitting at the site whilst we were there. It means that the local volunteers and career firefighters will have to dedicate man hours and time to making sure that something like this does not catch on fire rather than being out where they should be, and that is either fighting the fire or protecting houses, lives and property.

I might have to be corrected on this, but I understand that a fair number of vehicles have to sit at a tyre pile like this during an event, because the last thing we want to see is a tyre pile like this catch on fire. Putting it into perspective — and I will not make any jokes about it — I understand that you can go back even to an episode of *The Simpsons* where they had a tyre fire. It actually gives you an example of what can happen, and I know it is a silly example. Imagine what that would be like in the middle of Stawell if the wind was going the right way and a fire of that scale was ignited. You are going to have trucks and staff there for weeks on end. We need to make sure that the Environment Protection Authority has the power to get rid of dumps like this and to make sure that a private enterprise can be ordered to clean up areas like this. I think that is super, super important going forward.

Other changes made by this bill provide for the establishment and functions of a new governing board of authority. It replaces the single-member authority structure and the advisory board with a governing board of between five and nine members. I think it will assist the EPA to have more than just a single person there, to actually have a board make decisions for the entire EPA.

It is providing for better, improved governance and giving the government of the day an opportunity to bring on people with the skills that are required on the scene, the skills that are required to run the EPA, the skills that are required to employ people within the EPA to deliver the things that the community expects from the Environment Protection Authority, and to bring in skills from outside, whether that is private industry or people who specialise in the environment area, to bring them onto the board and make sure that those skills are being used to set up the structure for how the EPA is going to operate. If that brings about a better operation for Victoria, then it is something that I think all members of this house agree will be a positive thing going forward.

The bill also provides for the proceedings of the governing board, the governance arrangements

regarding the members of the board and the employment of staff in the authority. This does not seem to be out of the ordinary with the traditional practice of other boards, so in looking at other boards this is quite a traditional practice, and we understand that the EPA will put this in place to make sure they have got the governing structure there.

The CEO and the chief environmental scientist currently do not have a statutory basis in the Environment Protection Act, and this will establish those positions appointed by the board. Obviously the CEO and the chief environmental scientist will get a statutory position, ensuring they can act according to what they are required to do to deliver the best outcomes.

Currently the EPA's status under the Public Administration Act 2004 is as an administrative office, which is a public service body that is distinct from the departments but which has a reporting relationship to the department secretary. Provisions under part 3 provide for the EPA to be reconstituted as a public entity, which is a statutory authority, state-owned corporation, school, board, trust or advisory committee established by legislation to undertake government purposes. It is about improving the governing authority and making sure that the EPA is run correctly.

In relation to clause 26 the staff employed in the EPA administrative office will be transferred to the EPA public entity upon its commencement. That is obviously one of the things that we had concerns about. The government has answered those questions around staffing, and obviously we are not concerned about what is going to happen with staffing going forward. They will all be protected in going across to the new authority, which will ensure they have got more powers to deliver what they need to do.

We understand that in the future there will be another revamp of the EPA structure and future legislation around the EPA and its operations. That will be determined on its merits when it comes through. We encourage the government, if they are going to change or amend what the EPA does in the future, to make sure that the focus is on how it is going to best protect the community. If you start with how it is best going to protect the community and how the operations of the EPA are structured, then I think you generally cannot go wrong as long as obviously they are going through this process, consulting and working out who the best people to speak to are, and that includes businesses, private enterprises et cetera.

As I said, the opposition will not be opposing this. We do support the idea that there is a reduction in red tape. We support it particularly around industrial waste. We want to make sure that the EPA is strong going forward. We want to make sure that the EPA has the best protections in place to work on areas particularly around these fires, to make sure that we can clean up those sites that are an eyesore across our state. I go back to what I said before: areas like that tyre pile we need to make sure are cleaned up. We need to make sure, whether it is government policy or working through the EPA, that there is power within the EPA to get rid of those things and to make sure that we are protecting the community going forward. After that short contribution today, I will say that the opposition will not oppose this legislation, and I wish it all the best.

Ms GRALEY (Narre Warren South) — It is indeed a pleasure to speak on the Environment Protection Bill 2017. At the last election the Labor Party committed to commissioning a major public inquiry into the Environment Protection Authority Victoria (EPA). This especially followed the appalling response from those opposite, given the bucket approach to the Hazelwood mine fire. The former environment minister appointed an independent ministerial advisory committee, and they consulted widely with Victorians. If you take the time to read the report of the independent inquiry into the Environment Protection Authority that was chaired by Penny Armytage, you will see just that — that they did consult very widely right across Victoria with a great range of people and organisations. I commend the members of that inquiry for their hard work and good endeavours.

The EPA is 45 years old. I remember when I was doing the higher school certificate reading Rachel Carson's great book *Silent Spring*. As I said, if you look at the independent inquiry into the EPA the executive summary starts by quoting from Rachel Carson's book. It says:

The most alarming of all man's assaults upon the environment is the contamination of air, earth, rivers, and sea with dangerous and even lethal materials.

Sadly that continues. I remember reading that book, and it began for me a lifelong commitment to improving and protecting the environment, whether it be as a local councillor and now as a member of Parliament or as a resident and an activist. I truly believe that one of our most important roles as decision-makers and as lawmakers is to provide a clear focus on our environment, because as custodians of it at the moment we have a great obligation to make sure that the environment is there for our children and our grandchildren to enjoy.

As I said, the EPA was established in 1971 and was in fact the first EPA in Australia and the second in the world. Victoria's population in 1971 was 3.4 million; it is now around 6 million and is expected to rise to about 10 million in 2050. This is a vastly different state that we live in to 1971. It is a changing economy. We have seen very fast population growth and urbanisation, and we are seeing a changing environment — people were not even talking about climate change in 1971 — and we have seen of course technological change. This means that we have to update the role of the EPA, because the challenges it faces are even more widespread. Indeed, if you are a climate change believer, as I am — I believe it is very, very real — we see it if we open our eyes every day in how the environment is changing around us and we see that the EPA needs to be updated.

It says in the report that people wanted to see the EPA modernised. People also overwhelmingly said that they thought the EPA had a very, very important role especially in protecting people's health. They also thought that the government should take the lead in supporting the EPA, and I think in this legislation we see that happening. The legislation introduces a statutory objective for the EPA to protect human health and the environment from the harmful effects of pollution and waste, to replace the existing single-member authority and EPA advisory board with a skills-based five to nine-member governing board as the authority, and introduces a statutory position of chief executive officer. It is very, very important that we make sure that the EPA can function properly and is led by a dynamic person who really understands their role, that it is clearly articulated and that they make sure that their relationship is clear not only with government but with all the other groups out there in the community that they have to deal with, including councils, environmental groups and individuals.

How many MPs in this house like me get constant phone calls about noise pollution and odour pollution? Those sorts of things are happening, and we have to make sure that the EPA has the modern tools to deal with those problems. Most importantly, the bill introduces a statutory position of chief environmental scientist, and I am very pleased to say that Dr Andrea Hinwood has already been appointed to this role. Her depth and breadth of knowledge has already been felt right across the organisation. This is a very important role to make sure that the EPA is a science-based regulator and to ensure the government has access to high-level technical advice on environmental protection matters.

It also says in the bill that only significant works approvals be referred to the Department of Health and

Human Services, and it clarifies for the avoidance of doubt that EPA staff employed by the EPA administrative office are to be taken as employees of the new EPA public entity and maintains EPA staff as Victorian public servants. These are very, very important steps that the government has taken in introducing this legislation. I do refer back to the executive summary again because these are exactly what the inquiry found that government should do, and it is doing this for obvious reasons.

We do have out there in the community a constant array of different environmental pressures and different environmental — some would say crises, but definitely problems. I know the EPA is highly regarded by our community, but in saying that the community have also been very concerned about the resources that are being given to the EPA. You will get residents ringing you up and saying, 'Look, I rang the EPA and they haven't been able to respond to this. I rang the EPA and I don't know when they're going to come out and have a look at this issue at the local tip'.

So I am very pleased to see that the government, as well as introducing this legislation, has also committed \$162.5 million over five years to implement the Labor government's response to the independent inquiry into the EPA, and this will be warmly welcomed by everybody out there in the community. We do want to see the EPA as a well-resourced, well-functioning, highly responsible, science-based organisation tackling climate change and related issues, and this money will make sure that that can happen.

I would like to finish my contribution by just saying that I am very pleased to be part of a government that takes the environment very, very seriously. We have seen across the board numerous measures that have enabled the environment and environmental groups especially to know that the Labor government is on their side. I do look forward to the day, I must admit — I have been on the public record saying this before, and I am very pleased to see that the Minister for Energy, Environment and Climate Change is also saying this — that Victoria might have to take the lead in banning the plastic bag. I look forward to that happening, I can assure you. With the waste that is accumulating in our waterways and in our natural environment by the throwaway mentality that is associated with plastic bags, surely it is time to say no to the plastic bag. I look forward to the day that that happens.

I must admit I am also on the public record as saying I am a big fan of the great forest national park, and I know that over the 10 years I have been a member of the Labor Party in this house we as a Labor government

have always been on the side of creating new national parks. I have written to the minister and to the Premier suggesting it would be a really good step in the right direction if we could get onto that page and have a great forest national park. Given the appalling record of those opposite on environmental issues, I know that it is only the Labor Party that will have the determination and commitment to hopefully make that come true sometime in the not-too-distant future.

I would like to commend the minister for bringing this bill to the house. It is a terrific bill that allows the EPA to get on and do the job that we dearly need them to do to make sure that the environment is even better in the future for our children and our grandchildren. I heartily commend this bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to the Environment Protection Bill 2017. The National Party in coalition are not opposing this bill. The purposes of the bill are to provide for the continuation of the Environment Protection Authority Victoria (EPA), to specify a new objective for the EPA, to provide for a new governance structure of the continued EPA, to provide for the governing board of the EPA and to make consequential amendments to the Environment Protection Act 1970 and to the Public Administration Act 2004. Part 1 of the bill is about preliminary matters, and part 2 of the bill is about providing for a new objective of the authority. The objective of the authority is to protect human health and the environment by reducing the harmful effects of pollution and waste.

I would like to talk a little bit about that in the Mildura context now. In Mildura, waste management, the Mildura tip, is where most people encounter the EPA, and of course EPA costs are a part of tip fees, something that is the subject of fairly regular discussion in Mildura. However, at the Mildura landfill site, as it is probably better known or should be known, we have a high degree of recycling. On that particular site a social enterprise run by the Christie Centre with a host of wonderful volunteers gives people the opportunity to recycle their materials on arrival, and there is no charge for those recyclable materials to people who are delivering what they no longer want to the Mildura landfill site. This too helps reduce the waste within the environment. It works well as a social enterprise, but any help is also gratefully received. Having received these recyclables, Aroundagain operates a market to resell them to people, and it is a popular spot to go down and have a look at what is for sale there in their recyclables area.

With this bill the aim is to reduce red tape, and of course red tape always equals costs. Reduced costs are always welcome, particularly when it comes to tip fees. This is of great concern to us because when people consider tip fees excessive one of a number of things will happen. One is that they will in fact go and dump their rubbish somewhere else, and we have to have officers, firstly, attempt to determine who has done this, and secondly, if they can determine it, place a fine. Always someone else has to clean it up. There is also another option, and that is to put it in one of the charity bins. That too adds to the load on our charities. Those charities do a marvellous job as well, as part of that recycling effort. I have spent a little time assisting the Salvation Army; in fact I put a few days of my holidays into helping them sort at their yard, and that was quite a recycling experience. Something I recommend to everyone is to volunteer for a little while and see how the recycling works.

With the EPA there are some transitional provisions. The EPA currently has its status under the Public Administration Act and is an administrative office, which is a public service body that is distinct from the departments but has a reporting relationship with the departmental secretary. Provisions under part 3 provide for the EPA to be reconstituted as a public entity with statutory authorities, state-owned corporations, school councils, boards, trusts and other advisory committees established by the government to undertake a public purpose. It brings them in line with a different category of authorities or governing bodies that are around.

Now, also as part of the EPA and that new objective, which is to protect us from the harmful effects of pollution and waste, there has been a long-time talking point — the controlled burns that are undertaken in the Mallee. This is fuel reduction, and it is necessary to protect the environment and to protect people and animals. It is undertaken by Parks Victoria and forestry to reduce the Mallee fuels. We could consider that in fact mallee could well be a source, that we could harvest some of the mallee in a physical way and use it to provide base heat or for power generation. That really does offer some opportunities. If we look at the alternative approaches that could be taken, we might find a way to economically reduce the fuel without actually burning it and creating smoke, which warms the atmosphere without getting any advantage from that heat.

Mildura also has another very large source of energy, being almond hulls and shells, and Select Harvests, a very large almond operation, has installed a boiler to burn the almond shells to produce both steam and electricity for their operations. These are positives for

our environment, and I am sure the EPA would strongly support supplementing our fuels by using some of the mallee or even another fuel. One fuel that is used is winery marc, which is dried by Australian Tartaric and used to fuel the boiler to provide steam for extraction of tartaric acid. To substitute or blend it with other fuels and perhaps with chipped mallee would also be useful. There could be a way of doing fuel reduction while recycling from the environment and gaining energy that we could do some work with. It is certainly something that I would like to see pursued. It would take some considerable actions to look at a different form of fuel reduction rather than mass burning, but I think it is something that is well worth considering.

There are a number of consequential amendments in this bill as well. There is an amendment in relation to a works approval to assess any industrial or waste development implications that are currently referred to both the Department of Health and Human Services (DHHS) and the EPA. The EPA is obliged to follow the advice of DHHS. The bill provides that works approvals will no longer be required to go via DHHS. I think this is very, very important in order to be able to work our way through some of the issues. The works approvals can be assessed by the EPA, which predominantly serves the purpose of assessing these types of developments, in contrast to the DHHS. I think that is welcome because there are some really innovative things that can occur within our environment, but they do need a clear pathway through the red tape. The people who are prepared to invest in these sorts of environment-enhancing projects do need encouragement, and they certainly do not need roadblocks put up in their way.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — The question is:

That the house now adjourns.

Warrandyte Bridge

Mr R. SMITH (Warrandyte) — (12 900) My contribution for the debate is directed to the Minister for Roads and Road Safety. Residents in the Warrandyte electorate are raising concerns about the continuous delays with the upgrade works to the Warrandyte Bridge. The Warrandyte Bridge would be used as one of the main routes in the event of a major emergency and as an evacuation route for many residents. Those residents are now facing another

bushfire season without this much-needed widening project completed.

I have raised the various planning and community consultation issues with the Minister for Roads and Road Safety on six separate occasions in this place, and they have mostly been met with a delayed response or a non-answer. Local residents have been waiting since 2014 for this project after the former coalition government promised funding to start planning for this project, only to have those funds pulled by the current government. After I spent the best part of a year raising the issue with the CEO of VicRoads, the emergency management commissioner and the minister himself, the funding was finally restored.

In November 2015 VicRoads stated that the tender for the bridge widening would be completed by the summer of 2017–18. On 1 March 2016 the minister then announced works were to commence in April 2016. Four months later, in July 2016, the VicRoads website stated that construction was to begin ‘early–mid 2017’ with the completion date brought forward to ‘late 2017’, a year later. Either way, I can assure the house that no works have even started yet. That is because the time line has altered again. The VicRoads website is now stating that construction will begin in ‘late 2017’, to be completed by ‘mid 2018’.

This has put the minister’s words at odds with VicRoads by over 12 months. I wrote to the minister on 23 June to gain clarity about the situation. To date he has failed to respond, but if his quote in the July edition of the *Warrandyte Diary* is anything to go by, it is going to be quite some time. In the diary the minister said the construction time line is yet to be finalised. If there is no construction time line, then why has the minister made announcements that he has one and why is VicRoads sending out community updates with construction time lines?

Residents of Warrandyte will now face another potential deadly summer without a safe evacuation route, made worse by the fact that the construction will now be seen to be carried out during the fire danger period, which will impede residents’ ability to safely evacuate if needed. I ask the minister to make a statement to guarantee the safety of the residents of Warrandyte during the 2017–18 fire season and to provide an accurate time line of construction, allowing residents time to plan for the upcoming fire danger period.

St Brigid’s School, Mordialloc

Mr RICHARDSON (Mordialloc) — (12 901) My adjournment matter this evening is for the Minister for

Education. The action I seek is for the minister to visit St Brigid's parish primary school in Mordialloc to hear about their current growth and their future needs. St Brigid's School in Mordialloc is well over 100 years old, having celebrated its centenary in 2011. Under the wonderful leadership of Michael Russo, the principal of this great school, and Fr Andrew Jekot, the school is growing and is experiencing significant demand upon its student numbers. It has a capacity of around 300 students, and really we cannot see any more students being accommodated at the moment, with the existing facilities and the constraints on the site. We need to look to the future of this fantastic local Catholic school and how we support them in the future.

I have had the pleasure of attending the school fete and participating in the principal for a day school election, and I have seen the best parts of the school community. Parents are involved, teachers are invested in their children's future and it is a wonderful local school. The need to plan for growth and development is now urgent, and we also have a pressing concern with the federal Turnbull government turning its back on the Gonski education funding reforms, which greatly impacts and harms students in the Catholic system. In the electorate of Mordialloc we have some of the highest numbers of students attending Catholic primary schools and secondary schools, and they play an important role in our education system. Some 22 per cent of students across Victoria attend Catholic schools. Along with St Louis de Montfort's School, the St Brigid's parish is a wonderful service to our community and the education of our students.

Whether you go to a government school or whether you go to a Catholic school, you deserve to be supported. That is the Victorian government's mantra, and that is why we have a non-government capital funding program to support students in need. My adjournment matter this evening is to invite the education minister to join me and principal Michael Russo and visit this fantastic school and hear about their future needs.

Nagambie bus services

Ms RYAN (Euroa) — (12 902) The issue I would like to raise this evening is for the Minister for Public Transport. The action that I am seeking from the minister is that she halt a recent decision by V/Line to relocate the bus stops in Nagambie from the main street to the town's train station in order to allow for proper time for consultation with the community, who are quite upset by the decision. I understand that residents were only notified of the change, which is to take effect on 23 August, through the local paper. They certainly

do not feel that they have been adequately consulted on the change.

While I appreciate that it is important, particularly in country communities, to have bus services that connect to train stations, there are a number of matters that need to be taken into consideration. The train station is some distance from the main street, which means that getting to the station will involve a lengthy walk for a lot of residents, particularly those who do not have access to a car or to someone who can drive them. It is easy to say, 'Just call a cab', but as you would know, Deputy Speaker, in many regional communities taxi services are often limited and we do not have Uber.

At present there is no shelter, no proper car parking, no toilets and no phone booth at the train station, which makes it difficult if people get stuck there. I think it would be sensible for V/Line to consider whether it is possible to keep the stops in the main street and perhaps consider stopping at the train station at those times when there are trains coming from Melbourne or from Shepparton. I understand that V/Line has made this decision somewhat in tandem with the work that is currently going on to redevelop Nagambie's main street, stage 1 of which was funded through the former coalition government's Regional Growth Fund.

Di Grant is a well-known Nagambie local, and she is one of the people who have raised concerns about this change. She uses the bus from Nagambie quite often in order to get to Seymour, where she catches a train to Melbourne to attend medical appointments. She has outlined a number of concerns about the change, including the fact that she believes it will be more difficult for pensioners who use the service. She has written to the Minister for Public Transport, so I expect that the minister will be aware of her concerns, and she has invited the minister to come and meet with locals to hear their concerns before any change is made. That is an invitation that I would also like to extend to the minister. In summary, I think there is a need for more thorough consultation, and I invite the minister to put those steps in place before that decision is made.

St Catherine's Primary School, Moorabbin

Mr STAIKOS (Bentleigh) — (12 903) My adjournment matter is for the attention of the Minister for Education. The action I seek from the minister is that he provide funding to fit out new classrooms at St Catherine's Primary School. St Catherine's is part of Holy Trinity Parish, which also includes St Peter's Primary School in Bentleigh East and St Paul's Primary School in Bentleigh. It is a very large Catholic parish and is very well known for the Arrowsmith program

that it has provided over the last few years — it ran a pilot for 30 students. From 2018 Arrowsmith will be run permanently out of Holy Trinity Parish, and it will be run entirely out of St Catherine's Primary School. On the school site there is an old hall, which was once used as a social club, that the school has plans to fit out with a couple of classrooms. They are good plans, and I ask that the minister consider providing funding for the fit-out out of the Andrews Labor government's non-government schools capital program.

Glenferrie Oval, Hawthorn

Mr PESUTTO (Hawthorn) — (12 904) My adjournment matter this evening is for the Minister for Police. The action I seek is that the minister instruct her department and relevant agencies to provide a detailed safety report on the Glenferrie Oval precinct in Hawthorn, including the surrounding buildings, and on the impact that the barbecue facility is presently having on crime and antisocial behaviour in the area. Glenferrie Oval is a fantastic precinct that houses a number of landmark facilities and is vital to recreational activities and the amenity of the local area. We have, for example, the Michael Tuck Stand, the Victorian Weightlifting Association and the Hawthorn Aquatic and Leisure Centre.

Glenferrie Oval is used by a multiplicity of local community and sporting groups. Because the precinct is located near Glenferrie Road, Hawthorn, many local residents and visitors to the area for shopping, restaurants and the cinema come into contact with it. For this and other obvious reasons, the safety of this area is vital. Sadly, however, antisocial behaviour in this area is worsening and drug trafficking and drug use appear to be on the rise. I have received a number of constituency concerns about safety in the area. The concerns do not just concern rubbish, alcohol and graffiti. There is concern about serious drug use and trafficking in the area.

The local paper has provided details about home owners near the oval living in fear of break-ins and robberies. Journalist Mr Greg Gliddon from the *Progress Leader* has reported on the issue, including on 1 August that 'the oval has been attracting people who use the ... area' as a meeting point 'to drink alcohol, take drugs and behave poorly'. Residents being offered drugs and being threatened is not acceptable in any area. Glenferrie Oval had previously been known for being a wonderful location for families and local sporting events. In today's *Progress Leader* former Premier Jeff Kennett said he was horrified to read of the vandalism that has now become commonplace at the Hawks' former home ground. Boroondara Acting

Inspector Rod Phillips said recently that 'police had been made aware of issues in the area over recent months' and that police had conducted both uniform patrols and 'covert operations'. He said:

We have been made aware of the presence of drugs in the area and we are investigating.

Last year I called on the government to investigate drug use in the Glenferrie Road nightclub precinct after a number of deaths and overdoses were recorded in the Glenferrie Road area. I am still awaiting a response from the relevant minister to my request. Sadly this latest increase in drug use and antisocial behaviour shows that the government is not taking drugs and crime seriously enough in my local area.

Although Boroondara council officers inspect the oval for hazards every fortnight, this does not address the underlying issue of drugs and crime in the area. Hawthorn is known for its safe public spaces and community and volunteer spirit. We cannot have residents and visitors avoid an area which is the jewel of the Hawthorn electorate. Last week I inspected the oval with some concerned residents and I can confirm that the oval and the barbecue area are in an unacceptable state, with vandalism and drug use clearly present. I hope the minister will understand how seriously concerned the people of Hawthorn are about what is happening to this precinct. Hopefully the minister will agree to this safety review as community concerns about this area grow. We cannot turn a blind eye to vandalism, drugs and criminal behaviour. I await the minister's response in due course.

Macedon railway station

Ms THOMAS (Macedon) — (12 905) The matter I wish to raise is for the attention of the Minister for Public Transport, and the action I seek is that the minister work with me to deliver a warm shelter for passengers at the Macedon railway station. I spend a fair amount of time at the seven V/Line train stations across my electorate. As the minister might expect, passengers are absolutely delighted with the 28 new services on the Bendigo line. It is fantastic news, and what a contrast to the previous government, who could only manage five new services in four years.

Of course the Andrews government is also delivering 500 new car parks, CCTV and lighting to improve the experience of commuters in my electorate of Macedon. But as the minister knows, Macedon station is the highest V/Line train station in use in the state. It is not unusual for it to snow there in winter, and indeed it is about 5 degrees there right now — one might say, relatively mild. I know the minister understands the

concerns of my community, and I look forward to the minister working with me so that this winter is the last that commuters at Macedon need to brave the cold.

Falls Creek emergency response policy

Mr TILLEY (Benambra) — (12 906) I wish to raise a matter for the attention of the Minister for Police. The action I seek is for the minister to provide me with a detailed briefing which includes a comprehensive review of the policy that has seen officers having to respond to emergencies at Falls Creek this winter from as far away as Wangaratta.

Last year I called on the minister to give assurances that police would provide a 24/7 presence in the ski resorts. Now this was followed by a backflip earlier in 2016 that thankfully prevented these resorts, and their emergency services, from being left without police throughout the night. Fast-forward 12 months and through stealth we find that this has become a reality.

Last week a domestic dispute forced mountain medical staff to call 000. The nearest available officers were dispatched from Wangaratta. In perfect conditions — and those that are familiar with the region know — it is about a two-hour drive away. At winter, at night and with icy mountain roads it is much longer. The domestic was resolved peacefully but only after about two hours and, not surprisingly, before the police could even get to the resort.

This week Falls Creek, which is very close to capacity — that is, more than 5000 people — has been cut off not once but twice. They are calling this the Blizzard of Oz. We have had huge snowfalls that have seen a powerline cut along Bogong High Plains Road to Falls Creek just on Sunday afternoon and then a tree block the road on Monday morning. I cannot imagine another town in Victoria with 5000 beds and 42 licensed premises that covers a village about 2.5 hectares that would tolerate a situation where the nearest police are more than 2 hours away or, when the road is cut, are completely isolated from police.

I am calling on the minister not to hide behind the line that this is out of her hands, that it is an operational matter and that it is completely at the behest of Victoria Police. We know, and I am certainly confident that the minister knows, the buck stops with her. Do not allow the police for one moment to provide some sanitised reason to satisfy some regional compstat key performance indicators.

Fortunately there have been no tragedies from the storm that swept the mountains this week. Two rescues at

Falls Creek have been carried out successfully this season, and last week's domestic also ended peacefully. But I do not want the situation where a tragedy is the catalyst for reviewing this out-of-touch policy. Make no mistake, I still want a 24/7, fully trained and qualified alpine-proficient police presence at Falls Creek next year and in the interim a review of the response times this season that is made public to not only my electorate but also the 450 000 people from across the state and the nation who visit the resort each winter.

Greenvale Reservoir Park

Ms SPENCE (Yuroke) — (12 907) My adjournment matter is to the Minister for Energy, Environment and Climate Change, and the action I am seeking is for the minister to provide an update on the \$1.4 million upgrade of Greenvale Reservoir Park. It was fantastic to have the minister visit the park last year for a community open day, which gave residents the opportunity to provide feedback on draft plans for this important local recreation area. I know that the plans for the new walking and cycling area, improved picnic, barbecue and playground equipment, as well as better road access will make the park even better. With the upgrade underway I know local residents would appreciate an update from the minister on how work on our much-loved park is progressing.

North Park, Stawell, facility upgrade

Ms STALEY (Ripon) — (12 908) My adjournment matter tonight is for the Minister for Regional Development in the other place. The action I seek is that she work with the Stawell Swifts Football Club and me to achieve their goal of getting their club kitchen redeveloped. The Stawell Swifts play at North Park, and they have had plans drawn up to get the kitchen redone. I recently met with the president, Ian O'Donnell, and the project has been costed at \$80 000. This is not simply a footy club kitchen. North Park is used as a staging ground when there are major fires in the Grampians and there is a need for a kitchen that can manage that aspect of what goes on in North Park. The current kitchen does not meet all of the requirements for a registered kitchen, so they cannot prepare food there when there are fires.

North Park is not only home to the Stawell Swifts, it is also home to the athletics club, and they are very keen to see this project proceed. This would be a community hub facility as part of a broader redevelopment of their clubrooms which would bring them up to a standard commensurate with the usage. I look forward to hearing back from the Minister for Regional Development that

we are going to see at least meetings and progress to get this started.

Coburg North railway line fencing

Ms BLANDTHORN (Pascoe Vale) — (12 909)
My adjournment matter is for the attention of the Minister for Public Transport. The action I seek is that the minister update me in relation to fencing along the Ararat Avenue railway line. I have previously raised with the minister the issue that there is no fencing along the railway line and that it is at ground level and accessible to children and pedestrians who might run across the line. It does present a very serious safety hazard. The minister undertook to investigate opportunities for fencing along the railway line, and I ask for an update on where that is up to.

Responses

Ms NEVILLE (Minister for Police) — I am not sure if the member for Hawthorn is coming back into the chamber, but he has raised a matter in relation to Glenferrie Oval. He pointed out that the local police are taking this matter seriously, judging from his comments on patrols and covert and overt operations. One of the suggestions I would make, and I will certainly raise this with the office of the Chief Commissioner of Police, is that the member meet with the local police and local council to look at what can be done and not just through police patrols. We also currently have open the Public Safety Infrastructure Fund. New lighting and design can often make a difference in deterring people from using drugs in those sorts of public space areas, but I certainly support the request and will ask the chief commissioner's office to encourage the local police to work with the member and the council on finding solutions, aside from just increasing police patrols.

The member for Benambra raised an issue in relation to policing at Falls Creek specifically. I was aware that this was an issue last year that had been resolved. I know that the chief commissioner has been up there again in some parts looking at the alpine policing model just over this winter period. I have inquired about the Falls Creek matter and have been assured by the chief commissioner's office that there in fact was greater coverage. It was the same model as 2016 but with greater coverage. I think it would be useful for me to organise a briefing with the chief commissioner's office and the member for Benambra to have a look at what that model is and for him to be able to raise those issues directly with the chief commissioner.

A number of other members have raised a number of other issues, and I will pass those matters on to the relevant ministers.

The DEPUTY SPEAKER — The house stands adjourned until tomorrow.

House adjourned 7.22 p.m.