



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 8 — Wednesday, 6 March 2019

-
- 1 The President took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **PETITION — CALDER PARK DRIVE OVERPASS** — Mr Finn presented a Petition bearing 259 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to urgently reconsider their refusal to approve funding for the Calder Park Drive Overpass Project so that construction can be undertaken at the earliest possible date.

Ordered to lie on the Table.

3 **PAPERS** —

VICTORIAN GOVERNMENT ANNUAL REPORT 2018 RESPONDING TO THE ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE — Ms Tierney moved, by leave, That there be laid before this House a copy of the Victorian Government Report 2018 responding to the Royal Commission into Institutional Responses to Child Sexual Abuse.

Question — put and agreed to.

The Report was presented by Ms Tierney and ordered to lie on the Table.

* * * * *

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — REPORT ON STATUTE LAW REVISION BILL 2018 — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Mr Gepp presented a Report on the Statute Law Revision Bill 2018 (including an Appendix) from the Scrutiny of Acts and Regulations Committee.

Ordered to lie on the Table and to be published.

* * * * *

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of an Act of Parliament, were laid on the Table by the Clerk:

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 11 and 13.

- 4 **MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.
- 5 **ADDRESS IN REPLY** — On the motion of Ms Shing, debate was adjourned until later this day.
- 6 **BUSINESS POSTPONED** — Mr Davis moved, That the consideration of Notice of Motion, General Business, No. 49, be postponed until the next day of meeting.
- Question — put and agreed to.

- 7 **REVOCATION OF AMENDING DEEDS — MELBOURNE CITY LINK** — Mr Rich-Phillips moved, That, in accordance with the *Melbourne City Link Act 1995*, this House revokes the —
- (1) Fourth Deed Amending Master Security Deed, pursuant to section 15(3) of the Act;
 - (2) Melbourne City Link Thirty-seventh Amending Deed, pursuant to section 15(3) of the Act;
 - (3) City Link and Extensions Projects Integration and Facilitation Agreement Twenty-fifth Amending Deed, pursuant to Section 15B(6) of the Act; and

- (4) Exhibition Street Extension Eighteenth Amending Deed, pursuant to section 15D(7) of the Act.

Debate ensued.

Business having been interrupted at 12 noon pursuant to Standing Orders —

8 QUESTIONS — Questions without notice were taken pursuant to Standing Order 8.04.

* * * * *

QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07.

- **Homelessness – public and affordable housing** — substantive question asked by Mr Grimley — response from Ms Symes due Friday, 8 March 2019.
- **Central banking arrangements – impact on regional Victoria** — substantive and supplementary questions asked by Mr Davis — response from Ms Symes due Thursday, 7 March 2019.
- **Residential zone reform guidelines** — substantive and supplementary questions asked by Mr Hayes — response from Ms Symes due Friday, 8 March 2019.
- **Wheelchair access vehicle subsidy scheme** — substantive and supplementary questions asked by Mr Barton — response from Ms Pulford due Friday, 8 March 2019.
- **Farmers access to drought assistance support initiative** — supplementary question asked by Ms Bath — response from Ms Symes due Thursday, 7 March 2019.

9 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

10 REVOCATION OF AMENDING DEEDS — MELBOURNE CITY LINK — Debate continued on the question, That, in accordance with the *Melbourne City Link Act 1995*, this House revokes the —

- (1) Fourth Deed Amending Master Security Deed, pursuant to section 15(3) of the Act;
- (2) Melbourne City Link Thirty-seventh Amending Deed, pursuant to section 15(3) of the Act;
- (3) City Link and Extensions Projects Integration and Facilitation Agreement Twenty-fifth Amending Deed, pursuant to Section 15B(6) of the Act; and
- (4) Exhibition Street Extension Eighteenth Amending Deed, pursuant to section 15D(7) of the Act.

Mr Finn moved, That the debate be adjourned until later this day.

Question — put.

The Council divided — The President in the Chair.

AYES, 18

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Ms Patten; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Ms Bath and Dr Ratnam)

NOES, 22

Dr Cumming; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Ms Shing and Ms Stitt)

Question negatived.

Debate continued on the question, That, in accordance with the *Melbourne City Link Act 1995*, this House revokes the —

- (1) Fourth Deed Amending Master Security Deed, pursuant to section 15(3) of the Act;
- (2) Melbourne City Link Thirty-seventh Amending Deed, pursuant to section 15(3) of the Act;
- (3) City Link and Extensions Projects Integration and Facilitation Agreement Twenty-fifth Amending Deed, pursuant to Section 15B(6) of the Act; and

- (4) Exhibition Street Extension Eighteenth Amending Deed, pursuant to section 15D(7) of the Act.

Question — put.

The Council divided — The President in the Chair.

AYES, 18

Mr Atkinson; Mr Barton; Ms Bath; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Mr Finn and Mr Limbrick)

NOES, 22

Mr Bourman; Dr Cumming; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Dr Kieu and Mr Melhem)

Question negatived.

11 ENVIRONMENT AND PLANNING COMMITTEE REFERENCE — RECYCLING AND WASTE MANAGEMENT — Dr Ratnam moved, by leave, in an amended form, That this House requires the Environment and Planning Committee to inquire into, consider and report, by Tuesday, 13 August 2019, on the crisis in Victoria's recycling and waste management system, partly resulting from the China waste importation ban, including, but not limited to —

- (1) the responsibility of the Victorian Government to establish and maintain a coherent, efficient and environmentally responsible approach to solid waste management across the state, including assistance to local councils;
- (2) whether the China National Sword Policy was anticipated and responded to properly;
- (3) identifying short and long-term solutions to the recycling and waste management system crisis, taking into account —
 - (a) the need to avoid dangerous stockpiling and ensure recyclable waste is actually being recycled;
 - (b) the cleaning and sorting capabilities and the processing capabilities in Victoria and the potential to expand the local recycling industry;
 - (c) how to better enable the use of recycled materials in local manufacturing;
 - (d) the existing business model and economic challenges facing the existing industry;
 - (e) the quantifiable benefits, including job creation and greenhouse gas emissions reduction, of pursuing elements of a circular economy in Victoria;
 - (f) the existing Sustainability Fund and how it can be used to fund solutions to the waste crisis;
- (4) strategies to reduce waste generation and better manage all waste such as soft plastics, compostable paper and pulp, and commercial waste, including, but not limited to —
 - (a) product stewardship;
 - (b) container deposit schemes;
 - (c) banning single use plastics;
 - (d) government procurement policies;
- (5) relevant reviews, inquiries and reports into the waste and recycling industry in other Australian jurisdictions and internationally;
- (6) any other related matters.

Debate ensued.

Mr Finn moved, as an amendment, That after the words "inquire into, consider and" **insert** "provide an urgent interim report, as the Committee deems necessary, on the current circumstances in municipal and industrial recycling and waste management, and provide a final".

Debate ensued.

Question — That the amendment moved by Mr Finn be agreed to — put and agreed to.

Question — That the motion, amended as follows, be agreed to — That this House requires the Environment and Planning Committee to inquire into, consider and provide an urgent interim report, as the Committee deems necessary, on the current circumstances in municipal and industrial recycling and waste management, and provide a final report, by Tuesday, 13 August 2019, on the crisis in Victoria's recycling and waste management system, partly resulting from the China waste importation ban, including, but not limited to —

- (1) the responsibility of the Victorian Government to establish and maintain a coherent, efficient and environmentally responsible approach to solid waste management across the state, including assistance to local councils;
- (2) whether the China National Sword Policy was anticipated and responded to properly;
- (3) identifying short and long-term solutions to the recycling and waste management system crisis, taking into account —
 - (a) the need to avoid dangerous stockpiling and ensure recyclable waste is actually being recycled;
 - (b) the cleaning and sorting capabilities and the processing capabilities in Victoria and the potential to expand the local recycling industry;
 - (c) how to better enable the use of recycled materials in local manufacturing;
 - (d) the existing business model and economic challenges facing the existing industry;
 - (e) the quantifiable benefits, including job creation and greenhouse gas emissions reduction, of pursuing elements of a circular economy in Victoria;
 - (f) the existing Sustainability Fund and how it can be used to fund solutions to the waste crisis;
- (4) strategies to reduce waste generation and better manage all waste such as soft plastics, compostable paper and pulp, and commercial waste, including, but not limited to —
 - (a) product stewardship;
 - (b) container deposit schemes;
 - (c) banning single use plastics;
 - (d) government procurement policies;
- (5) relevant reviews, inquiries and reports into the waste and recycling industry in other Australian jurisdictions and internationally;
- (6) any other related matters — put and agreed to.

12 ENVIRONMENT AND PLANNING COMMITTEE REFERENCE — BUILDING CLADDING RECTIFICATION — Dr Ratnam moved, That this House —

- (1) acknowledges that flammable cladding on the exterior of the buildings was instrumental in the Lacrosse apartment fire and the recent Neo200 tower fire;
- (2) notes that the —
 - (a) cladding on these two buildings and hundreds of others across Melbourne is the same material as the cladding on Grenfell Tower, where a fire killed 72 people;
 - (b) Government's loan scheme to remove the dangerous cladding places the financial burden on apartment owners and owners corporations, instead of those responsible for allowing dangerous cladding to be used on buildings;
- (3) requires that the Environment and Planning Committee meet within 14 days of its establishment to inquire into, consider and report within four months after the Committee first meets on the adequacy of the Government's response to the identification of buildings throughout Victoria that are at risk due to flammable cladding, including, but not limited to —
 - (a) the Cladding Rectification Agreements;
 - (b) the impact on home-owners being required to fund cladding rectification and the impact of loan arrangements, including the impact on credit ratings and finances;
 - (c) the impact on apartment prices and insurance premiums;
 - (d) the response of local councils to the Government's Cladding Rectification Agreements scheme;

- (e) alternative policies for ensuring the dangerous flammable cladding on Victorian buildings is replaced in a timely manner, including where the burden of cost should lie;
- (f) the impact of the Government's response on home-owners facing financial hardship; and
- (g) any other matters the Committee considers relevant.

Debate ensued.

Business having been interrupted at 4.30 p.m. pursuant to Standing Orders, debate stood adjourned in the name of Ms Garrett —

13 STATEMENTS ON REPORTS AND PAPERS — Statements on reports and papers were made by a Member pursuant to Standing Order 9.10.

14 ADJOURNMENT — Ms Tierney moved, That the House do now adjourn.

Debate ensued.

And then the Council, at 5.06 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council