



# **Hansard**

## **LEGISLATIVE COUNCIL**

### **60th Parliament**

**Wednesday 22 February 2023**



# Members of the Legislative Council

## 60th Parliament

### President

Shaun Leane

### Deputy President

Wendy Lovell

### Leader of the Government in the Legislative Council

Jaclyn Symes

### Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

### Leader of the Opposition in the Legislative Council

Georgie Crozier

### Deputy Leader of the Opposition in the Legislative Council

Matthew Bach

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

### Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;  
 Greens – Australian Greens; LCV – Legalise Cannabis Victoria; LDP – Liberal Democratic Party;  
 Lib – Liberal Party of Australia; Nat – National Party of Australia; PHON – Pauline Hanson’s One Nation;  
 SFFP – Shooters, Fishers and Farmers Party



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**Wednesday 22 February 2023**

**The PRESIDENT (Shaun Leane) took the chair at 9:35 am, read the prayer and made an acknowledgement of country.**

*Condolences***Türkiye and Syria earthquakes**

**The PRESIDENT (09:36):** Over the past few weeks we have seen the confronting images coming out of Türkiye and Syria showing the destruction that has been caused by the earthquakes there. On behalf of the Victorian Legislative Council, I wish to offer our condolences to the people of Türkiye and Syria for the immense losses they have suffered and the devastation they have endured. I also offer our sympathies to the Turkish and Syrian communities here in Victoria, who have watched with sorrow and anguish the terrible situation faced by their families and friends. It is a time when we must come together to mourn those who have been lost and to support those who are in need.

As a mark of respect I ask members to rise in their places for a minute's silence.

**Members stood in their places.**

**The PRESIDENT:** Thank you, members. Can I also mention that there will be a condolence book to sign in the vestibule. It will be there soon.

*Members***Acting presidents**

**The PRESIDENT (09:39):** I lay on the table my warrant nominating an acting president. I ask the Clerk to read the warrant.

**The Clerk:**

Pursuant to the provisions of Standing Order 2.12 of the Legislative Council, I hereby nominate –

Mr John Berger

to be an Acting President whenever requested to do so by the President or Deputy President.

Given under my hand on 22 February 2023.

SHAUN LEANE

President of the Legislative Council

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

Auditor-General – Regulating Private Pool and Spa Safety, February 2023 (*Ordered to be published*).

Independent Broad-based Anti-corruption Commission – Special report on Operation Clara, February 2023 (*Ordered to be published*).

Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017 –

Birrarung Council Report on the implementation of Burndap Birrarung Burndap Umarkoo – Yarra Strategic Plan 2022.

Burndap Birrarung Burndap Umarkoo – Yarra Strategic Plan, Report 2021–22 – Reporting on five months of implementation, from 24 February 2022.

Subordinate Legislation Act 1994 – Documents under section 15 in respect of Statutory Rule Nos. 7, 8 and 9.

*Bills***Statute Law Amendment Bill 2022***Referral to committee*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:41):  
I move, by leave:

That the Statute Law Amendment Bill 2022 be referred to the Scrutiny of Acts and Regulations Committee for inquiry, consideration and report.

**Motion agreed to.***Committees***Legislative Council standing committees***Departmental allocations*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:41):  
I move, by leave:

That departments (including agencies and public entities within those departments) be allocated to Council standing committees as follows:

- (1) Economy and Infrastructure Standing Committee:
  - Department of Jobs, Skills, Industry and Regions;
  - Department of Treasury and Finance;
  - Department of Transport and Planning for all matters falling within that department, except for planning-related matters;
- (2) Environment and Planning Standing Committee:
  - Department of Energy, Environment and Climate Action;
  - Department of Government Services;
  - Department of Premier and Cabinet;
  - Department of Transport and Planning for all planning-related matters;
- (3) Legal and Social Issues Standing Committee:
  - Department of Education;
  - Department of Families, Fairness and Housing;
  - Department of Health; and
  - Department of Justice and Community Safety.

**Motion agreed to.***Members statements***Government achievements**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (09:42): I wish to thank the people of Northern Metropolitan Region for their support and trust in me and our government to continue to get things done. So I rise today to update the house on some of this government's achievements in my electorate of Northern Metropolitan. We have invested in education by providing funding to public schools and renovating them to give students and teachers an improved learning experience. Richmond High School and Collingwood College, which were closed under the previous government, have now reopened.

Through the \$25 million Metropolitan Health Infrastructure Fund, we have renewed and upgraded metropolitan health infrastructure to improve service delivery. We have also provided funding to



support high-quality therapeutic bed-based services in St Vincent's emergency department and mental health and alcohol and other drug hubs across the region.

We have also invested in local creative industries, such as the Abbotsford Convent, and helped establish Collingwood Yards. The old gasworks have been remediated, and work will soon begin to construct housing and community services. We have built new community facilities at Jack Dyer pavilion in Richmond, and planning is well underway for the redevelopment of Brunswick Street oval. New social housing homes at Collingwood and Richmond will be delivered, and Melbourne Pride has been established.

As a resident of Melbourne metro, I am passionate about the region and its people. It is my home, and I am committed to delivering for its people every single day.

#### **Level crossing removals**

**David DAVIS** (Southern Metropolitan) (09:44): I rise today to express increasing concern about the belligerent and threatening actions of the government through its offices at the Surrey Hills and Mont Albert railway stations. It is appalling. Elizabeth Meredith is somebody I have known for many, many years. She is an older woman who lives nearby and has been active in planning matters for decades, protecting her community and working to ensure that better outcomes are achieved for our community. The treatment of Elizabeth Meredith by the Department of Transport and Planning and officers of the department is nothing short of disgraceful, but she is the last in a long line with the Surrey Hills and Mont Albert crossing removals. The head of the publicity department at the Level Crossing Removal Project has been clearly a very threatening and unpleasant individual, and the community is clearly very unhappy. Businesses have not been treated properly. Never forget that this is all on the basis of a flat lie. People were promised in 2018 that two stations would be built as rail under road, and we strongly supported that model. What we did not support is stripping stations out, removing the two stations that have been there since 1890 on a nonsense excuse and doing so – (*Time expired*)

#### **Sydney WorldPride**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (09:45): I rise today to add my voice to the scores of proud queer people celebrating WorldPride in Sydney. Among the festivities and celebrations it is also important to remember the history and the legacy Pride carries. While there have always been queer people living and resisting in Australia, we often think of the birth of the LGBTIQ+ rights movement as the inaugural Mardi Gras in Sydney on 24 June 1978. A demonstration that started in the morning turned into a raucous protest turned street party down Oxford Street. Protesters chanted 'Out of the bars and into the streets', encouraging queer people everywhere to come out, be proud and prove that every single person on the planet knows someone queer.

Of course that is not the end of the story. As the crowd tried to leave the police began to arrest and brutalise them, viciously beating them. Fifty-three were arrested, and the beatings continued after they arrived at Darlinghurst police station. On the following Monday, 26 June, the *Sydney Morning Herald* published the names, addresses and occupations of those arrested. Many were fired or evicted, and some were driven to suicide. That brutal repression, police violence and public vitriol continued for decades more. But through it all we survived, we resisted and we continue to resist.

We have a responsibility to honour and respect those that fought and died for us to walk down the street, let alone march in gold booty shorts. To the 78ers, the fierce advocates, the staunch survivors through the years who delivered us the freedoms we enjoy and the lessons we need to carry on the fight, I say happy Pride and thank you for everything.

#### **St Kilda Festival**

**John BERGER** (Southern Metropolitan) (09:47): Last week I had the privilege of attending the 42nd St Kilda Festival. It was fantastic to see so many people out and about on such a beautiful day.

How lucky we are in Southern Metro to have such a vibrant and flourishing artistic community. St Kilda Festival describes itself as a celebration of community spirit and Australian talent, with the beautiful St Kilda foreshore as the backdrop. I could not think of any better way to put it. Accessible and free – who could ask for anything more?

There were some of the oldies from way back in the day and emerging artists pioneering new creative boundaries. Most importantly, thanks to a partnership with the Archie Roach Foundation, First Nations musicians were put front and centre. Emma Donovan, Radical Son, Sally Dastey and other performers gave a touching tribute to the late, great Archie Roach, reminding us of the rich legacy he has left in Australia. Christine Anu and Yothu Yindi reminded us of the legacy countless First Nations artists continue to build, and strong emerging acts like Abby Bella May and Alice Ivy showed us the future of music is in good hands.

How amazing it is that art and music can thrive in a state like Victoria, with a government that understands the importance of supporting creative industries. I am so proud to be part of a government that meaningfully supports artists with programs like the Creators Fund, a great grant given to artists to aid them in the early experimental phases of their projects. Applications are now open, by the way. The St Kilda Festival represents the best aspects of the Southern Metropolitan community.

#### **COVID-19 vaccination**

**David LIMBRICK** (South-Eastern Metropolitan) (09:49): Coles supermarkets still have vaccine requirements for employees despite there being no requirement from the government to still do so. Many Coles employees are young people who might not want the job, considering they are at low risk from COVID symptoms but in the age group most at risk of myocarditis and other complications. This policy not only excludes them from the workforce, it has no doubt led to unemployment and hardship in many families.

Coles use a lot of talk in their corporate presentations about empowering everyone and making Coles a place where everyone feels like they belong, but I urge the new CEO of Coles to prove it by ending these unscientific and unethical requirements that breach the human right to medical privacy. As a private company, it is Coles's right to make this choice. However, as private citizens it can be our choice not to do business with Coles until they remove the mandates.

#### **Eastern Victoria Region renewable energy**

**Tom McINTOSH** (Eastern Victoria) (09:50): A lot is happening, and fast, in the development of the offshore wind industry in Victoria. In December I joined state and federal climate change ministers at the formal announcement declaring Gippsland as Australia's first offshore wind zone. As a result of that, applications for offshore wind licences in Bass Strait are now open. There are a number of projects developing applications. I have met with the Star of the South project and BlueFloat Energy, and I will continue to meet with other projects to understand the opportunities and challenges presented by the massive task of starting this industry in Australia. Star of the South and BlueFloat aim to install 4 gigawatts of new capacity, powering millions of Victorian homes and jump-starting the necessary generation capacity of clean energy.

These projects will provide thousands of local jobs to the Gippsland region in their construction and operation. These jobs are getting closer and closer, with action from both state and federal Labor governments committed to cutting emissions. When I dropped into the project office in Yarram I was pleased to see Star of the South have already employed locals in their home town, and BlueFloat are doing the same elsewhere. It is crucial to maximise local jobs, not only in construction but also in manufacturing. I passionately believe this investment in the transition will lead to generations of high-paying, high-skilled jobs in our local area. As we transition our energy generation it is essential that we engage widely with project proponents, unions, industry and the local community to maximise the benefits for all, and I am committed to doing that in Eastern Victoria.

### East Trentham Wildlife Shelter

**Georgie PURCELL** (Northern Victoria) (09:51): I recently hopped on over to East Trentham Wildlife Shelter to see the wonderful work volunteers are doing to protect our precious native wildlife, particularly kangaroos. Shamefully, the government increased the commercial kangaroo slaughter quota by 30 per cent this year, with shooting leaving adult kangaroos and their joeys to suffer in unimaginable ways. It is the dedicated volunteers, like Helen and Manfred, who work tirelessly to clean up dreadful decisions like this by rescuing animals in need, and without shelters like theirs the situation for wildlife in our state would be even more dire than it already is. I was amazed to hear that released kangaroos will come back to their beautiful property to say hello every now and then. This is exactly why at the very least we need shooting exclusion zones around wildlife sanctuaries. Despite the endless setbacks to the survival of our native icons, I have hope in the dedication of our incredible rescue teams and wildlife shelters, and I am motivated to change our laws so that we can learn to coexist with wildlife in Victoria.

### Ash Wednesday commemoration

**Michael GALEA** (South-Eastern Metropolitan) (09:52): Last week many of us paused to mark the 40-year anniversary of the Ash Wednesday fires. I had both the pleasure and the sadness of attending the statewide commemorative event in Cockatoo, one of the epicentres of the fires. Graham Simpson, then captain of the local brigade, reflected that the wind was incredible but only lasted for about 20 minutes. It had pushed the fire so hard that by the following morning most of the town had been lost. I also attended a local service in Upper Beaconsfield, a town where 21 people lost their lives, including 12 firefighters from the Narre Warren and Panton Hill fire brigades. The local CFA unveiled an exhibition called *Firestorm*, a collection of original images and artefacts collated from residents, firefighters and other survivors. I congratulate captain Ian Pinney and the rest of the brigade for creating such a beautiful reflection. In total, Ash Wednesday resulted in the loss of 47 lives, including 14 firefighters. It destroyed more than 2000 homes and killed more than 32,000 livestock. From this and from other bushfire events we have learned a lot about fire management and better practices in this state. Above all, though, we have learned that the power of community standing together when times are the darkest cannot be defeated.

### Voice to Parliament

**Sheena WATT** (Northern Metropolitan) (09:54): Uluru is a sacred place, a place where stories and songlines gather from time immemorial. To be there is to feel it – feel an ancient and powerful connection to this land. In 2017 a new story was created as the Uluru statement came to life in this sacred place, one where we sought to take our rightful place in our own country, where a call was made for fair and truthful relations with the people of Australia and a better future for our children. This year, after decades of waiting, our elders' voices have been heard and we have been given the greatest opportunity to accept this olive branch, the Voice to Parliament.

It is a chance for all, Indigenous and non-Indigenous alike, to come together in the spirit of healing and reconciliation. It is a chance to right the wrongs of the past and move forward to a new, fairer chapter together, one where all First Nations people in every state and territory in this country are empowered to have their say on the issues that impact them. Here in Victoria we have already started on the process to voice, treaty and truth, a process that fills me with immense pride. That is why, as I stand here during the national week of action, I ask all of you to get involved in the upcoming Voice to Parliament referendum. This is a once-in-a-lifetime moment. Let us get it done.

**Bills****Road Safety Amendment (Medicinal Cannabis) Bill 2023***Statement of compatibility*

**David ETTERS HANK** (Western Metropolitan) (09:56): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this statement of compatibility with respect to the Road Safety Amendment (Medicinal Cannabis) Bill 2023.

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

**Overview of bill**

The purpose of the Road Safety Amendment (Medicinal Cannabis) Bill 2023 is to amend the *Road Safety Act 1986* to provide that it is not an offence for a driver of a motor vehicle's blood or oral fluid to contain medicinal cannabis that is prescribed and taken in accordance with that prescription.

These amendments do not apply to a driver of a motor vehicle who is impaired, or incapable of having proper control of a motor vehicle.

**Human rights issues**

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

The Road Safety Amendment (Medicinal Cannabis) Bill 2023 does not limit any human right, rather it engages and promotes the right to equality before the law set out in section 8 of the Charter.

Consideration of reasonable limitations – section 7(2)

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

**Conclusion**

I consider that the Bill is compatible with the Charter.

**David Ettershank MP**

**Member for the Western Metropolitan Region**

**Legalise Cannabis Victoria**

*Second reading*

**David ETTERS HANK** (Western Metropolitan) (09:56): I move:

That the bill be now read a second time.

This bill is premised on a very simple principle: people who have been prescribed a medicine by a registered medical practitioner, and can drive safely, should be allowed to drive. This is how we treat every single prescription medicine in Victoria, except one, medicinal cannabis.

The Victorian government, through its landmark and commendable reforms, has helped countless people by providing safe and legal access to medicinal cannabis. Victoria led this country in legalising access to locally manufactured medicinal cannabis products. Where other medical options have failed, medicinal cannabis has provided life-changing relief for people suffering severe muscle spasms or severe pain resulting from multiple sclerosis, for people with severe pain, nausea, vomiting or wasting arising from cancer or HIV/AIDS, for people suffering from severe seizures resulting from epileptic conditions and for people with severe chronic pain and a range of other serious health conditions.

I would like to put a human face on this issue. This is the de-identified story of a real patient. I want to tell you about John.

John is a military veteran who served his country with valour and dedication. John experiences both significant pain from injuries sustained as part of that service and also suffers from PTSD.

John is prescribed antidepressants for his PTSD and opioids to manage his pain, in addition to sleeping medication for both conditions. John wrestles with the side effects of these strong medications and the addictiveness of the opioids.

He had previously been prescribed medicinal cannabis and found that it relieved both his pain and PTSD, and he endured none of the same side effects.

But John needs to drive as part of his employment, and while he would much prefer to be prescribed medicinal cannabis, he knows that a single random drug test would see him lose his drivers licence and, inevitably, his job.

Does this make sense to anyone in this place? Surely not.

For many Victorians, medicinal cannabis has truly given them their lives back. The ability to function. The ability to move. The ability to go about life's basic daily activities that most of us just take for granted.

But in a cruel twist, what we give with one hand in Victoria, we take away with the other – denying those same Victorians who have gained their lives back the ability to get to work, to get to the shops, their independence – because we deny them the right to drive a car. Not because it is unsafe for them to drive, but because of a failure at law.

It is not fair. It is not right. It is not based in science. It is not based in evidence. It is stigma.

We don't criminalise the person whose ADHD or Parkinson's treatment includes amphetamine-derived products for driving their motor vehicle if they are not impaired. We don't criminalise the person whose chronic pain treatment is an opioid-derived medication for driving their vehicle if they are not impaired. We applaud when access to modern medication gives them back a level of independence to go out into the community. So why do we take a different approach to someone prescribed medicinal cannabis by a medical practitioner?

For medicinal cannabis patients even the most minute trace can result in prosecution, conviction, and the loss of licence.

What we know is that cannabidiol – or CBD – medications, which are non-psychoactive and therefore non-impairing, often contain trace amounts of THC that are detectable at the roadside.

And tetrahydrocannabinol – or THC – medications, which can have a psychoactive effect, will be detectable long after any impairing effect has ceased to exist and long after it is safe for the patient to drive. In blood, for example, THC can be detected for up to 30 days – likely 29 days and 20 hours after it would have been entirely safe for that patient to drive.

A month! A month after a driver consumes their legally prescribed medicinal cannabis they could still be at risk of losing their licence, their independence and quite possibly their livelihood.

The Road Safety Amendment (Medicinal Cannabis) Bill 2023 proposes a modest change to the Road Safety Act 1986, to allow people, like John, who have been prescribed medicinal cannabis to drive – so long as they can drive safely.

The bill provides that it is not an offence for a person's blood or oral fluid to contain lawful medicinal cannabis that is prescribed by a medical professional and taken in accordance with that prescription.

This exception does not apply to a driver of a motor vehicle who is impaired, or incapable of having proper control of a motor vehicle – ensuring that these changes do not affect the safety of other road users. If you drive whilst impaired, it will remain an offence.

Let there be no doubt whatsoever as to our position in proposing this reform: no driver should place the lives of others at risk on our roads, full stop.

But as the law stands, Victorians like John, who would benefit from medicinal cannabis, are forced to choose less effective and often more dangerous medications, such as an opioid or a benzodiazepine, simply because driving with a residual amount of THC could mean the loss of their drivers licence or criminal penalties.

This is where our existing law fails.

Jurisdictions with similarly controlled prescription-only access pathways for medicinal cannabis, including the United Kingdom, New Zealand, Germany, Norway, and Ireland, all have a medical defence for drivers, like the one that Legalise Cannabis Victoria proposes here today.

Closer to home, Tasmanian law provides a medical defence for driving with the presence of prescribed medicinal cannabis.

For the benefit of Victorians suffering in pain, it is time we did the same. People like John deserve to live the fully supported life this reform enables.

Turning to the bill, clause 1 sets out its purpose.

Clause 2 provides for the bill's commencement.

Clause 3 provides that certain offences in section 49(1) of the Road Safety Act 1986 do not apply to a person whose blood or oral fluid contains delta-9-tetrahydrocannabinol from a cannabis product that is consumed lawfully, having been prescribed by a medical practitioner and taken in accordance with that prescription.

This clause does not apply to persons who are incapable of having proper control of a motor vehicle or are impaired by a drug while driving a motor vehicle – dangerous conduct of that type remains an offence for which Victoria Police have existing powers and procedures in place.

Clause 4 provides for the automatic repeal of the amending act.

This is reform that will reduce stigma and it will stop driving patients back towards other dangerous and addictive medications.

The Victorian government has already taken proactive steps on this subject. In the last term of Parliament, our President Mr Leane, then a minister in the government, said in this chamber in response to Ms Patten's bill of the same purpose:

... we are really keen to work with her on this particular issue. We are going to work with Ms Patten on the outcome to ensure people are not disadvantaged by taking ... medication.

In response to the working group report that followed, then acting police and emergency services minister Mr Pearson said:

This report is another important tool that will enable us to make evidence-informed policy decisions about medicinal cannabis use and driving in the future.

That future has arrived. The evidence is apparent and it is time for reform.

This is a sensible and pragmatic bill that Legalise Cannabis Victoria commends to the house.

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (10:05):  
I move:

That debate on this matter be adjourned for two weeks.

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

*Committees***Environment and Planning Committee***Reference*

**David DAVIS** (Southern Metropolitan) (10:06): I move:

That this house requires the Environment and Planning Committee to inquire into, consider and report, by 30 June 2024, on the state's preparedness for and response to Victoria's major flooding event of October 2022 (the flood event), including but not limited to the:

- (1) causes of and contributors to the flood event;
- (2) adequacy and effectiveness of early warning systems;
- (3) resourcing of the State Emergency Service, the adequacy of its response to the flood event and the adequacy of its resourcing to deal with increasing floods and natural disasters in the future;
- (4) implementation and effectiveness of the 2016 *Victorian Floodplain Management Strategy* in relation to the flood event;
- (5) location, funding, maintenance and effectiveness of engineered structures, such as flood walls, rural levees and culverts, as a flood mitigation strategy;
- (6) flood event as a whole, including but not limited to the catchments and flood plains of the:
  - (a) Avoca River;
  - (b) Barwon River;
  - (c) Broken River;
  - (d) Campaspe River;
  - (e) Goulburn River;
  - (f) Loddon River;
  - (g) Maribyrnong River;
  - (h) Murray River;
- (7) the 2007 decision of the Minister for Planning to approve the construction of a flood wall around Flemington Racecourse and whether the growing impacts of climate change were considered;
- (8) the implications for future planning decisions including:
  - (a) how the Victorian planning framework can ensure climate mitigation is a consideration in future planning decisions;
  - (b) how corporate interests may influence decision-making at the expense of communities and climate change preparedness; and
- (9) any other related matters.

This is a very important inquiry. This inquiry will examine the preparation for and our preparedness for these flood events. It is clearly a critical matter that we have a proper flood mitigation strategy in our state, and that applies obviously catchment by catchment. It means proper planning needs to be in place. It means proper mitigation techniques need to be in place, and it means proper warning systems need to be in place. You cannot expect communities to be confronted with a major flood event without proper warning, and indeed you should not expect communities to be confronted with a flood event that has been caused in part or in whole by planning decisions that have been made foolishly, in a cavalier manner or in some other delinquent or unsatisfactory manner ahead of time.

Often I think councils look at things in a piecemeal way, and I am not pointing the finger at them in particular on this. I make the point I am not pointing the finger at them in particular on this because I do not think councils are always in the position to have all of the information they need. But they are confronted in fact by planning applications item by item as they come forward, and often it is the totality of changes around flood plains.

The case of the Maribyrnong is a concerning case. Clearly across the catchment, planning decisions have been made. There has been greater urban infill and greater run-off, and that applies to the whole

of that catchment. At the same time, specific decisions were made in the middle 2000s to put in place flood wall mitigation for certain structures around Flemington.

I make it my point here that I am a strong supporter of racing in this state, and I strongly support the role that Flemington in particular plays. But that is not the point of this. The point of this is to understand the decision-making behind the government's steps to build that wall and to provide the support for building it – that is Justin Madden's time, Labor's time. I make the point very clearly that this is an older set of decisions that were made. Mr Mulholland is nodding – I know he is very concerned about a lot of these flood mitigation matters in his electorate, as are Ms Lovell and others, who are very concerned about the issues within their specific electorates.

This inquiry will have sufficient scope to examine what it needs to see and do and recommend in this area. I will leave it to a number of my other colleagues to talk in particular about some of the rural flooding, because they are more expert on that than I am, and in that sense they will make a contribution. But I note that a number of rivers are listed in this. That is not an exhaustive list, and the terms of reference are sufficient to look at flood events that have occurred elsewhere.

In my own electorate I have spent some time looking at the issues around the Elster Creek. It is very low lying land that comes in at Elwood and flows through all the way down to Bentleigh and surrounds. These are low-lying areas that are prone to flooding. We have seen recent floods even on recently built infrastructure, like level crossings, where the government has clearly not got the mitigation steps in place and has not thought through the implications when it has commenced new level crossing removals. I am not, again, pointing the finger specifically on this. I am just saying that we need a better process to actually make sure that when the planning happens the outcome is not a series of floods as a consequence when this is not thought through in the way it should be. This applies right across the whole state. It applies in the metropolitan area. It applies in the rural areas as well.

This state government's planning issues have got rather more significant, and I noticed the Minister for Water's reluctance in this chamber to answer in full and completely about the involvement of Mr Nick Wimbush as a critical individual in some of these matters. He was put in charge of the flood review to be conducted by Melbourne Water. This Melbourne Water review is like getting your kids to mark their own homework. Mostly they give themselves good marks, they give a lot of ticks and As, and the Melbourne and Metropolitan Board of Works is doing a review into its own decisions. It has appointed the people that appointed Mr Wimbush, who had a clear conflict of interest. He clearly had been involved with planning matters in that same catchment in the period in question. I mean, honestly, what were they thinking? The FOIs have gone to the department, and we will find out what the minister knew and when she knew it. She has not been forthcoming on that, but we will get to the bottom of that, and this committee will have the capacity to do some of that too.

But the truth is the department has botched this badly. They made a series of mistakes in the early period and now they have decided to set up a committee to look at themselves and try and smooth it over, to fudge it through, to just stroke it all through, and in the same period the inquiry will have the capacity to be more robust in examining these matters. It will be in a position to actually get to the bottom of what is going on. It should have the Minister for Water attend. It should have the Minister for Planning attend. It should have the relevant departmental officials and it should have the Melbourne Water officials who were part of much of the decision-making around these issues.

Clearly there is a statewide and an international issue with climate change, and that is sufficiently represented in the terms of reference. That is a different matter than urban infill and urban flood mitigation where bad planning decisions are made. Whether there is climate change or not and the seriousness of it, you can still get into trouble with flood issues in urban areas where you actually fill the area densely with concrete and bitumen and you have massive run-off. One of the issues that I think this inquiry should look at is the issue surrounding unrestrained urban density with poor flood mitigation associated, and that is clearly an issue in metropolitan Melbourne.



I notice the terms of reference here also point directly to the implications of planning decisions, including how the Victorian planning framework can ensure climate mitigation is a consideration in future planning decisions and how corporate interests may influence decision-making at the expense of communities and climate change preparedness. We have a live example in front of the community and the chamber today, with IBAC releasing Operation Clara, a special report. This special report is about many of the planning decisions –

**Sonja Terpstra:** On a point of order, President. I have the terms of reference for this motion in front of me and it relates to floods. I am not sure how an IBAC report relates to floods. I think Mr Davis should make sure he is relevant to the motion.

**The PRESIDENT:** Mr Davis, you do not need to go further on the point of order. Being the first speaker, you have some latitude, but I ask that if you can try to keep to the motion that would be great.

**David DAVIS:** Point 8(b) in the terms of reference relates directly to corporate interests and decision-making at the expense of communities. Operation Clara is today. It is Mr Theo Theophanous. It is the decisions around planning. It is very clear and I direct people to some of these pages.

In examinations ... witnesses confirmed that Mr Theophanous did not provide written assurance from the VPA, and that as a result, Mr Theophanous was not formally appointed as an AEC lobbyist.

But he continued to engage in activities that any reasonable person would regard as lobbying. He met with the Treasurer, who was partially responsible for the Australian Education City, the AEC, in East Werribee. This is a planning issue, and it is a planning issue about how this is to be done. Mr Theophanous is a member of the VPA. He is on the board of the VPA no less. He is actually on the board, and minutes of the VPA, the Victorian Planning Authority, of 28 February 2018 –

**Jaclyn Symes:** On a point of order, President, Mr Davis is in contravention of the standing orders. He is trying very, very hard not to be by mentioning the word ‘planning’ as much as possible to tenuously link it to the motion, but I think reading out excerpts from an unrelated report in relation to this motion is clearly out of order.

**David DAVIS:** On the point of order, President, it is clearly related to point 8(b) and it is clearly related to planning. This deals with the planning –

**Jaclyn Symes** interjected.

**David DAVIS:** No, no. He is on the Victorian Planning Authority board. He is attending planning authority meetings about this AEC. This is about –

**The PRESIDENT:** Mr Davis, you are debating the point of order. I call Mr Davis back to the motion and remind members that people will get their chance and they will be able to respond to what Mr Davis has said.

**David DAVIS:** I am just going to read from the report very briefly here:

Mr Theophanous attended a VPA Risk and Audit Committee meeting where it was noted that the CEO of the VPA would provide an update to the board on what actions the VPA should take if the government decided not to proceed with the East Werribee sale proposal. Minutes of the 28 February 2018 meeting indicate that Mr Theophanous was in attendance and did not declare a conflict –

of interest –

The update was provided to the board at its meeting on 14 March 2018, which was also attended by Mr Theophanous (who again, did not declare a conflict of interest).

My point is that Mr Wimbush is one of the people that the government appointed to conduct an inquiry on some of these flood issues. He has now stepped aside because there was a clear conflict of interest. This government has low standards when it comes to conflicts of interest, and the issues with Mr Theophanous are clearly corrupt, within the meaning of the word as you would see it in the

dictionary. Clearly he has some personal interest here, and he is advocating for the Australian Education City and using his position on a planning authority board to do so. I mean, this is actually crooked to an extreme level. I cannot believe that this is allowed to occur. I will just make a point in the house here, and I make the point to defend one of my Labor colleagues here. His daughter, who is a member of the other place, is specifically excluded by Operation Clara, and I make that point clearly.

But that is not the point I am making here. There are corrupt standards in this government, the planning processes are botched and crooked in many cases, and this is a matter that this inquiry will need to look at. How was the flood mitigation looked at? How were decisions made by people closely associated with the government to build walls? What about the flood preparation in other parts of the state? The planning process is critical to this. If the planning process is corrupt, shot through and crooked to the core, that is a problem, and that will lead to less satisfactory outcomes. I have to say of this Operation Clara that people will be chilled when they read that. They will say, 'Our planning system is at real risk.' There is a corrupt sort of behaviour at the heart of this. The Treasurer is mentioned in this. I mean, this is a very, very bad report. But my point is that these conflict of interest issues are at the core of some of these decisions on the Maribyrnong River catchment.

I mean, Mr Wimbush was involved with aged care matters. He appears to have been giving advice on that and then later came along and looked at these issues in the same catchment, and he is going to act as the neutral broker for the independent inquiry. Well, I tell you what: it is not independent, it is a cook up, it is a stitch up and it is not good enough for Melbourne Water to be doing that, and that is one of the reasons that we need this particular inquiry.

I just noticed we have got some FOIs in on Mr Wimbush and related matters. I note the department does not seem very enthusiastic to answer those, and they have been, I have to say, reluctant to even do a search for the word 'Wimbush'. They tried to tell us that they would not be able to search the word 'Wimbush', and I said, 'Well, how many Wimbushes are there?' You know, Wimbush is a very unusual name, but they do not seem to be able to do a search for the name Wimbush.

**Jaelyn Symes:** On a point of order, President, bearing in mind that I acknowledge your previous ruling that the lead speaker has broad discretion to be reasonably general, referring continually to an individual who is not mentioned in the terms of reference, I do not think, and referring to unrelated FOI matters is clearly outside the scope of this motion, and I would ask that the member come back to the contents of the motion and perhaps talk about the community impacted. You have specified what this inquiry is about. I think it is more about the people.

**David DAVIS:** On the point of order, President, Mr Wimbush is clearly part of the genesis of this inquiry and –

**The PRESIDENT:** I think you are both debating this point of order, but the original point of order from the Leader of the Government I will uphold and ask Mr Davis to come back to the motion. I remind members that are on the speaking list to respond to the comments of the mover of the motion.

**David DAVIS:** I note that I have only got a few moments remaining, and in that time I do want to point to the terrible outcomes for people in the Maribyrnong River catchment. The stories there are quite extraordinary. The failure to warn is quite extraordinary. Individuals and families have suffered very severely, and that is why we have to get this catchment management right.

My colleagues, as I said, will talk about some of the country catchments and the significance of those and the failure to warn in some cases in some of those country catchments and the lack of preparation in others. They are all critical points, but I do think it is important also to focus on the fact that some of these longer term issues with planning are actually very important. In particular in city areas, where planning has not always been thought about holistically enough, there are developing issues in a number of our catchments. Those poor people who have suffered so much in the Maribyrnong River catchment in this recent cycle are the case study for that, and I think the community would be very concerned about that.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (10:26): I rise to make a contribution on this motion standing in Ms Crozier's name. It is a very important motion, and I will touch on some of the specific elements in it in a moment. But I just want to acknowledge that the communities who were impacted by this flood event are the ones that need to be at the forefront of our minds when we are debating this, because some of the commentary that I have had the benefit of listening to I think is actually incredibly disrespectful not only to the communities but to our first responders who were helping communities, not only the SES –

**Jaelyn Symes** interjected.

**Sonja TERPSTRA**: Absolutely not. Often in times where there is a significant event like this we are actually at our best. People come and help each other, roll their sleeves up and get prepared to go into floodwaters. I saw pictures on the news of people getting their tinnies and ferrying people out of houses – old people, people with their pets and the like – so they could be taken to safety. Those are the things that remind us that when we are experiencing hardship or times of crisis Victorians are absolutely at their best, and that is what I think we need to focus on rather than the kind of paint-by-numbers rambling craziness about 'government bad'. Let us not forget there are people who lost their homes. They were significantly impacted and continue to be significantly impacted by these events, and it is completely insensitive of Mr Davis over there in the approach that he has taken to debating this matter to continue to use it as a political stunt to say, 'Government bad. Government always bad.'

But the fact remains that this referral motion is about a committee inquiry, so obviously the committee's job is to take evidence from people who are impacted and have experience and to hear about what has actually happened to them and make a decision. Mr Davis has a very interesting approach to these things. But I just note that the main point of this motion is to inquire into the large flood event, the October 2022 flood event, including but not limited to the:

- (1) causes of and contributors to the flood event;
- (2) adequacy and effectiveness of early warning systems;
- (3) resourcing of the State Emergency Service –

and the responses to those things. Of course later down in the motion there are a range of rivers that get mentioned in regard to that.

I just want to talk about my own personal experience as well, because I do not live in the inner city and I do not live in the regions, but I live near the Yarra River. The Yarra is not mentioned in this motion, by the way, and I can state from my own personal experience I think I have seen the Yarra break its banks on at least three occasions. But certainly on this occasion, when I was driving to and from or in and out of Bulleen and those sorts of places, the Yarra was of significant concern. When you cut out the roads that allow you in and out of near where I live – if one of the roads is cut – you have got another option to get out. But I was watching the floodwaters rise and was getting exceedingly concerned about the continuing rising of the water, because as we know, once a rain event happens you get the rain. But then with the Yarra it is what happens upstream – it continues to feed into the river – and it was very concerning. It is good that we have mentioned a lot of these rivers, but the Yarra is also a significant river, and I hope that we will get some information about that river as well.

I know Mr Davis is fixated on planning framework decisions and all the rest of it. Of course they are matters that are touched on in this motion, and no doubt they are things that will be addressed in the course of the inquiry. But again it is disappointing to hear Mr Davis in his contribution trying to – I think the Leader of the Government, Minister Symes, touched on this in her point of order – use the word 'planning' umpteen times. To link to a report that has nothing to do with this inquiry is quite disrespectful and rude to people who have been impacted by this. It is just a disgraceful thing for you to do, Mr Davis – again, completely disrespectful to the communities that were impacted by these floods and continue to be impacted.

People are looking for answers rather than just a political stunt to try and say ‘government bad’ – always ‘government bad’. One of the things that this motion talks about is inquiring into some of the causes – and I think Mr Davis spent all of 3 seconds on it in his contribution – but we know that climate change is a significant contributor to these events. They are extreme weather events. He spent 3 seconds on it and about 10 minutes going on about ‘government bad, IBAC, IBAC, government bad, planning, planning, planning’. Ridiculous! That is pretty much what it was.

Let us talk about the facts – for example, the flood event. The Bureau of Meteorology declared a La Niña event on 13 September 2022, the third consecutive year a La Niña event had been declared. That is pretty extraordinary – the third year in a row, La Niña. Modelling suggested that it would be a relatively short-lived event peaking in spring and easing by early 2023. Alongside that event occurred other meteorological events: a negative Indian Ocean Dipole and a positive Southern Annular Mode had the potential to increase rainfall. Not only were people aware of this, but the Bureau of Meteorology were telling people and advising the community that, ‘Hey, these are extreme weather events, and these things are happening,’ and so of course people started to watch and pay attention to these things. Victoria endured its wettest month on record in 2022, and with a third La Niña weather system in a row, wet conditions had not eased since 2020. That was quite extraordinary in terms of weather events. So again, to say that there is some sort of government bad intention to do Victorians over is kind of farcical. Dam storage was nearing capacity, including a 10 per cent increase since the same period of the previous year, 2021, and catchment conditions averaged to above-average soil moisture. You can see the confluence of events that led to this. It is climate change. You know, climate change causes more severe weather events more often.

In preparation for the storm event, the State Control Centre was activated to tier 2 on Tuesday 11 October, escalating to tier 3 on Wednesday 12 October in response to the commencement of the event. The VICSES established more than 50 sandbag collection points across the state in conjunction with local councils. Again, I want to acknowledge the fantastic work the Victorian SES did, not only in helping communities prepare for this event, because they knew what was coming, but after that – rescuing people. And as I touched on before, community members came out of their homes to help people. They are the things that we need to acknowledge. The best of Victorians is on display when we have to pull together in these extreme weather events and actually help one another. Over 1 million sandbags were distributed over the course of the flood event, and then heavy rainfall on Wednesday and into Thursday 13 October saw 3049 requests for assistance to the Victorian SES in 24 hours, including 1766 flood incidents and 128 rescues. That is enormous. It put enormous pressure on all of those resources, but they responded well to those events.

There is lots more that I know other contributors will say on these matters, because there is actually a lot that is being done. But again, just touching on some of these things, much of north-west, north and central Victoria received their highest October rainfall on record, with area-average rainfalls across Victoria at 160.3 millimetres, and some of the most affected areas included Seymour, Maribyrnong, Euroa, Benalla, Shepparton and communities along the Murray River.

As I said, I do not live in the inner city, and I know the Greens are very keen to worry about the Maribyrnong River, which is important. But the Yarra is not mentioned in there, and there are plenty of other rivers in regional Victoria that we must make sure are included in this – because it is not just about the inner city. There are communities that are impacted by these events right across the state. The Murray River reached its peak of approximately 38.4 metres – the highest the river has been since the 1974–75 flood event – which is 14 centimetres lower but not as high as the 1956 flood event of about 39 metres.

I could go on and on and on about the facts of this matter. I note Mr Davis has left the chamber, because he does not want to hear about the facts. He does not want to hear the reality –

**David Davis:** I’ve just returned, actually.

**Sonja TERPSTRA:** Yes, well, you are not in your place either, so maybe you should resume your place if you want to say something. But in any event, this event was a protracted one, with complex, ongoing impacts and concurrent response recovery occurring due to the large-scale displacement of communities and ongoing influx from floodwaters across Victoria.

The clock is against me, and I will have to conclude my contribution there. I look forward to the contributions of my colleagues on this matter, because there is plenty of information that is actually realistic information, not paint-by-numbers craziness by the opposition over there. So I will conclude my contribution, and I welcome the positive contributions made by my colleagues on the government benches.

**David ETTERS HANK** (Western Metropolitan) (10:35): I would like to speak in support of the motion. I have been involved with the Flemington Victoria Racing Club (VRC) matter since 2004, and I have expressed my concerns previously, publicly and in this place, on the current Melbourne Water review. That review process has been, I think, disturbing. What we have seen is a process of Melbourne Water reviewing Melbourne Water, and at the same time we have seen magnificent people from organisations like the SES and the Red Cross pretty much as window-dressing in what have been described as ‘community consultations’.

This proposal captures our concerns on the VRC and the flood wall issues, and at the same time I think most importantly it elaborates that and contextualises it into a broader discussion about the impact of climate change across Victoria – I note and thank Ms Terpstra for her contribution in this regard; I thought that was really useful, so thank you for that, it is much appreciated – and recognises the terrible, terrible losses that have been experienced by Victorians with climate-driven flood events. This inquiry provides an opportunity for the house and for the committee to undertake a broad-ranging review, as proposed in the motion. Most importantly, from our perspective, and we flagged this issue previously, we are keen to ensure that the review also considers the lessons that can be learned from these events in terms of adaptation strategy. Clearly, climate change continues; it continues to escalate, and the impact of that on Victorians across the state continues to grow and evolve. We need to not only address how we mitigate the expansion of climate change inducing gases and suchlike, but we also need to look at how we adapt to the changes that will be required in our everyday lives. This review picks that up. I would like to, on that basis, simply commend the motion to the house.

**Wendy LOVELL** (Northern Victoria) (10:38): I rise to also join in debate on this motion and congratulate both the coalition and the Greens for initiating motions to have a review of the floods in Victoria. I thank the Greens for their cooperation in coming to an agreement with us on a motion that the crossbench and the opposition were satisfied with, because when we do have events like major floods in Victoria it is only right to review them, and it is right that this Parliament should have a review of them. It is right that we all understand the implications, the ramifications and the effect that they have had on our communities. At the outset I should declare that I actually was impacted by the flood myself. The river is my back fence – the Goulburn River. I was very fortunate not to have any inundation within my home, but I did have water right throughout my property. My two sheds were under water. There was water underneath my home, and I was displaced from my home for a full six days from Saturday 15 October, not being able to return until Friday the 21st.

My neighbours were not as fortunate – 30 centimetres right through their home. Some of my neighbours at the top of my street were even less fortunate, with up to a metre through their homes. A number of houses were inundated in my neighbourhood and in my community of Greater Shepparton, which includes Mooropna, but also right throughout my electorate. I think that places like Rochester have been hit particularly badly, but of course we saw Echuca and a number of other communities – I should not really start naming communities because there were so many of them.

It is right that we look into the causes and the contributors to this flood event and how the management of our irrigation infrastructure may have contributed to some of the flooding in the north of the state. I am not going to speak on the Maribyrnong portion of this because Mr Davis has canvassed that quite

extensively and I know Mr Mulholland will also canvass that extensively. I will keep my comments to the north of the state. It is right that we have a look at the adequacy and effectiveness of the early warning systems, and I have to say there are a lot of areas that did not get any early warning. Certainly in towns like my own town of Shepparton, as soon as Seymour went under we knew it was coming for us, so we had some warning. But warnings to evacuate were very difficult during this flood – much less clear than they had been in previous floods. But those of my constituents who are in the upper areas of the Goulburn catchment, just downstream of the Eildon Dam, received virtually no warning whatsoever. Many of them did not know the water was coming for them at all, and these were catastrophic floods that wreaked havoc along the Goulburn River and its tributaries.

The rivers prior to the flood event were full and so were the dams, and what we know is that they increased the releases from Eildon quite substantially at 11 pm on 13 October. Prior to that time there were about 9000 megalitres a day being released from Eildon. That was up to 38,000 megalitres from 11 pm on 13 October. Residents between Thornton, Acheron, Whanregarwen and Molesworth had no warning at all that that water was coming. It started coming at 11 o'clock, and between 2 am and 4:30 am they woke to find their properties under water and having to take action in the dark if they needed to move stock or equipment, to evacuate themselves or to save some of their possessions from their home. It is very difficult for people to move cattle in the dark, and this was a significant problem for them that the state should apologise for. Also we need to investigate just why that happened and why they were not given more warning.

To give you an idea, the closer to the lake you were, the quicker the water came of course, and in Thornton it came at around 2 am, in Whanregarwen at about 4:30 am and in Yea between 6:30 and 7 am. The rivers rose quicker than they ever did before, and this was a factor right along the river. I know that at my place there is a park on The Boulevard before our street, and it usually comes up into that park. It then comes through the park and across The Boulevard, and we have several hours to get out, even when it has broken its banks. At 5:30 that night someone said to me, 'They've said we have to evacuate by 6:30,' and the water had not even broken the banks of the river at that stage. I drove into town to the ICC and spoke to the guys there and said, 'Are you really sure about this?' They said, 'It's coming very fast.' By 7:30 they had closed The Boulevard. I have never seen in 2 hours it break the bank, come through the park and across The Boulevard.

We still have a couple of hours to get out around the back way once that has happened, but it meant that I had to leave a day earlier than I thought I would be leaving my house. I thank Sarah Ross-Edwards for saving me, because she was the one who arrived at my house and said, 'You have to get out now.' If Sarah had not done that, I would have been stuck in there for six days and not been able to do my job, and I wanted to be out and doing my job, as Sarah knew.

But we had significant flooding events along the Avoca River, the Barwon River, the Broken River, the Campaspe River, the Goulburn River, the Loddon River, the Maribyrnong River and the Murray River in this state. We need to have this investigation, and one of the things we really need to understand too is the impact of infrastructure on how the water moved and how the water drained away. I was just speaking with a family in Bamawm the other day, and they told me that they had water coming at them from the river on one side and water coming at them from Goulburn-Murray Water's infrastructure – I think it was channel 14 at the point – on the other side. The water from the Goulburn-Murray Water infrastructure actually had more impact on them than the river, and when it started to subside, the river water actually drained away quite quickly but the water kept coming from the Goulburn-Murray Water infrastructure, and then when it was time for it to subside, it was trapped there by the Goulburn-Murray Water infrastructure. There was nowhere for it to drain.

We had the same problem in Kaarimba. For people in Kaarimba, some of them who were not even in the flood plain were flooded. Areas that have never flooded before that should not flood were flooded. The main reason for this was that the Goulburn-Murray Water owned infrastructure, the levee banks around Loch Garry, failed and blew out in several locations. That sent water into areas where it should not have gone had the bars on Loch Garry been pulled and the water gone in the right direction. For

Mick and Kerry Wickham at Kaarimba – not in the flood plain – they had water up to the top of their pool fence and at that level right throughout their house. I have photos of Mick standing in his house with water up to his chest. They should not have flooded at all, but that water sat there for six weeks, and after six weeks it only subsided because they pumped it out. It was trapped there by, I think, channel 12 at that point. In fact on their road, on Sandilands Road, there is still water sitting on the road that cannot drain away because it is trapped there by infrastructure. Again, we have roads in Colbinabbin and Corop that are still covered with water now. The floods were last October. The water is just not draining away, and some of it is trapped because of infrastructure.

What we saw from the government was a lot of flying in and flying out. When they flew in, they talked to public servants and they flew out. There was no actual engagement from government ministers or the Premier with the people who were flood affected. They were secret visits. And still no-one from the government has walked down the streets of Mooroopna. People woke in the middle of the night and put their hand out of bed and went, ‘Oh my God, there’s water’ – (*Time expired*)

**Jacinta ERMACORA** (Western Victoria) (10:49): I rise to speak on this motion to review Victoria’s flood preparedness and response to the October 2022 flooding event. In doing so it is important to take the opportunity to pay tribute to the efforts of the tens of thousands of Victorians across the state who have turned out for their communities, whether they were emergency services staff and volunteers, community leaders, neighbours or friends, as is often the case when these types of events happen. I also want to acknowledge just how devastating these floods were and, as other speakers have said, that the three years of La Niña and the Indian Ocean dipole really had a significant effect in the hydration of catchments. These devastating effects have impacted families and their homes, businesses and farming enterprises, and many of these effects are ongoing at the moment. Many homes remain unoccupied and damaged. Also damaged infrastructure is still being repaired.

I want to acknowledge the emergency services that responded – not just the volunteers but the professionals as well – but also acknowledge that volunteers are often highly professional and highly qualified and trained in the work that they do. There is the SES, which is made up of volunteers; the CFA, which is made up of both volunteers and career firefighters; local government, who play a central role in regional communities in supporting and providing support services during emergencies; and all of the highly trained volunteers. Then there are members of the community, like others have said already in this debate, who just get up and do what is needed, who worked on the front line, laying sandbags or providing food for those who needed food.

I would like to also acknowledge rural councils, again, who play an integral role in emergency support. I also want to acknowledge, in a quite separate point, without direct involvement, our Indigenous community, because I want to acknowledge our First Nations people for their knowledge of water management. I think that no discussion on this issue should exclude their knowledge, so I wish to acknowledge the management of our state’s waterways by our First Nations people prior to the colonisation of this land. In the same way their land was never ceded, neither was the water. What we often do not recognise is that cultural knowledge of water includes expertise on geographical landscapes, hydrological knowledge, engineering knowledge and knowledge of how to sustain a community without damaging the ecology of a catchment. I think we all have something to learn in that space.

In 2011 there were floods in Allansford, in the Warrnambool community. At that time, in 2011 and 2012, I was the mayor of Warrnambool. Luckily for me this was my first direct exposure to a flood scenario. The Hopkins River was under great stress and the river was rising significantly. The issue at that time was that there were no early warning mechanisms upstream of the Hopkins River, which meant that Allansford as a community really did not know how high the water was going to get and how far it would spread out throughout the Allansford township.

There was a community meeting led by the SES, and between 200 and 300 people attended that meeting, all residents of Allansford concerned about what would happen with the rising floodwaters.

The CFA were there. As it turned out a low-lying area in Allansford was flooded and pumping was required by the CFA, 24/7, to empty that low-lying area into the Hopkins River. Warrnambool City Council provided a safe meeting place – this is what local governments do in a disaster – a relief and recovery centre and a place for emergency shelter for displaced animals. The council also provided support in assessing damage to buildings. In that time, 10 years ago or more, there was significant uncertainty of the impact of the flooding episode. Recently the same episode happened – another flood in Allansford. The Hopkins River came up, but early warning mechanisms were installed. The SES and emergency services were able to predict fairly accurately how high the river was going to go. That provided significant support and certainty to the Allansford community.

In speaking on this motion, I want to progress a huge thankyou to all of the Victorian police, SES, Life Saving Victoria, ESTA and other staff and volunteers who performed those nearly 1000 water rescues across the recent floods throughout the whole of the state of Victoria. Much of north-west, north-central and central Victoria received its highest October rainfall on record, with average rainfall across Victoria at 160.3 millimetres. Some of the most affected areas included Seymour, Maribyrnong, Euroa, Benalla, Shepparton and communities along the Murray River – the mighty Murray River flood plain system.

The Australian Defence Force established Operation Flood Assist on 17 October last year, providing general duties personnel and two CH-47 Chinook helicopters to assist with reconnaissance, the evacuation and relocation of communities and resupply of essential food supplies to isolated communities, including feed and fodder for livestock. Victoria deployed teams to New South Wales and Queensland during their major floods last year and currently have dozens of personnel in Western Australia supporting their response to the recent flood emergency. The emergency services sector works as one, and it is amazing to see the seamless cooperation of these agencies in times of crisis. That is exactly what I saw in Allansford in the recent floods and 10 to 11 years ago when it happened as well. I congratulate all those who have made an effort to keep our communities safe.

**Samantha RATNAM** (Northern Metropolitan) (10:59): I am pleased to speak on behalf of the Greens in support of this inquiry motion. From the outset I want to thank the opposition and the crossbench for working with the Greens on refining the terms of reference for this inquiry. The Greens are pleased to see so many in this chamber recognising the need for a proper inquiry into last year's floods and listening and bringing the concerns of the community into this chamber and into this debate, especially from the Maribyrnong area, to get to the bottom of what wrong and, importantly, the lessons for the future.

The inquiry reference is broad and inclusive of a range of flood events that occurred late last year. I will focus in my contribution on the Maribyrnong flood event, but my colleague will expand briefly on the statewide events soon after me. At the outset I want to acknowledge my Greens colleague in the other place Ellen Sandell for her tireless advocacy on behalf of affected residents and her determination to secure a full inquiry into the devastation of last year's Maribyrnong floods.

On 14 October residents in the suburbs that line the Maribyrnong River – Maribyrnong, Kensington, Ascot Vale, Avondale Heights and Aberfeldie – woke to find that the river had broken its banks and their homes were under threat. With no prior warning and no time to sandbag or gather more than a handful of possessions, many residents were left with just moments to evacuate as the waters rushed in. Hundreds of homes were flooded. Residents lost cars, possessions and some their whole homes. Many residents are still unable to return to their homes and are living in temporary accommodation dislocated from their communities.

Four months on from the devastating floods it is now abundantly clear that residents were failed by our government. We need to understand why. They were failed by Melbourne Water's early warning system. The alerts that were supposed to warn residents of incoming floodwaters came far too late or not at all. Residents only received evacuation alerts at 4 am and 6 am when it was apparent that the



modelling was wrong and the river was expected to peak 1.8 metres higher than predicted. Many fled at the last minute with no opportunity to retrieve precious possessions.

They were failed by years of planning decisions that prioritised profit for developers and corporate interests over community safety. Housing developments across the state have increasingly been approved in flood risk areas, allowing homes to be built on areas previously designated as flood plains. The more urban development on a flood plain, the less able the area is to soak up water and rainfall and the more likely residents will be impacted by future flooding. We clearly saw the effects of such decisions in the Maribyrnong flood. In 2015, at the request of Melbourne Water, Moonee Valley City Council reduced the flood plain area along the Maribyrnong in Avondale Heights, which subsequently permitted the Rivervue Retirement Village to construct more housing closer to the river. The floods inundated the retirement community, and today 47 homes are still vacant and awaiting repair, with residents forced to live in temporary accommodation or with family.

Of course they were failed by the Labor government, which has not done enough flood mitigation planning or preparation in the years since the 1974 flood, with one notable exception. While Maribyrnong and surrounding suburbs flooded, one area along the Maribyrnong was spared from the floods: Flemington Racecourse. In 2007 the Minister for Planning approved a 2.5-metre high flood wall to protect the racecourse, which is built on the flood plain, from future flooding. The proposal for the flood wall was opposed by Maribyrnong City Council, Moonee Valley City Council and Melbourne City Council, all warning that the construction of a flood wall would exacerbate flooding of homes in the racetrack's vicinity. Community members led a passionate campaign opposing the construction of the flood wall and calling for their homes to be saved. But the then planning minister ignored all opposition and approved the wall, and in October last year the wall worked as intended.

In the 1974 Maribyrnong flood the racecourse made up a quarter of the area flooded. In 2022 it was zero. The wall redirected floodwaters away from the racecourse and into the homes and shops in surrounding streets. I am sure everyone in this place shared the same outrage we felt at seeing the photos of the dry green surrounds of the racecourse surrounded by residential areas covered by muddy floodwater and photos tweeted with glee by the former head of the VRC, and given the close relationship this government has with the Victoria Racing Club, it is hard not to see their influence in the approval of the flood wall. The decision shows that the government has been more focused on protecting vested interests than in looking after the residents of Melbourne's west. It clearly demonstrates who the government is willing to protect – the racing and the gambling industries – and who they are happy to leave behind.

In response to the disaster the government established an inquiry to be undertaken by Melbourne Water but on such limited terms that the community's concerns were largely neglected or overlooked. It was an exercise in attempting to brush criticism under the carpet, the opposite of shining a light, and some have called it a tick-a-box exercise. With the government's inquiry there will be no further investigation of how and why the early warning systems failed or why the evacuation procedures were inadequate, no scrutiny over government decisions or policy that may have worsened the impacts of the flood and no consideration of how planning decisions like building homes on flood plains may have put homes and livelihoods at risk. While the inquiry will consider the impact of the flood wall, it will not investigate how it came to be built in the first place. Residents were rightly outraged, but when questioned on the independence and effectiveness of the review the Premier dismissed concerns and told reporters to take it up with Melbourne Water.

Maribyrnong residents deserve better. They need an actual independent and broad-ranging inquiry into these floods to explore why the flood wall was built in the first place, why early warning systems did not work and how we can better protect homes and lives during climate disasters. Make no mistake, we will see more of these once-in-a-lifetime flood events as the climate crisis worsens. They will be more frequent and they will be more severe. We have seen five serious floods across the country in the last year alone. New Zealand has just suffered its worst storm this century as Cyclone Gabrielle slammed into the North Island. But our planning system completely fails to require any consideration

of climate mitigation or climate disaster management in decision-making. It means that we keep approving new urban development that ignores the increased risk of climate-fuelled disasters like fires, floods and storms and fails to keep people safe. If we continue to stick our heads in the sand like this, we are at risk of losing more lives and more homes to entirely preventable disasters.

This inquiry will also look into the question of the adequacy of our response services and whether they have the resources they need for future events. For example, with the SES, we know volunteers do incredible work, but often they do not have the resources they need to do their work. We have been down to the Footscray SES, which covers the Maribyrnong, and they are in a dusty shed out the back of a council facility, with hardly any wi-fi or phone reception and not enough vehicles. We will need better resourcing for services like these, and we will need better resourcing for them to be able to deal with increasing climate disasters, so I am glad this inquiry will look specifically at that as well.

This broad-ranging independent inquiry is necessary to fully investigate the absolute policy and planning failures that exacerbated last year's floods and most importantly look at what we can do in the future to prevent these things from happening and to better support communities. It will also expand on Melbourne Water's limited terms of reference. We know that the current inquiry will not do the main concerns the community has justice. We must do better when it comes to increasingly frequent climate disasters, and this inquiry is an important starting point. I urge everyone in this place to support this referral.

**Evan MULHOLLAND** (Northern Metropolitan) (11:07): I rise to make a contribution and to support this motion, particularly on behalf of my residents in the Northern Metropolitan Region that were affected by these floods, including residents living along the Maribyrnong River. I think that Labor stands condemned on all aspects of that particular disaster. Now, I support the racing industry, and I support Flemington Racecourse in particular, but the process of building and the approvals process for the flood wall itself I find deeply worrying and deeply concerning. They repeatedly ignored the pleas of both the community and hydrology experts. In April 2004 the *Age* reported that councils had warned that the project could put nearby homes at risk. In July of the same year the paper reported councils warned that houses near Flemington racetrack could be flooded as a result of the project – well, surprise, surprise. The then Maribyrnong mayor Bill Horrocks was quoted as saying he was bitterly disappointed that the minister had ignored the request for further studies on the flooding risk to local residents.

Now, I note the community advocacy of those like the member for Melbourne, another member for Northern Metropolitan, Ms Ratnam, and David Ettershank, but I also have to acknowledge one particular individual that was with the community all the way along, and that was former Premier Ted Baillieu when he was the shadow planning minister and then as opposition leader, and he has continued to follow this issue very closely. In November 2004 he called for the release of all documentation relating to the flood risk by councils and by well-credentialed experts, many of whom said it would aggravate flooding in those areas – how prophetic. He continued to raise concerns in Parliament in 2005, citing:

There is now considerable evidence that the wall will increase ... flooding ...

in the area. He also highlighted how the state government through Melbourne Water had engaged their own consultant to do modelling to project the impact of flooding.

He rightly described it as a sham process and made the comparison that if umpires on a football field asked players to call the shots, they would be laughed out of the game. Now we have Melbourne Water doing its own review into the wall with the same conflicts of interest, and we have the terrible optics of the same person who was the minister for water at the time, John Thwaites, now heading up the very agency responsible for this disastrous project. We are told by the other side that he has recused himself from the review, but that is a bit cute. He has an army of loyal staff at the agency, and it is fair to assume they would not dump the muddy dirt on their boss, would they?

I note the contributions from the other side that this is about the people, and I agree. I think we can all agree with the Westminster principle that we are but representatives of the people. We are accountable to them, so we are here as representatives of the people. That is quite different to the comments from their leader, who would like the people to have nothing to do with this inquiry. Premier Daniel Andrews has said that the more politicians are involved in this, the less likely we are to get an outcome that residents and all Victorians want and need. Just like them setting up their side processes back in 2004–05, with their own consultants not other experts, we can see the same thing happening again. It is in fact the people, through this house, that demand a proper inquiry take place, because the conflicts go on and on and on.

I note the contribution of my colleague Mr Davis. You have had Labor's hand-picked Nick Wimbush step aside as chair of the same review following a serious conflict of interest related to his role in a 2015 decision to amend flood-planning rules along the Maribyrnong River to allow aged care properties to be put along the river. So we are seeing conflict after conflict after conflict, and we see a repeated behaviour by those opposite dating back to 2004–05, where they set up their own inquiries and had their own little hand-picked Labor appointments overseeing those inquiries. I think it is about time that this chamber, as a representative of the people, takes matters into its own hands and looks seriously at what happened and looks seriously at the warnings that were given by actual experts, not Labor's hand-picked consultants, as to how the flood wall might have aggravated, as predicted, flooding to my local residents around the Maribyrnong River. This is why I support an independent, open and transparent inquiry into how this whole mess under the Labor government – under multiple Labor governments – was allowed to happen.

**Georgie PURCELL** (Northern Victoria) (11:13): I rise today to speak in support of this motion to refer the state's preparedness for and response to Victoria's major flooding event of October 2022 to the Environment and Planning Committee for inquiry. The floods in Victoria in 2022 caused widespread devastation to people, the environment and animals. Those of us who were living in flood-affected regional Victoria saw the effect of these floods, and we all must support any inquiry into our state's response to this phenomenon.

I remember driving back from Bendigo into Kyneton just at the point the Campaspe spilled over its edge. More than 3000 farm animals and more than 120,000 hectares of crops were lost and wildlife in the thousands, but the exact number is unknown. Of particular concern were the catchments and flood plains of the Maribyrnong River, where the worst flood in 50 years destroyed hundreds of homes. But one place that is protected at all costs over and over again was spared amongst the ruins, the Flemington Racecourse. Guarded by a flood wall erected in 2007, the racecourse stood steadfast while displaced families and their pets scrambled, having lost everything they had. These people believe their homes would have been saved if it were not for the 2.5-metre flood wall. Instead, they were bulldozed so that the spring carnival could go on and the greed of the racing industry could continue to thrive.

We are living in a climate that is rapidly changing and the scope of Melbourne Water's own inquiry is far too narrow.

This government that props the racing industry up with millions upon millions each year has a responsibility to protect and to answer to everyone affected by these floods. This is not a new issue. Campaigns by residents against the flood wall installation have been ongoing since the early 2000s to prevent this very issue that they had warned about. The government's own materials state in relation to flooding:

The impact on the landscape is determined by a range of factors including the topography of the land, vegetation cover, pre-existing soil moisture and the duration and intensity of the rainfall event.

But there is nothing in it about a purpose-built flood wall. It is difficult enough to manage our state through this climate emergency; we need to stop making things even harder for ourselves. I would like to think that politicians have learned by now that building a wall is never the answer. Yet the racing

chairman publicly praised the decision on Twitter, saying that the Melbourne Cup would always be safe, and then promptly deleted it. At the same time, displaced families dragged ruined belongings through the street against the backdrop of marquees that were set up to house the champagne-sipping elite. The flood wall represents classism at best and protection of animal cruelty at worst, and that is why I will be supporting this motion today.

**Sarah MANSFIELD** (Western Victoria) (11:16): I would like to also express my thanks to the opposition and those who have spoken in favour of this motion today. I am very supportive of this motion, and I would first like to acknowledge all of those in the electorate of Western Victoria who were significantly affected by these floods. I saw particularly during the campaign period many communities that were severely affected, from Beaufort to Ararat. We know Loddon shire and even my own hometown of Geelong had major impacts from the flooding. I also want to acknowledge all of those residents who were affected by the Maribyrnong flooding as well. We know that those communities continue to feel the impacts of that event to this day. I particularly welcome the broad focus of this inquiry and its attention to systemic issues that contribute to flooding, including climate change, which we have heard about from a number of speakers today, and how important that is going to continue to be when it comes to planning for the risk of flooding.

We have also heard about the importance of planning decisions, and I really welcome the broader scope of this inquiry to look back not only at historical planning decisions but hopefully inform the decisions we make across this state in at-risk areas going forward. Additionally, I am heartened to see that we are going to look beyond metro Melbourne. River systems are not isolated bodies of water, but they are connected living entities, and you cannot look at one part without considering other parts of a river system. As someone from a regional area, I really appreciate that it is going to look more broadly at our whole river system.

We have heard that intense rain events are becoming more frequent and severe, and they will continue to do so due to our changing climate. The risk of flooding is increasing both in urban and in rural areas. We have seen during this flooding event and many recent major flooding events in the last five to 10 years the damage that these events do to infrastructure and properties but also to the health of our river systems, because contaminated waters flow back into the rivers.

I think what this event demonstrated was a failure to put people, including First Nations people, and the environment at the heart of planning decisions in our river catchments. What it will also mean is that communities remain at risk during future events. We continue to see inappropriate development close to our rivers and on flood plains, and this is, as has been alluded to by others, due to a failure of an integrated approach across the state. Each council has its own way of approaching these things and its own approval processes, and again it does not make a lot of sense when river systems are connected living entities and they cannot be separated from the land or other water systems around them.

Environmental degradation around our waterways, including a failure to preserve and restore riparian vegetation along rivers, has further increased flooding risk to communities. There has been a lot of focus in this debate so far about built infrastructure. It has been talked about as a way to mitigate flood risk, but we have not talked about the natural ways we can also alleviate flood risk through attention to the riverbank ecosystems and riparian vegetation. I really hope that this inquiry will look at the contribution that artificial manipulation of waterways and destruction of adjoining vegetation ecosystems has made to flooding risk.

This inquiry is an opportunity to look to the future and to better understand what we need to do to prepare communities for more impacts of climate change like flooding. Climate readiness will require significant state government investment, particularly in rural and regional Victoria where the costs can far exceed the capacity of councils, in terms of adaptation measures – stormwater infrastructure is incredibly expensive, and many councils do not have the ability to invest adequately in that stormwater infrastructure – but also for disaster responses. As we have heard from my colleague Dr Ratnam, the SES is such an important part of our disaster response, particularly again for our rural and regional

communities, and they are crying out for more funding and investment to support the wonderful work that they do.

Additionally, councils that were affected in the recent flood event face major costs, ongoing costs, to rebuild infrastructure that was damaged. There needs to be some consideration as to how those sort of infrastructure costs will be met in the future, because it is unsustainable for particularly our rural and regional councils to continue to have to fund those rebuilding efforts. So once again I welcome this inquiry and in particular the breadth of the inquiry and its focus on those systemic issues that lead to flooding, but also I really hope that from this we will learn lessons for the future so that as a state we can be better prepared for what is coming.

**Gaelle BROAD** (Northern Victoria) (11:23): I rise to support a committee inquiry into the state's preparedness and response to the Victorian floods that commenced in October last year. The floods followed a very wet winter with above-average rainfall in September and already very high water levels across the state's river systems, including the Goulburn, Loddon, Ovens, Avoca, Campaspe and Murray rivers. The floods spread to 63 local government areas, and the impact was felt right across northern Victoria, especially in local communities like Rochester, Mooroopna and Shepparton, Echuca, Wangaratta, Seymour, Euroa, Bendigo, Charlton and Kerang.

Now, for some people, floods are last year's news; they have moved on. But for those who have lost homes, businesses and crops there is still a very long road to recovery. I like a quote from Albert Einstein. He said, 'Learn from yesterday, live for today, hope for tomorrow. The important thing is not to stop questioning.' An inquiry will do just that. It will consider the causes and contributing factors of the floods, the adequacy and effectiveness of early warning systems, the resources of our emergency services, flood mitigation strategies and future planning and a range of other relevant matters. A committee inquiry will provide an open and transparent assessment of Victoria's flood preparedness and prevention, but regional communities impacted by flooding will also get an opportunity to provide submissions and share their learnings. We need to hold committee hearings in northern Victoria in the towns that were affected so that we can hear the experiences of those directly impacted by the floods.

An inquiry is a chance for us to look back, ask questions and see what was done well and what we can do better. We need to look at the adequacy and effectiveness of our early warning systems. Evacuation orders were issued for towns like Seymour, Shepparton and Rochester. But in other areas people wrongly assumed that the water levels would not get higher than the 2011 floods, and for some it was too little, too late. There were night evacuations in some areas, and in the inquiry we will ask why. I heard that there were restrictions on text messages for community meetings. You could send them for bushfires but not in the case of the floods.

We also need to consider the emergency response. Certainly the experience of the 2011 floods did assist the understanding and response this time around. I visited Rochester shortly after the floods, and I was absolutely amazed to see the community and the response there. The Presbyterian local church was being used as a relief centre. People from the neighbourhood house were getting involved, and from the local hotel. There were barbecues and Foodshare was there, and a link to register names of volunteers to get people who were coming from further afield to assist. So I especially want to acknowledge the local volunteers and those community coordinators that have been crucial in this response, along with the SES, and also to thank the CFA staff and volunteers for their efforts. Talking to people in towns across the state, it is evident that the CFA are held in very high regard. I know in Kerang the CFA coordinated community sandbagging efforts, and they managed to fill 8000 sandbags in just under 4 hours. In towns like Rochester, 43 out of the 48 brigade members had their own homes flooded, which was terrible, given that they were not even able to protect their own homes in some circumstances because they were out helping the community.

Emergency housing is also a matter that I have no doubt will be raised during this inquiry. I remember speaking with a couple from Kerang whose farm was flooded, and they were offered emergency accommodation at the Mickleham facility, which is 3 hours away. Also people from Rochester went

to the Bendigo showgrounds. That was an excellent relief centre there. There were many groups like the SES, Red Cross, police and army assisting on the ground and helping with tents, food and supplies. But it is a challenge in a flood situation because people want to be close to their homes and their local community to assist with that clean-up and recovery effort.

We need to look at the mitigation measures. We should consider the benefits of ring levee programs for regional houses outside of country towns to help protect those areas. In towns like Rochester, locals have been calling for the early release mechanism upstream in Lake Eppalock, and I know Peter Walsh, the Leader of the Nationals in the other house, has spoken to that. A hydrological study is needed to assess the feasibility of installing gates on the spillway at Lake Eppalock to enable pre-releases which will help reduce the impact of flooding in future.

Mental health is another significant concern when it comes to these natural disasters. The last few years I have worked in disaster recovery programs and I have assisted people impacted by drought, the Victorian bushfires and also COVID and now the floods, and I can say floods are certainly one of the most challenging areas. When you think of the context, farmers right across this region had an excellent season. They were looking forward to a fantastic, phenomenal season, and then the floods came, which is devastating. Thousands of people across northern Victoria have lost their homes, and it has placed pressure on families. Now the wet has just continued to cause delays with the harvest, as people cannot get their machinery on the land.

We know the road networks were significant. They were shut down for some periods of time. I spoke to locals from towns across the state who were not happy with the state of our roads even before the impact of floods. We had highways shut and people using very small roads and coming front-on with very large freight trucks using those same small roads. So we need to look at our local councils, who are still waiting on the funds from state and federal government to help complete the works required to bring the roads back up to standard.

We need to look at essential assets. The inquiry provides an opportunity for that – to look at how we protect our power stations and hospitals and how we can manage staff shortages with people moving out of town. Local, state and federal government funding: we have got to avoid the blame games and make sure that the lines of authority are very clear in a disaster.

We also have issues with insurance in some areas – soaring insurance premiums and some insurance companies actually pulling out of offering insurance in some areas. In Rochester over 200 caravans are around town being used as temporary accommodation. One hundred and sixty people are living at the Elmore relief centre, and up to 600 homes have been gutted, with work still to be done. Bushfires can bring out the best in people sometimes, and with floods we have seen they can also divide people – so there is a bit of a different approach there sometimes. We see the best and we see the worst. But how do we build resilience, and how do we help communities work together? These are the many questions that need to be answered during this inquiry.

The committee will be able to conduct a broad review of flooding and flood preparedness across Victoria and deliver findings and recommendations to improve our response by 30 June 2024. Right across northern Victoria, people are struggling. They are living in caravans, they are driving on terrible roads, they are battling with insurance and they are saying, 'Don't forget about us.' So on behalf of those impacted right across northern Victoria, I ask you to support this motion today.

**Georgie CROZIER** (Southern Metropolitan) (11:32): I rise to thank those members who have spoken on this motion. It is an important motion about a very important issue. As members across the chamber have said, it has impacted tens of thousands of Victorians, and those impacts cannot be underestimated. We need this inquiry to understand those issues around the preparedness for response, around the causes and the effects and around how the effectiveness of those early warning systems in particular could have averted much of the disaster and impact of the floods.

I want to particularly thank Dr Ratnam for speaking with me in relation to what she was proposing, and we worked together to ensure that this important inquiry got up. I understand that your community of Maribyrnong was largely impacted – just so many people, and they are still being impacted because they are still displaced, many of them – but equally, as Mrs Broad has just highlighted, the agricultural industry. There are thousands of losses of stock, fencing, those townships – this flood event had a wide impact across the state.

Mr Davis pointed out the planning issues very eloquently in terms of what this government has failed to do and previous governments have failed to do in relation to some of these aspects that we are talking about on this important inquiry. So again I would urge all members to support this inquiry so we can get it up and running, so those Victorians that are impacted can have a say and we can better be prepared for a future event, should one like this occur.

**Motion agreed to.**

### **Economy and Infrastructure Committee**

#### *Reference*

**David LIMBRICK** (South-Eastern Metropolitan) (11:34): I move:

That this house requires the Economy and Infrastructure Committee to inquire into, consider and report, within six months of the house agreeing to this resolution, on issues around land transfer duty fees and its instruments within the Duties Act 2000, including but not limited to:

- (1) analysing the current situation regarding the land transfer duty tax, and reviewing:
  - (a) impacts on labour and capital mobility;
  - (b) revenue predictability;
  - (c) efficiency of resource allocation;
  - (d) effects on housing supply and development;
  - (e) overall tax efficiency;
- (2) examining potential alternatives to land transfer duty, assessing models from interstate and international jurisdictions, noting the pros and cons of various proposed or implemented solutions; and
- (3) any other related matters.

Australians are now being divided into new classes of people who could be described as people whose family own their house and people who do not, and as house prices go up the gap widens. At every election now, federal or state, there is a lot said about housing affordability, homelessness and inequality. There is going to be a lot more said about it as interest rates rise and as international students and backpackers return to Australia. But today I will concentrate on the issue of taxes and particularly land taxes.

Tax reform is something that is really important but does not grab the public attention like many social issues do. When talking about tax, many people use phrases like, ‘Tax is the price we pay for living in a civilised society.’ Whilst it is true that taxes generate revenue that funds services valued by many people in society, the Liberal Democrats are a libertarian party, so we look at tax through a different lens. Another way to consider tax is the confiscation of other people’s property. People do not have much choice about paying taxes – they are compulsory – so the expectation should be that this confiscated wealth is used efficiently. When we consider efficiency, stamp duty is frequently referred to as the worst tax. It was over a decade ago that the Henry review recommended abolishing stamp duty, amongst other property tax reforms. The Productivity Commission has recommended abolishing stamp duty also. Even in this chamber, when my colleague Mr Quilty asked about abolishing stamp duty, former Minister Jennings acknowledged that it is a problematic tax but noted that tax reform is a very challenging prospect for government, and on that point I agree.

The aim of this motion is to get the wheels moving so that something can be done about it. There are two main ways governments can make housing affordable. One is to ease land restrictions, and the

other is to stop slugging people with tens of thousands of dollars of fees every time they buy a property. Stamp duties are a massive hurdle for people who want to get into the housing market. Someone buying a house in Melbourne at the median price of \$746,000 will pay nearly \$40,000 in stamp duty, and every time they raise a bid the stamp duty goes up also. The mortgage payments that are inflated by these taxes over many years cannot be spent on other things, like clothes, newer and safer cars, children's education or charity.

The federal Treasury has estimated that every dollar of stamp duty revenue raised by governments does 72 cents of harm to the economy. It not only reduces affordability but also distorts the market, dampens construction and keeps people in empty big houses commuting long distances rather than living in more appropriate dwellings. Increasingly it is only the rich that can afford a house with all the taxes that go with it.

Of course most of you will know what I am really up to, because the Liberal Democrats really hate taxes. We believe it is right that people should be allowed to do what they want with their own money. We believe that most drunken sailors are better economic managers than governments because at least sailors know what they want and use their own money, but I know you do not agree on this point.

Every government in Australia loves taxes because it allows them to give the money away again and pretend for a moment that they are good people. I know that some of you might be alarmed that all of this beautiful money might no longer be confiscated from hardworking Victorians and the game will be up. So whilst I admit that if it were up to the Liberal Democrats, we would abolish lots of taxes altogether, this is not what the inquiry is about. As much as we hate taxes, we also hate debt. We do not think it is right or moral to leave debt to future generations, so this inquiry would be looking at investigating alternatives. If there was a theme to the findings of other inquiries it would be that stamp duty is one of the worst kinds of tax, but the real trick is finding a way to fill that budget hole.

I will not speculate about what these alternatives might be – that will be the job of the Economy and Infrastructure Committee should this motion pass – but I note that there are many other jurisdictions that have attempted reforms, and I believe it is time that we had a look at how they are working out. So do not fear; the rivers of money will continue to flow, at least until the Liberal Democrats form government a few terms from now. I urge all of those who think housing affordability, homelessness and inequality are important topics to support this inquiry into land taxes and stamp duties.

**Michael GALEA** (South-Eastern Metropolitan) (11:39): I would like to thank Mr Limbrick for bringing this motion to the house, which does give me an opportunity to speak on this matter, and this is actually a very important matter that is relevant to a lot of people. This government, the Andrews Labor government, does have a proud record of reform in this area, particularly with regard to social and economic policy and how that interacts with our tax system. These progressive reforms have helped to ensure that our tax system remains fair and delivers the essential services that Victorians do rely on, and that is something that I will touch on a little bit later in my remarks. That record not only relates to ensuring that our tax system functions in a fair and consistent fashion, it also includes sensible and measured reductions in taxation, which we have implemented since this government has come into office.

Reviewing our tax system is an important responsibility for any government, and for us in this chamber as elected representatives, that remains particularly the case. I am happy to discuss the form that this government has on tax reform and the achievements that we have already made – tax relief and the effective use of that tax revenue for the benefit of all Victorians. The Andrews Labor government is committed to ensuring that our tax system remains fair and competitive and continues to deliver for all Victorians. In line with this commitment we have ensured that the tax system is constantly reviewed to ensure that it remains progressive and fit for purpose. The government believes in the principle that those who have the means to make a fair contribution to the state should be required to do so. We want to ensure that those who can contribute their fair share. That is the social contract that has helped to



enable this government – as well as others across the country but this government in particular – to deliver the services and the better outcomes that we all need to see.

To address the key item of this motion, which is of course land transfer duties – I will refer to it by the more common name of stamp duty –

**Matthew Bach** interjected.

**Michael GALEA:** Thank you, Dr Bach. The taxation around property in Australia is a key component of every state's tax system. As Mr Limbrick mentioned, there are very limited ways in which states can draw upon that revenue, and there probably needs to be a broader tax discussion about how we do structure taxation in this country, where you have state governments delivering the majority of the services and the federal government taking in the majority of the taxes. I know he mentioned the Dr Henry report as well, which also touched on those matters.

There are things that this Labor government has already done to deliver beneficial and needed reforms to stamp duty, such as when the government abolished stamp duty for first home buyers and purchasers when they purchase a property below \$600,000. That concession also extended at a limited rate to those who purchase properties up to and including \$750,000. I would also like to note that in this time of considerable challenge for renters – and we had a question I believe from Mr Ettershank yesterday, though I am happy to be corrected, that touched on the subject of vacant residential properties – this government has implemented a vacant residential property tax to tackle the challenge of vacant homes. It is one thing completely to have an owner-occupied home, it is one thing completely to have a home that you rent out to tenants, but to have vacant properties sitting idle is and has been an issue, and that is why this government has brought in the vacant residential property tax to address that issue. The government's reforms overall have meant that thousands of pensioners and first home buyers have had access to government incentives and programs which have helped to make owning a home possible. This also extends to including stamp duty concessions for commercial properties in regional Victoria – that includes exemptions for family farms and concessions for charitable organisations. They are already in place.

The members on this side are proud to support a government that has cut or abolished taxes 57 times since 2014. Under this government we have seen the payroll tax free threshold increase four times. The most recent of these increases saw us deliver a payroll tax free threshold increase by \$50,000 to \$700,000 by 2022–23, a 50 per cent discount on land transfer duty for commercial and industrial properties in regional Victoria and a cut to the regional payroll tax rate to 1.2125 per cent, which is just 25 per cent of the metropolitan rate, and it is absolutely a good thing to have. It is interventions like these that have seen the regional unemployment rate fall to 2.8 per cent, the lowest on record. I would also note it is less than half of what the regional unemployment rate was at the time that those opposite were voted out of office. Together these payroll tax cuts have saved Victorian businesses about \$1.7 billion in the years up to 2021–22, and by the end of the forward estimates period we estimate that they will have saved Victorian businesses around \$4 billion.

The fact is that when it comes to tax reforms, when it comes to tax relief and when it comes to dealing with these things in a manner that produces lower unemployment, that creates jobs and that stimulates all levels of our economy, this is a government that is making Victoria a fairer place to live and to invest. We have a proud record. When the members opposite were sitting on this side of the chamber they failed to deliver on these issues.

This motion also draws attention to the state of housing affordability and the access to housing across Victoria, which I would also like to mention. This is a concern for this government, as it is indeed a concern for all governments right now across Australia. We have already taken active steps to improve access to affordable housing whilst creating jobs as well for Victorians. I have already gone over the changes in 2017 which dramatically affected stamp duty, those \$600,000 and \$700,000 concessions for first home buyers, and I think it is important to reflect that up to January 2023, so up to this year,

approximately 223,000 transactions were processed for first home buyer exemptions to stamp duty – 223,000. That is a huge impact, totalling \$3.9 billion in stamp duty that would have otherwise been paid by first home buyers, often economically disadvantaged, trying to get onto the property ladder. That is an enormous saving that we have already helped young Victorians and indeed all Victorians to access.

On top of this we have also provided 77,000 first home owner grants, and that is a total sum of \$988 million, almost a billion dollars there. That has also been provided over the same period, up to January 2023. Our support for first home buyers in the last financial year alone topped \$1.1 billion, and I think that is a very good way to demonstrate the work that we are already doing to lessen the burden of stamp duty on Victorians, particularly those trying to get into the market for the first time as first home buyers. In the 2020–21 budget we also provided temporary stamp duty discounts of up to 50 per cent for all new properties with a contract price under \$1 million, and we also did provide a number of temporary stamp duty concessions of up to 100 per cent for new residential properties with a dutiable value of up to \$1 million in the Melbourne City Council LGA.

Another mechanism that we have established is the Victorian Homebuyer Fund, which has been a key tool for getting Victorians into their first home. I would like to note here that they do say that mimicry is the sincerest form of flattery, and the Albanese Labor government, as well as the New South Wales Perrottet government, has actually copied and implemented these reforms too. In Victoria alone this \$1.6 billion fund has already helped more than 2000 Victorians buy a home. In total the government's investment is expected to open the door to ownership for 10,000 Victorians. Eligible participants only require a 5 per cent deposit. The government provides up to 25 per cent of the purchase price, and there are some additional concessions that apply for Indigenous and Torres Strait Islander people as well. Home owners can buy out the government share of their properties at market rate at any time, with those funds to the government then being reinvested into this fund to help continue to provide this fund in a self-sustaining form into the future, and that fund can be used for any location right across the state, whether it is in metropolitan Melbourne or regional Victoria. In my own region of South-Eastern Metropolitan there are a number of people who have already taken that up.

With time running out fairly quickly I would like to touch on the general concept of taxation, and I do wish to acknowledge Mr Limbrick's comments here. As he said himself, he would probably like to see a lot more taxes abolished, and I am sure we would all be curious to see what that potential prospective Liberal Democrats government might look like and what we might actually lose in this state. But I would like to actually quote from someone who is considered one of the founding fathers of liberalism, John Locke, who said that:

It is true, governments cannot be supported without great charge, and it is fit every one who enjoys his share of the protection, should pay out of his estate his proportion for the maintenance of it. But still it must be with his own consent, *i.e.* the consent of the majority, giving it either by themselves, or their representatives chosen by them ...

We have just had an election in the past few months in this state that has seen the Andrews Labor government re-elected, and it was re-elected on the track record and on the promises of further investment in our state. That is probably a very good example of that consent that Mr Locke was talking about. This government has already provided a huge number of services and benefits to our state through taxation revenue, and I will allow my colleagues to talk about that further. But in closing I would like to just acknowledge that we are taking significant steps in a number of areas, as I have outlined, to address home affordability for all Victorians.

**David DAVIS** (Southern Metropolitan) (11:49): I am pleased to rise and support the motion by Mr Limbrick, and he in his motion seeks to refer to the Economy and Infrastructure Committee an inquiry over six months to look at the range of transfer duties and instruments within the Duties Act 2000, looking at the:

- (a) impacts on labour and capital mobility;

- (b) revenue predictability;
  - (c) efficiency of resource allocation;
  - (d) effects on housing supply and development;
  - (e) overall tax efficiency;
- (2) examining potential alternatives to land transfer duty ... and
  - (3) any other related matters.

We support this inquiry because we are quite disturbed about the way the government has jacked up taxes. There have been more than 43 new taxes brought in by this government since 2014, despite a promise in 2014 that there would be no new taxes and despite a promise in 2018 that there would be no new taxes. And I note a promise by the Treasurer in this election campaign that there would be no new taxes. Every election they promise no new taxes and every election they bring in new taxes.

The point that I would make to Mr Limbrick and others is that, yes, I am very, very aware of the economic literature about the difficulties of stamp duty, about the perverse and difficult consequences that it causes, about the unfairness that it causes and about the distortions that it causes. In pure economic theory all of that is absolutely right. But I do want to add a note of caution. If it were a Liberal government making such changes, I would be far less concerned – but a Labor government considering these changes? Let me be quite clear: I know for a fact they are considering it. I have an FOI in that requests all the documents, assessments and analyses that the government has done over the last two years into this matter. We know that there are 21 of them. VCAT ordered them to provide a detailed list – the dates of creation, who created the document and the nature of the document – so we have quite a detailed list.

Let me just say that this is the most secretive government under FOI we have ever seen. Of the 21 documents that we were able to prove existed, how many do you think the government has released? The answer is none. They are refusing to release the whole lot. Victorians are not entitled to know the assessments, the analyses and the work – including commissioned external work undertaken by the government on exactly this matter – about the shift or proposed shift that economists would point to from stamp duty to a broad-based land tax.

I get what the economists say, but let me ask you another question, and this is a rhetorical question to the community: would you trust Daniel Andrews – or would you trust Tim Pallas – with a brand spanking new land tax on the family home? Would you trust him? How long before he broadened it to every family home? How long before he jacked it up further, given his record of more than 43 new taxes, huge breaches of promises in 2014, 2018 and now, and the state with a spiralling debt heading for more than \$165 billion? We know that that debt is going to be greater than New South Wales, Queensland and Tasmania combined. So we have got a massive debt over here, and then the boffins say, well, let us get rid of stamp duty and let us move to a broad-based land tax.

New South Wales has a model that they are looking at. I note that the Labor opposition in New South Wales has opposed this step by the Perrottet government. But fortunately, or perhaps unfortunately, we have a real live model to look at, and that is Canberra. In Canberra they said they were going to move from a stamp duty to a broad-based land tax. That is what they said they would do, and they said that they would abolish the stamp duty. But that is not what has happened, and this is the fear. What has happened in Canberra is that they tweaked the stamp duty and they introduced the land tax, but they failed to follow through with the removal of the stamp duty. Now in Canberra you have both taxes. You have the stamp duty, the massive stamp duty, and the slug on the family home through the new land tax.

It is true that Canberra is a different place than New South Wales or Victoria, or Melbourne or Sydney – the large urban centres and our country centres. It is true. The land tenure system is different. The ownership of land on the long haul is part of the system up there, and it is a slightly different mode. Notwithstanding that, the lesson is still very clear: if you are planning to take the advice of the

boffins and the economists and move from a broad-based stamp duty – that is your plan – and you want to go from a stamp duty to a broad-based land tax, and in theory you will derive all those economic benefits, the one analysis the economists never do is if in that movement they keep the old one and they put the new one in too, then you have got both. You have got both. That is what you have got in Canberra. You have got both taxes, not just one. You have got both. And I tell you what, that is what Tim Pallas will do if he moves here.

He cannot be trusted. We know he is looking at this, because he has got 21 documents. We have the list; I am happy to share it with anyone who wants it. Twenty-one documents: analyses, assessments, external groups, all working hard, beavering away, but they will not share it with the Victorian community. What would the impact be on poor people? What would the impact be on single mothers? What would the impact be on those wanting to get into homes? The economists tell us – the boffins tell us – that to move from stamp duty to a broad-based land tax would help people get into homes, but the analyses do not seem to assess, if they keep the stamp duty and you have got a land tax, how that helps young people get into a new home, with two taxes rather than one. That is the fear.

I would not trust them. I would not trust them as far as I could throw them with this. That is their record: 43 new taxes, the biggest debt, new taxes – on and on and on. Mr Limbrick is right, the issue of taxes on homes is very important. The Property Council of Australia and the Urban Development Institute of Australia, and I pay tribute to the work done by the UDIA, suggest that almost 50 per cent of the cost of a new house and land package is actually taxes, embedded charges, embedded levies, all with funny names, all with different names, but they add up to a three-letter word: ‘tax’. And the taxes are in the costs of properties, so tax, tax and tax and tax, all in the properties.

Mr Limbrick then correctly made the point that land release is critical. If you restrict the land release, you force the price up. So we need more land release. There is no question about that. Within the urban growth boundary there is plenty of land that can be brought to market to help keep the price down, so we need to make sure that we do not lose sight of the two big steps that have got to be made to actually make costs more affordable. Meanwhile we have got rates going up and up and up and up, and that is hurting young families. There is no question. It is hurting Victorians everywhere. Mr Andrews will put up more taxes, and Mr Pallas will jack the taxes up in the budget. But I make that one warning: as we look at this in the inquiry, and we certainly support looking at these matters, we need to be very careful. The economists tell us it is all hunky-dory. You will move from a stamp duty over here to a broad-based land tax, and it will all be fabulous. But the one assessment they never do is the one that says the government does not remove the stamp duty after all, and we have the real-life example in Canberra. That is what the Labor government in Canberra has done. It has put the land tax in, and it has kept the stamp duty. That is the fear.

**Business interrupted pursuant to sessional orders.**

*Questions without notice and ministers statements*

**Flowerdale fire**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:00): (41) My question is to the Minister for Emergency Services. Minister, with the grassfire that has been raging out of control at Flowerdale, it is critical that firefighting air support is available. Both you and emergency management commissioner Andrew Crisp confirmed that Victoria had night-time water-bombing capability at a press conference on 6 February this year, and Emergency Management Victoria released a statement this morning that four aircraft worked at the fire at Flowerdale overnight. Yet Victoria does not have four aircraft certified for night operations, and flight trackers show no aircraft fought the fire overnight, with both the Chinook and the air crane leaving around 8 pm. Minister, why did water bombing not occur overnight to fight the fire at Flowerdale?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:01): I thank Ms Hermans for her first question to me. Welcome to the emergency services portfolio in relation to your shadow portfolios. I know you have taken an active interest since being appointed to that role, and I appreciate that. Emergency services is very often bipartisan. It should be always bipartisan, but more often than not it is.

The question you ask is an extremely operational question, but I can confirm that there are a range of night-time aerial aircraft available. They do not all drop water. Some are for safety measures and have cameras that enable the advice for the other vehicles that are in the air to make sure that they are in a safe manner. My advice is that there was water bombing overnight. How many particular aircrafts were dropping water versus how many were deployed to the efforts is something that I can obtain operational advice for you on.

In terms of the updates that I have been receiving and indeed making available to the local member Ms McLeish, the fire in Flowerdale has now just been downgraded in the past hour to ‘watch and act’, which is a ‘stay near shelter’ advice for people in that area. And that is because of the significant deployment of more than 50 CFA units, supported by Forest Fire Management, because the area that is on fire contains a lot of steep and inaccessible areas. So having that expertise there has been a fantastic support to our hardworking CFA volunteers. But in addition, being supported by the aircraft both yesterday and overnight has meant that we are in a position to have the good news that that fire is not under control yet but has been downgraded, and there are concerted efforts on this fire today, particularly ahead of the warmer weather later in the week.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:03): Minister, what are the registration numbers of the aircraft that supposedly fought the fire at Flowerdale overnight?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:04): I am not even going to commit to giving you an answer on that, because it is a ridiculous question. When it comes to the deployment of resources, that is an operational matter. It is certainly not a matter that I would in any way, shape or form seek to influence. I would never personally ask for the registration numbers of vehicles that are responding. What I am more interested in is the communities that our hardworking volunteers and staff are supporting, including our pilots and including the people in the SCC, who are in that engine room ensuring the safety of not only our personnel but the community. And in good news, this is a fire that has resulted in no loss of homes and no injuries, and it is all because of our fantastic personnel, who have my full support.

### **Duck hunting**

**Katherine COPSEY** (Southern Metropolitan) (12:04): (42) My question is for the minister representing the Minister for Outdoor Recreation. Minister, will your government call off the 2023 duck-hunting season?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:05): Thank you for that question. In accordance with the standing orders, I am very happy to seek an answer from my counterpart in the other place and for that to be provided to you as per usual practice.

**Katherine COPSEY** (Southern Metropolitan) (12:05): Thank you for that response and the undertaking. Game duck numbers are dwindling. Research has shown that, even though the amount of habitat has actually increased due to the Murray-Darling Basin, the number of game duck species has not commensurately increased. Six out of eight game duck species have continued to show a significant long-term decline. The inability of our native game ducks to recover shows that they are unable currently to be hunted sustainably. Whilst bodies like the RSPCA are calling for more research into all the causes of this decline, it is obscene that the government is adding fuel to this fire by further endangering the game duck population and reducing their population all in the name of recreational shooting. Will the government finally commit to banning duck shooting once and for all?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:06): Thanks, Ms Copsey, for that question. There may be very little distinction between the substantive question and the supplementary, but again in accordance with the standing orders I will seek an answer from my counterpart Minister Kilkenny in the other place.

**Ministers statements: Yarra strategic plan**

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:06): Today is an important occasion, being the tabling of the first ever report this morning on the implementation of *Burndap Birrarung Burndap Umarkoo*, or the Yarra strategic plan. I would like to acknowledge the Wurundjeri Woi-wurrung and the Bunurong as the traditional custodians of the lands through which the Birrarung flows. I recognise both Wurundjeri’s and Bunurong’s deep and ongoing spiritual connection to their country, and I pay my respects to their elders past and present.

I also today want to acknowledge that the voice and the influence of Aunty Margaret Gardiner, the late leader of so many discussions on cultural water, water as a living entity and progress toward self-determination and reconciliation, continues to be felt. Aunty Margaret was an extraordinary advocate for the river. She will be deeply missed and she leaves an almighty legacy.

I also thank and congratulate the Birrarung Council on this inaugural report on implementation of *Burndap Birrarung Burndap Umarkoo* and for joining us here today and indeed joining me earlier this morning to talk about the impact of this report and the work that needs to go on. Special mention – and he is indeed here today in the gallery – to Warwick Leeson OAM and also Erin, Jackson, Alex, Jesse, Kirsten, Bronwyn and Chris, the chair of the council, for so much hard work in consultation, in partnership and in collaboration with communities, stakeholders, local government authorities and indeed a range of other people whose voices are important as we work toward self-determination and as we work toward better understanding the values and the importance of cultural water.

The focus of the council in leadership, bringing the understanding and the principles that underpin the act to the fore in that work, is of vital importance. I congratulate everybody who has been involved. I am so pleased to see public agencies and local government make really significant progress during critical early stages of the implementation of this plan. Clear advice from the council has been of crucial importance. Thank you so much for the work that you do. Well done on this inaugural report.

**Greyhound racing**

**Georgie PURCELL** (Northern Victoria) (12:08): (43) My question is for the minister representing the Minister for Racing. This week I was horrified to learn about the shocking recent export of Victorian greyhounds to China, as also reported in the *Herald Sun*. These three dogs were sent undesexed, against Greyhound Racing Victoria’s own rules, direct from Melbourne to China for the purpose of racing and breeding in an illegal greyhound-racing ring. The self-regulating and Victorian government funded industry has directly contributed to and grown the illegal greyhound-racing industry in China. Will the government commit to the safe return of dogs Turbo Thomas, Canya Cruise and Deliver to Victoria?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:09): I thank Ms Purcell for her longstanding advocacy and interest in the welfare of greyhounds in our state. In light of the standing orders of this place I will pass that on to the relevant minister for a response.

**Georgie PURCELL** (Northern Victoria) (12:09): These dogs were found by advocacy organisation Free the Hounds for sale on a Chinese racing website. The Victorian Racing Tribunal found greyhound owner Damien Senn guilty of five charges relating to the export of Turbo Thomas,

Canya Cruise and Deliver to China. Will the minister support my calls for a parliamentary inquiry into the self-regulating greyhound-racing industry in Victoria?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:10): I thank Ms Purcell for that supplementary question directed to the Minister for Racing in the other place. In line with the standing orders I will forward that question to him for an appropriate response.

#### Flowerdale fire

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:10): (44) Responding immediately to bushfires is essential. Although the grassfire is under control at Flowerdale, it remains critical that the firefighting air support is available. In December last year you made much fanfare about contracting the CH-47 Chinook helicopter, which was said to be – and I quote from a media release of 14 December – ‘the highest volume helicopter in the fleet’ and ‘a vital asset in firefighting operations’. Why, then, was the Chinook unable to fight the grassfire at Flowerdale last night?

**The PRESIDENT:** Before the minister answers, I think I am safe to assume that that was a question directed to the Minister for Emergency Services.

**Ann-Marie HERMANS:** Sorry, the question is directed to the Minister for Emergency Services.

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:11): I thank the member for her question, although I am very concerned about the content and particularly the misinformation that potentially goes to the communities that are currently impacted by fires. First of all, the fire is not under control. There are still many assets that are fighting this fire. And second of all, the Chinook was deployed last night, so your information is wrong. It is concerning. Perhaps come and talk to me after question time to give me some more information about where you are getting this wrong information, because it is of much concern to me that the community are receiving facts that are just not true.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:12): Thank you for telling us that it is under control, but it has been downgraded. Minister, you have contracted the Chinook. You have only hired –

*Members interjecting.*

**Ann-Marie HERMANS:** Well, it is not under control, but it has been downgraded. You have only hired one crew to fly it; thus it can only be used when the crew has not exceeded their legal flight time limits. So why have you severely limited Victoria’s aerial fighting capability by contracting only one crew for the Chinook?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:12): Ms Hermans, I am concerned that the information that you have and that you are presenting to the chamber is not accurate. I am sorry, but I am very concerned about that. I am more than happy to get you a briefing on the aerial operations that support our hardworking fire services, because there is a range of aerial capability in the state. We contract from other countries, we have contract arrangements with other states, we are supported by DELWP in those endeavours, and I am very confident that we have the best contracts in place for the protection of Victorians. It does concern me that you have information that does not reflect the information I have, and I am a little more confident in my sources.

#### Ministers statements: agriculture sector

**Gayle TIERNEY** (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:13): Victoria’s world-class agriculture sector provides food, jobs and prosperity and underpins an export industry in food and drink which is renowned across the world. That is why we are committed to continued investment in the sector. We know how important agriculture is for all Victorians now and into the future. We understand the need to invest in new ideas

and encourage and support entrepreneurs. We need them to explore new technologies that will benefit agricultural practices. A great example of this innovation is the work of Paul and James Diamond, members of a third-generation cattle property family in Goughs Bay, Victoria. Together with the help of government funding, they have developed a satellite mapping and farm safety app to help farmers better monitor farm activities.

By investing in projects like this, Victoria is well on its way to becoming a true ag tech powerhouse. That is why we have announced \$1.3 million in grants funding, which includes \$1 million for ag tech grants that will offer 20 emerging ag tech startups \$50,000 to hone their work and skills to make the best possible impact. A further investment of \$300,000 will be made to support the establishment of Victoria's first dedicated ag tech angel network. This will help join the dots between ag tech startups, the private sector and of course government. Increased productivity and innovation in the sector are absolutely critical, and we are empowering our farmers and our regional communities because what they do is critical to all Victorians.

### Maribyrnong River flood review

**David DAVIS** (Southern Metropolitan) (12:15): (45) My question is for the Minister for Water. Minister, in November last year the Maribyrnong River flooded and inundated, as we know, dozens of properties, including the Rivervue Retirement Village. Minister, can you explain why Melbourne Water supported the removal of the flood overlay from the Rivervue Retirement Village in 2015?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:15): Thank you, Mr Davis, for that question. Firstly, I was sworn in as the Minister for Water on 14 December. You are referring to a matter which took place in 2015. Again, Melbourne Water is in the process of undertaking a review into matters as they relate to the flooding that occurred in the Maribyrnong area last October. Again, I am not going to run a commentary, as I have said many times in this place and indeed publicly, on the nature and the scope of that review. There are matters, Mr Davis, which Melbourne Water provides information to feed into. They include matters that inform planning decisions. You may well be better placed to direct that matter to the Minister for Planning. But, again, this is something which far precedes my time as minister.

As I have indicated in this place and indeed publicly outside this chamber, decisions as they relate to management of assets, as they relate to understanding the impact of environmental changes and challenges over time, cut across a number of different portfolios. They include planning. They include local government. The water authority – in this case, Melbourne Water – provides information that goes directly to understanding impact, and that is something which is the subject at the moment of Melbourne Water's own review into the Maribyrnong flooding event that took place in October last year. So, again, there are a fair few different portfolios in what you have talked about, and again I would invite you perhaps to direct that question to the planning process that you are referring to.

**David DAVIS** (Southern Metropolitan) (12:17): Melbourne Water obviously submits to a range of processes, and it is the action of Melbourne Water that I am seeking to understand. I therefore ask, given the minister's answer: did she receive any briefings regarding the decision by Melbourne Water to support the removal of the flood overlay from the Rivervue Retirement Village?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:18): Thank you, Mr Davis, for that supplementary question. As I indicated in my answer to the substantive question, I was sworn in as the Minister for Water on 14 December last year. I had a period from June to the end of the previous Parliament whereby I was also the Minister for Water, but that was June 2022, not 2015, as you are referring to there.

**David Davis:** On a point of order, President, it is a very simple question. Did the minister receive any briefings indeed in either period when she was Minister for Water?



**The PRESIDENT:** Mr Davis, I think the minister actually did answer that it was not her responsibility at that time, and therefore I think that was her response.

**Drug harm reduction**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:19): (46) My question is to the minister representing the Minister for Mental Health. Minister, in February 2017 the Premier flat-out rejected calls from the coroner, the community, expert health groups and first responders to establish a safe injecting room in Melbourne. By October of the same year the government changed its mind and introduced a two-year trial. The safe injecting room's success is further proof that when we adopt a health-based harm reduction approach to drug policy we save lives and divert people away from the justice system. Minister, will your government abandon its piecemeal approach and implement a best practice harm reduction approach, including publicly accessible pill testing and mandatory early warning drug alerts?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:20): I thank the member for his question, but it kind of went somewhere I was not expecting it to go at the end, because you were talking about safe injecting rooms and the government's pathway to making that important decision and then you flicked to pill testing. Correct?

**Aiv Puglielli:** Drug harm reduction.

**Jaclyn SYMES:** Drug harm reduction as a general policy? All right. In my opinion – I will pass your question on – there are quite a few bits to that, but I am sure that the Minister for Mental Health will be more than happy to provide an answer to the last bit of your question.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:20): I thank the minister for referring the question for answer. Since the Premier's backflip on the safe injecting room has worked out so well, has the countdown started to this government realising that it is wrong about pill testing too?

**Nicholas McGowan:** On a point of order, President, the question seeks an opinion, which cannot be given.

**The PRESIDENT:** Thank you, Mr McGowan. Your point of order is correct. I am happy to let Mr Puglielli rephrase his question if he pleases.

**Aiv PUGLIELLI:** I will rephrase the question, thank you. Will the government introduce pill testing in Victoria?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:22): I thank the member for his question. Again I would just reflect on some of the commentary that you made, as a member of the parliamentary committee that did an inquiry into the safe injecting room in North Richmond. Describing the pathway to government implementing that policy is probably not accurately reflected in your language as a 'backflip'. But that being said, your supplementary question is directly related to pill testing, and I will pass that on to Minister Williams.

**Ministers statements: child and family services**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:24): I rise to update the house on the progress of the government's reforms to child and family services under the *Roadmap for Reform*. Family service practitioners across Victoria play a vital role in supporting vulnerable families in many and varied ways, such as connecting them with community supports, building parenting skills, improving family functioning and delivering family therapies. This is why we have invested \$387 million in family services in 2022–23, more than three times the amount invested by those opposite.

It is not just about funding; it is also about designing the most effective interventions. Under the *Roadmap for Reform*, this government continues to invest in evidence-informed interventions and

practices so that vulnerable families will receive the most effective support for their circumstances. One such evidence-informed program is the family preservation and reunification response. This service uses evidence-based approaches to keep families safely together and support children in care to safely return home. It is making a real difference to real families, as the example of Gina and Mark illustrates, noting that we have changed their names for this statement.

This couple have three children who are no longer in their care. They have a history of child protection involvement and drug use. When Gina became pregnant, they engaged with support services so that their baby could remain safely in their care. The family preservation and reunification response team worked with child protection to understand the family's strengths and their vulnerabilities, visiting the family frequently and developing an action plan and goals for the family. They supported Gina and Mark with housing, education and parenting skills, as well as linking them into community supports. As a result of the intervention, Gina and Mark were able to engage in positive behavioural change, secure stable accommodation and break the pattern of illicit substance abuse. Since the child's birth, the child has remained in the care of their parents, is meeting all milestones and most importantly is happy and healthy.

This is the real difference that evidence-informed services such as the family preservation and reunification response can make to vulnerable families. We are proud to have a minister responsible for family services, and we look forward to those opposite recognising the importance of this portfolio as well.

#### **Maribyrnong River flood review**

**David DAVIS** (Southern Metropolitan) (12:24): (47) My question is again for the Minister for Water. Minister, can you advise if Melbourne Water or their contractors have surveyed the floor levels of the 47 residences at the Rivervue Retirement Village flooded on 14 October 2022 during the Maribyrnong flood?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:25): Thanks, Mr Davis, for that question. Melbourne Water has undertaken a significant body of work with customers and residents following the flood events of last October. That is not only part of the flood response but also part of the business-as-usual engagement that occurs with residents and account holders not just within Melbourne Water's boundaries but also more broadly across the state. This is work that includes assessments, and it also includes work that is about understanding the impact of various matters around inundation, whether they are occasioned through flooding or through burst drains, mains or other situations whereby water causes damage or impact of any nature. I am speaking in the general here, and the reason I am doing that, Mr Davis, is that I would hate for you to conclude that I am making a comment on Melbourne Water's review and I would hate for that to be a basis upon which you seek to gain a commentary from me about Melbourne Water's review.

Mr Davis, these are operational matters that Melbourne Water takes on as part of making sure that account holders and residents are given the service and the attention that they need. Mr Davis, this is work, as I indicated, that happens across the state. It is also work that has been occurring through authorities and local governments and indeed CMAs as a consequence of flooding all over Victoria. So the assessments continue through business as usual and through a major event response with Melbourne Water as they do with all other authorities and CMAs in this situation.

**David DAVIS** (Southern Metropolitan) (12:27): I note the minister did not actually answer the simple question, but let me start with a supplementary. I did listen to your answer very closely, and I wrote down notes about it – 'business as usual', 'a significant body of work' and all of this – but the question is about a very specific property. Minister, why has Melbourne Water not made information on the surveyed floor levels available to flood victims, some of whom requested this information over three months ago and are now being forced to engage private surveyors at a cost of more than \$700 per flood level?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:28): Thank you, Mr Davis, for that supplementary question. Again with your preamble you presuppose that I have not answered a question when in fact you just do not seem to like the answer that I have given. As part of assessments as business as usual and post-event assessments, Melbourne Water and others undertake that work and they undertake it directly with households and account holders who have been impacted or require assistance. Mr Davis, I do not have the information that you are requesting in relation to additional information about the engagement of surveyors. That is again an operational matter, and without wanting, as I have said before, to traverse the detail of matters subject to a review by Melbourne Water, I am very happy to see what detail I can source and can provide to you around those matters.

### Fire Rescue Victoria

**Georgie CROZIER** (Southern Metropolitan) (12:28): (48) My question is to the Minister for Emergency Services. Minister, a report was conducted by PwC into the status of the Fire Rescue Victoria IT systems prior to the December 2022 cyber attack. This report was to include recommendations for required upgrades to protect information and operations. I ask: what is the status of the investigation and that report?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:29): I thank Ms Crozier for her question. As I think we have discussed in this chamber before, Fire Rescue Victoria was subjected to a cyber attack, an IT outage, in December last year. We have been working through those matters systematically since that time. I can confirm that community safety was not compromised. The community was still served by crews continuing to be deployed, and we had a lot of workarounds in relation to the payroll system and the rosters and the like. It has been a big effort in terms of people that have come and supported the organisation to (1) create workarounds within the systems to best be able to function as they were pre cyber attack and (2) identify any of the breaches in relation to the information. They have set up some support agencies with organisations that help people to respond to any compromising of their personal circumstances and personal information, and a lot of firefighters and staff have taken that up.

In relation to where we go from here, we are still considering a range of advices, including the one that you refer to. It is DPC and government services who are working alongside FRV in relation to IT systems and cybersafe security going forward. So it is a whole-of-government impact. But in relation to where to next, what the options would be to ensure that we have the best system that is futureproofed to ensure it is best placed to protect against future cyber attacks and the like is work that is ongoing.

**Georgie CROZIER** (Southern Metropolitan) (12:31): Minister, I thank you for that response, and I note that you said there was an ability for the public to speak to agencies. The important and critical issue is around the public. They have a right to know if their safety is at risk. So the question is: will that report be made public?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:31): Ms Crozier, it is not the public safety element that is at risk here. It is the private information of those that are connected to FRV. So regarding the way you have framed your question, there is no public safety risk that that information would lead to informing any information. The cyber attack is about the personal information of the firefighters, not public safety.

**Nicholas McGowan**: On a point of order, President, the question was whether the minister would provide the report. The minister is now debating other aspects of the question. I ask that you bring the minister to order.

**The PRESIDENT**: No, I actually listened to the minister quite closely, and I think she was being relevant to the question.

**Ministers statements: Flowerdale fire**

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:32): I am just bookending where we started today in relation to the fire at Flowerdale to give the latest update of the information that I have been provided with, but it is also an opportunity to pay tribute to our amazing CFA volunteers. As we know, there is a significant fast-moving grassfire burning in Flowerdale. It started yesterday, and it is not yet under control. A ‘watch and act, stay near shelter’ advice is in place for the area, and I do of course encourage people to familiarise themselves regularly with the VicEmergency warnings and the app, because advice, particularly in relation to grassfires, can change quite rapidly. It is a large fire. It has grown to 710 hectares. It is complicated by the difficult terrain. In good news there are no injuries to anybody and no property damage in relation to homes. There was superficial fire damage to a home, but crew did a fantastic job to save that house.

As I alluded to earlier, there are almost 60 CFA units on site. As a Broadford local, I know that my local brigades would be responding to this fire right now, and I do thank them for their efforts. They are supported by Forest Fire Management Victoria. It is particularly important for that terrain for that skill set to be there. I do repeat: we have had various aircraft being deployed, including the Chinook and the large air tanker, including night-time water bombing. There is an incident control team at Alexandra supported by the State Control Centre and a concerted effort to get this under control prior to the weather heating up in the coming days. I am sure everyone’s attention is on that.

In recent weeks Victoria has observed the 40th anniversary of the Ash Wednesday bushfires, which followed closely the 14th anniversary of Black Saturday. These are poignant reminders of the destruction and loss associated with natural disasters and the fact that it can stay with people forever. My thoughts have been with survivors, communities and those who have lost loved ones.

**Georgie Crozier** interjected.

**Jaelyn SYMES:** Ms Crozier, I am talking about people who died in fires. I would appreciate it if I could not be interrupted in relation to that. *(Time expired)*

**Written responses**

**The PRESIDENT** (12:34): As far as today’s questions go, for Mr Davis’s second supplementary question to Minister Shing, she was going to get further information.

**David Davis** interjected.

**The PRESIDENT:** I will finish the other ones and then I will come to you, if that is okay. Mr Puglielli is going to get a response from the Minister for Mental Health via the Leader of the Government in line with the standing orders. Similarly, Mr Erdogan is going to get Ms Purcell two responses to both her questions, substantive and supplementary, from the Minister for Racing. Minister Shing is going to get the answer to the question and supplementary from Ms Copsey from the Minister for Outdoor Recreation.

**David Davis:** On a couple of points of order, President, in relation to my question to the minister regarding Rivervue and the issues around Rivervue, one of the questions sought – it was very direct – whether Melbourne Water or their contractors had surveyed the floor levels, and the minister did not answer that question. She answered generically. It was not a generic question. It was about the specific action of an agency that she has responsibility for about a specific property. She talked generally.

**Harriet Shing:** Further to the point of order, President, I would invite Mr Davis to actually have a look at *Hansard*, whereby there were general and indeed specific comments made in answer to that question, and remind Mr Davis again of the standing order that indicates that a member cannot be directed as to how they answer a question.

**The PRESIDENT:** Mr Davis, I believe that Minister Shing did answer the question. In this case I am happy to review *Hansard* myself. If I determine that I am wrong, I will get back to the house.

**David Davis:** On a further point of order, President, on the supplementary to the earlier question to the Minister for Water, I asked whether the minister had received briefings about the Rivervue Retirement Village and the removal of the flood overlay and so forth. I asked whether she had received briefings. She did not answer that question either.

**The PRESIDENT:** Once again, Mr Davis, I believe the minister did answer the question. The issue that I had was that the substantive question was about an administration of government that this minister did not hold eight years previously, so my concern is how far we can go back – can we go 18 years, can we go 28 years back – before a minister has responsibility. In that case, I believe the minister did answer the question, given the substantive question.

**Georgie Crozier:** On the point of order, President – I do not want to debate this issue but just to clarify – Mr Davis was not talking about years ago. He was talking about the floods that occurred on 14 October last year, 2022, so it was not in relation to responsibilities from years ago. I am just making that point around what the question actually was. I am happy to provide it to you so you have got greater clarification.

**Harriet Shing:** Further to the point of order, President, that is not the way that the question was asked. Ms Crozier, you may infer meaning from the way in which you thought Mr Davis asked the question. That certainly was not what the chamber received when he presented that question to me.

**The PRESIDENT:** I think we have ended up debating the point of order. I have ruled on that particular one. I have committed to reviewing the first point of order.

**Ann-Marie Hermans:** On a point of order, President, in terms of the question about the registration numbers of the aircraft, the reason that that is a valid question is because by understanding what the registrations of the aircraft are – the question was not answered – we can actually determine whether there really were these aircraft that went out.

**The PRESIDENT:** The minister did answer the question. She cannot be directed how to answer the question, but she did answer that question.

### *Constituency questions*

#### **Southern Metropolitan Region**

**David DAVIS** (Southern Metropolitan) (12:40): (34) My constituency question is for the Minister for Education and relates to graffiti adorning, or defacing, the wall above the entrance of Melbourne High School in South Yarra. I have been approached by a constituent who wants the graffiti removed in order not to encourage further graffiti attacks on Melbourne High and its surrounds. As the piece of graffiti in question has been there since before Christmas, my question to the minister is: how long will it take for this unsightly graffiti to be removed from this education department building?

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

**Matthew BACH** (North-Eastern Metropolitan) (12:40): (35) My question today is for the Minister for Emergency Services. It is about needed upgrades for the Whitehorse SES facility in my electorate. The centre is in Box Hill South, and it really needs an upgrade principally because the current premises is cramped and no longer fit for purpose. The unit here in Whitehorse has been serving my local community for over three decades, and right now there are 80 active and loyal volunteers from all walks of life. The question that I ask the minister is this: will she meet with representatives of both the Whitehorse SES division and the Whitehorse council with a view to providing the necessary funding at the earliest possible opportunity?

#### **Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:41): (36) My consistency question is for the Minister for Health. During the last sitting week I highlighted the heartless behaviour and governance failures

of the board of Remembrance Parks Central Victoria and called on the minister to remove the current board and appoint an administrator until a new board could be appointed. To date the minister has failed to take action. Since my contribution I have received numerous complaints from constituents regarding the relationship between the board chair Marg Lewis and the Speaker of the Legislative Assembly. They are cousins, which is a fact documented in *Hansard*. Mrs Lewis is also a former Labor MP. Mrs Lewis's appointment as chair of RPCV smacks of both nepotism and cronyism – a fact that is not lost on the many constituents who have contacted my office. Minister, isn't it a fact that the reason you have failed to remove the board of directors of RPCV is because the chair Mrs Lewis is related to the Speaker and also has a history as a Labor MP?

#### Northern Metropolitan Region

**Evan MULHOLLAND** (Northern Metropolitan) (12:42): (37) My constituency question is to the Minister for Transport and Infrastructure in the other place, and it concerns the actual basis on which level crossing sites are planned for removal in Melbourne's north. Is it based on risk, and is it independent of political bias? The *Australian* newspaper has made a comparison of 121 level crossing removals planned across the state or removed against the most dangerous level crossings according to the Australian level crossing assessment model. It showed us the riskiest level crossings with no plans for removal, most of which are in my electorate, including the Macauley Road level crossing in Kensington, the Gaffney Street level crossing in Coburg North and the Puckle Street level crossing in Moonee Ponds on the Craigieburn line. Can the minister finally shed some light on why risk factors have not been taken into account on the selection of level crossing removal locations in Melbourne's north?

#### Eastern Victoria Region

**Melina BATH** (Eastern Victoria) (12:43): (38) My constituency question is for the Minister for Roads and Road Safety. It relates to the unsafe and shoddy roads in and around the region of Pakenham. Potholes are causing major structural damage to vehicles and are a major safety aspect for motorists. Many of those severely damaged vehicles are costing thousands of dollars in out-of-pocket expenses. Significant roads to note are the Old Princes Highway and the Healesville-Koo Wee Rup Road, which are absolutely shoddy, potholed and dangerous. Will the minister expedite funds as a priority to repair uneven, crumbling surfaces and properly maintain these two specific roads?

#### Western Victoria Region

**Bev McARTHUR** (Western Victoria) (12:44): (39) My constituency question is for the Minister for Roads and Road Safety. In June 2020 Victoria's Auditor-General handed down his report into the state's \$1 billion road safety program. The program championed the use of wire rope barriers as a solution to reduce head-on crashes and run-off-the-road accidents by up to 85 per cent. The Auditor-General found the reality was closer to 56 per cent, not 85, and questioned the cost-benefit assumptions being made on taxpayers' behalf. VicRoads was to install these barriers on 20 of Victoria's high-risk rural roads. It was both over time and 22 per cent over budget. The auditor required VicRoads to respond to the report within 12 months, providing detailed accident data. My question is: has VicRoads met its obligation to the Auditor-General, and what was that response? And if not, why not?

#### Northern Victoria Region

**Rikkie TYRRELL** (Northern Victoria) (12:46): (40) My question is for the Minister for Emergency Services. I would like to ask whether there has been consideration of the requirement for a fuel pod in the township of Dartmouth. Dartmouth is a one-road-in, one-road-out community in the northern region. During peak tourism season there is an estimated 600 cars per day heading into Dartmouth. With a permanent population of 120 residents and substantial government infrastructure, the protection of this area in the event of an emergency is of vital importance. Furthermore, the nearest township able to support a sustained defence against such an emergency is Eskdale. At 30 kilometres away and acknowledging the refuel procedures required for an emergency services fleet, it is deemed

by the local responding units own standards that a 1-hour-plus turnaround is woefully inadequate, especially considering the current fuel loading.

### *Committees*

#### **Economy and Infrastructure Committee**

##### *Reference*

#### **Debate resumed.**

**Tom McINTOSH** (Eastern Victoria) (12:47): A secure home is the foundation of a dignified life. A home is a buffer from the stormy seas of life, and I am committed to ensuring Victorians own or live in safe, secure and affordable housing. The home is where so much of a person's and a family's dignity stems from, and it also becomes a base of equity for generations to come, so I thank Mr Limbrick for bringing this motion to the Council for debate. I think this government has shown over the past eight years that reform, including tax reform, is something that we are willing to act on. This is a reform-minded government, and we are forever looking at ways to make the tax system fairer and more progressive.

The government provides many important services to the community – essential services. In fact housing is one of these absolutely fundamental services that the government must provide, including emergency accommodation. The government allocates more than \$300 million annually to specialist homelessness services to support people experiencing homelessness across Victoria. This is used to fund more than 130 organisations to deliver homelessness services. There have been rental reforms, massive investment in public and social housing projects and affordable rent policies, and I will touch on more of these shortly.

This is the work of government directly impacting people's lives for the better, and this must be contributed to by the population. Those with more pay more, and when it comes to taxation land tax is a good tax because it can be fairly applied. We tax land because the value of land is so fundamentally determined by the value of the public services and infrastructure that surround it. Areas with good roads, transport access, business districts, schools and hospitals attract higher value prices, and this costs the government money. It should therefore be contributed to more by those with property with higher values.

The government has a proud record of investment in housing. In 2017 we abolished stamp duty for first home buyers for purchases below \$600,000. This is a policy that has helped hundreds of thousands of Victorians with their first home. There is a concession for properties of a higher value on a sliding scale. Of course there are also first home buyer grants, and last financial year alone we supported Victorians with over \$1 billion of first home buyer grants and stamp duty relief. We are taxing property owners who leave extra houses vacant so that they have an incentive to get the house back on the market so that someone has a place to live. There should not be vacant properties in our state when so many experience housing stress. The Victorian Homebuyer Fund introduced by this government has been a key tool in getting Victorians into their first home. Eligible participants require only a 5 per cent deposit, and the government provides up to 25 per cent of the purchase price in exchange for an equivalent share in the property.

Aboriginal and Torres Strait Islander homebuyers can buy with a deposit of 3.5 per cent and receive a government contribution of up to 35 per cent. It has been so successful that it has even been adopted by the federal Labor government and the New South Wales government, and I, like the member for South-Eastern Metropolitan Region, take this as a strong endorsement or even flattery of the Victorian government.

Through the fund there is \$1.6 billion to help more Victorians buy their first home. This is in addition to the stamp duty exemption and the first home buyer grant I mentioned earlier. The fund has already helped more than 2000 Victorians buy a home. This is a policy that is expected to open the door to

home ownership for 10,000 Victorians. More than that, it is helping people who have been preapproved through the fund, meaning they too will pay a deposit of just 5 per cent and save thousands of dollars in lenders mortgage insurance when they make a successful offer for a home. Home owners can buy out the government share at market value over time, with payments reinvested to help other aspiring homebuyers get into the property market. In this, the government is taking on that role of lending money to people who need it to buy a home and who need that assistance to enter the property market.

Still there is a massive role for social and public housing, and the government has continued to invest in that. We are ensuring thousands more Victorians have a safe place to call home with the \$5.3 billion Big Housing Build. This unprecedented investment in housing will result in more than 12,000 new social and affordable homes across Victoria. For example, in my electorate on the Mornington Peninsula there are 1437 social housing properties, and we are investing more than \$10.5 million to build more homes for people who need them most, with 19 new homes completed and construction already underway on a further 12 and with more to come in the area. Across Victoria at least \$2.8 billion has been spent so far, with 6300 houses finished or underway as of 22 July. In the Wellington shire, central Gippsland, there will be 65 new homes, with 34 now complete and 31 with construction underway, at a value of \$21 million. In East Gippsland there will be 46 new homes – 23 are complete and 23 have construction underway – at a value of \$15.5 million.

Last year I went to a social services forum in Bairnsdale held by Catholic Social Services. It was clear that housing has been a problem in the area, which is a perfect example of the impacts of tourism, natural bushfires and materials shortages. However, together we are working hard to get through this. I followed up with a visit to the local Vinnies, and I want to mention their great work in supporting people. Cath McMahon and the team at Bairnsdale Vinnies do a tremendous job, and I was pleased to see that Bairnsdale will be a site as part of the government's investment in youth housing, because youth are being affected by this as well. The Big Housing Build will increase the state's social housing stock by 10 per cent.

Stamp duty is of course a cost to Victorians when they make property transactions. This cannot be ignored. Like all taxes, someone has to pay them and they have to be tied to something meaningful. State governments are restricted in what they can tax. For me, and generally on this side of the chamber, taxation is about equality. Those with more chip in more to help those with less. It is redistribution, and it helps create a fair, equal and just society, a society with social cohesion and without the turmoil that can come out of environments where there are such stark differences between the haves and the have-nots. What this government has done is ensure that this cost is carried by those most able to do so.

The most important thing is that tax is shared evenly and fairly. That means making concessions for those with less or at more difficult times in the life cycle or those in unique circumstances. To account for this, stamp duty currently has the following exemptions and concessions. The first home buyer duty exemption or concession is a one-off duty exemption for a principal place of residence valued up to \$600,000 or a concession for a PPR with a dutiable value of \$601,000 to \$750,000 if you enter into a contract post 1 July 2017. This means that Victorians buying their first home are exempt from paying stamp duty, helping families get into the property market earlier. Pensioner concessions are a one-off duty exception or concession for a new or established home valued up to \$750,000. This means that those at retirement, within reason, are not hit with stamp duty and can move into a new home that is more appropriate to their needs. This looks after older Victorians, who have already given so much to our community, and takes into account their ability to pay. A principal place of residence concession is a duty concession for when a property you buy valued up to \$550,000 is used as your primary home. This targets the tax towards properties of higher value and of course investment properties, giving concessions to those who are living in their home, in recognition of the fundamental basic need of a roof over your head.



Young farmers have a one-off duty exemption or concession for buying their first farmland property, and family farms have an exemption for the transfer of the family farm, depending on the class of the land, the nature of the transfer and the status of the parties involved in the transfer. Growing up on a farm, I know how hard it is for people to get into the business of farming, and this exemption gives young farmers a leg-up to get into their dream of running a farm, which not only supports Victorian farming families and our regions but also feeds Victoria, Australia and indeed the world.

For deceased estates there is an exemption on a transfer of land by the executor of a deceased person to a beneficiary. A transfer between a spouse or a partner also has an exemption, including transfers arising out of a breakdown of a relationship.

On this side of the chamber we know the vital role that government plays in supporting the community and the economy in creating jobs. These past few years have shown that more than ever. We on this side of the chamber consider land tax a contribution to how we pay for world-class schools, hospitals and transport infrastructure, and I am proud we have many of those investments in my region of Eastern Victoria. We know that investing in our people and the essential services they need is the best way to support those in need, create opportunities and create jobs – again, much like we are in Eastern Victoria. We know that we have to invest in public infrastructure and building the future to help our state grow and to help people to get to work and get home safely. We care about funding schools and hospitals – state-shaping, public-good infrastructure – and if last November is any guide, the good people of Victoria are supportive of these investments.

I do not subscribe to the doctrine that people should be left to fend for themselves, and I never will. This government is committed to making housing more accessible for all Victorians and carefully considers Victoria's taxation mix to balance many competing priorities. Consistent with this approach, the government will continue to review policy settings and priorities, taking into account the government's aims of enhancing the state's productivity competitiveness and building a better future for all Victorians.

**Sitting suspended 12:58 pm until 2:03 pm.**

**Matthew BACH** (North-Eastern Metropolitan) (14:03): It is good to rise to make a contribution on this important motion from Mr Limbrick about tax. I note the earlier comments from Mr Galea and also Mr Davis in particular. I missed Mr McIntosh's comments just before the break.

It seems to me that at the heart of this motion there really are two things: firstly, how we maintain a regime in Victoria that is fair and efficient, and secondly, how we make housing more accessible. It is important to acknowledge that home ownership really must be our goal in this broad space. The Premier has recently made some comments about that that I would be so bold as to disagree with. Home ownership gives people a buy-in to society, a stake in their community, as well as other benefits, like security of course. Home ownership gives people an asset that can and does grow over their lifetime. Data shows that home owners are far more likely to take risks like starting a small business or upskilling themselves because of this sense of security on the basis of their home ownership.

It was a great failure of Federation, one of a number, that left states not legally able to levy taxes. So states have to resort to and do resort to a whole series of crafty measures in order to get around this, instituting levies and fees and other charges. Because of this the Victorian government, despite the fact that it has ramped up all manner of different taxes and charges and fees, has become incredibly reliant on two of the least efficient and most harmful taxes that we have – namely, stamp duty and payroll tax. Where payroll tax is of course essentially a tax on employing people, a tax on jobs, stamp duty is really, I think, best understood as a tax on economic mobility. Stamp duty acts as a huge disincentive to moving to better opportunities, such as jobs and better schooling, and incentivises people to stay still. Particularly, I want to stress, for younger Victorians this is the case. They move far more often. They are prone to move and want to move far more often than older Victorians. High rates of stamp duty penalise them. Almost every economist, as Mr Davis said, argues that stamp duty is a

bad tax. So many economists say that we should scrap stamp duty and move to a regime of land tax. I share the concerns, quite frankly, expressed by Mr Davis about what that may look like. Nonetheless I very much welcome this motion given the massive impact, especially on young people, of our very high rates of stamp duty here in Victoria.

There is an inquiry that has been referenced already in our debate that finished last March by our federal colleagues and was chaired by Jason Falinski. It made a whole series of recommendations about how we can better address this very significant challenge and ensure more young Victorians get into the housing market. There was in fact a recommendation to move to a regime of land tax. As Mr Davis said on a number of occasions, this is something that the boffins recommend. It is an important recommendation that of course merits consideration alongside a whole series of other important points that Mr Limbrick has listed in his motion, notwithstanding the justifiable scepticism of Mr Davis, especially given the way in which different arrangements have been entered into by other Australian jurisdictions.

The most important thing to those of us on this side of the house is the impact of stamp duty on housing affordability and also home ownership. I am particularly interested in the effect stamp duty has on the availability of housing stock, something that again has been addressed in this discussion – the need to open up more land for greater housing stock. For instance, it does this through disincentivising older home owners from downsizing, again to more appropriate residences for them. If downsizers were able to do what they wished to do, then that would free up larger housing stock for others, one of a number of reasons why so many economists are scathing about, to be fair, stamp duty regimes around the country and certainly Victoria's stamp duty regime as well.

I note that we as a Liberal-National coalition took a measured policy that was not overly ambitious but nonetheless was important to the election in order to reduce stamp duty – indeed to axe stamp duty altogether – for first home buyers under a certain threshold: \$1 million. That was important. However, I do agree with Mr Limbrick that we can fiddle around the edges, we can make time-limited changes, and Mr Galea has spoken about some of the changes to the regime that the government has sought to make from time to time as well, and they are welcome, but nonetheless really it is high time to have a more wideranging and thoroughgoing discussion about proper tax reform.

I think it should be incumbent on all of us as members of this chamber to do everything we can to improve rates of home ownership, given the many significant benefits for the community, and this inquiry will provide us with a series of important recommendations – I hope – as to how we can do it. That is the reason I support this motion.

**Jacinta ERMACORA** (Western Victoria) (14:09): I thank Mr Limbrick for bringing this motion to the house, and I welcome this debate on the importance and necessity of our state tax mechanisms. How we tax and who is most affected most definitely determines a large part of our revenue predictability and our efficiency of resources and how this affects our housing supply and development and the impacts on labour and capital mobility.

As already has been clearly stated by others in this place today, there is absolutely no doubt that over the last eight years the Andrews government has been committed to ensuring our tax system remains fair and competitive and, most importantly, continues to deliver for all Victorians. In fact this government has shown outstanding leadership in striking the right balance between taxing fairly and facilitating the market. This government believes in the principle that those who have the means should make a fair contribution to the investments needed to grow our state and ensure that those who can contribute their fair share.

Representing Western Victoria I can certainly attest to this government having a strong record of delivering tax relief for Victorians, and I am proud of this being especially true for regional Victorians. This government has increased growth and employment opportunities since July 2017 by applying a lower payroll tax to taxable wages paid by regional employers. In 2019, to further assist employers in

regional areas affected by the bushfires, the tax rate was then lowered to 1.2125 per cent. This lower payroll tax was shown to be so well received and effective in increasing employment rates it was further extended in July 2021. The tax rate is simply based on the 85 per cent rule whereby to qualify as a regional employer you must pay at least 85 per cent of your Victorian taxable wages to your regional employees during a financial year for the purposes of your annual return. There is no doubt that the Andrews Labor government's reductions in regional payroll tax have increased employment rates in regional Victoria.

Evidence clearly shows this intervention has encouraged innovation and expansion in regional Victoria. In September 2022 the *Australian Financial Review* reported that:

The average unemployment rates in Victoria's Warrnambool and south-west region ... over the three months to August were an extraordinarily low 1.1 per cent ...

This is data from the Australian Bureau of Statistics that they quote. This demonstrates the success of the Andrews Labor government's tax reductions in regional Victoria. It is a stunning example of just how considered and targeted this government's financial strategy is. Instead of looking after particular interests, this government has intervened to make it cheaper to run a business in regional Victoria and in doing so has made it easier for businesses to employ the workers they need. As a result, we now have some of the lowest unemployment rates in regional Victoria in Warrnambool and in the south-west. If we were to look at the efficiency of the resource allocation, as mentioned in the motion, I would suggest that the economic, financial and taxation strategy of the Andrews Labor government is incredibly efficient. This is because the reductions in taxes for regional businesses have resulted in increased gross regional product, more jobs and healthier businesses. What is not to like about that?

There is no doubt that the huge demand on people to take up employment in the south-west has put pressure on our housing market. To that end the Andrews Labor government is also fully supporting housing affordability and construction jobs. In fact no government has done more to help Victorians trying to get into the property market. The government has introduced several schemes that can provide buyers with a concession or an exemption from land transfer duties, and from July 2017 to January 2023 no fewer than 223,845 transactions were processed for first home buyer exemptions to stamp duty or concessions granted, totalling \$3.9 billion.

These schemes include the first home buyer exemption concession or reduction, the principal place of residence concession, the off-the-plan duty concession and the pensioner duty exemption or concession. In 2017 we abolished stamp duty for first home buyers for purchases below \$600,000, as has been mentioned here already, helping thousands of Victorians find their first home as the Andrews Labor government tackles housing affordability head-on. Those buying a home valued between \$600,000 and \$750,000 will also be eligible for a concession applied on a sliding scale. The exemption and concession apply to both new and established homes. No government has done more than the Andrews Labor government to help Victorians trying to get into the property market.

We have also introduced the vacant residential property tax, which is levied at 1 per cent multiplied by the capital improved value of the taxable property. For example, if the property has a capital improved value of \$500,000, the amount paid will be \$5000. This is an example of this government using the tax system to support the efficient use of our housing stock and helping to make housing more affordable. This strategy is not uncommon in the water sector to encourage infill development in subdivisions where civil infrastructure is already in place. This particularly encourages housing construction in areas where water, sewer, roads, drainage and lighting investments have already been made.

The Victorian Homebuyer Fund introduced by this government has been a key tool in getting Victorians into their first home. It has been so successful it is being copied by the Albanese government and the New South Wales government. The Andrews Labor government is investing \$1.6 billion to help more Victorians buy their own home. The fund has already helped more than 2000 Victorians buy a home. In addition to the Victorians who have settled on their property and moved in, more

people again have been preapproved through the fund, meaning they too will pay a deposit of just 5 per cent and save thousands of dollars in lenders mortgage insurance. Eligible participants require only a 5 per cent deposit and the government provides 25 per cent of the purchase price. Home owners can buy out the government's share of the market value over time, with payments invested to help other aspiring homebuyers get into the property market. Eligible participants can now purchase in any location right across the state. The value of the property cannot exceed \$950,000. This is a brilliantly conceived scheme that has elements of self-sustainability within it, whilst at the same time supporting Victorians in their desire to own their own home.

These examples demonstrate that the Andrews Labor government is determined to support Victorians facing housing affordability challenges and also demonstrate it is precision focused on its economic strategy to ensure that the whole state benefits and that workers and businesses are lifted up together.

**Samantha RATNAM** (Northern Metropolitan) (14:19): I am pleased to speak on behalf of the Greens to support Mr Limbrick's inquiry referral. It is timely that we are considering an inquiry into land transfer duty given it is a reform that is widely considered to be one of the solutions to our housing crisis. Our housing crisis continues to worsen as house prices and rents skyrocket, homelessness increases and our public housing system continues to be neglected.

For years governments have been tinkering around the edges of genuine housing reform. Instead of considering major reforms like capping rents, moving towards a universal housing model or significant tax reform like overhauling land transfer duty, we have had years of piecemeal reform and limited funding. Even the Big Housing Build is currently a four-year social housing plan with no successor after 2024, which will just scratch the surface of the need for public and affordable housing. This inquiry referral foreshadows one of the major housing reforms this government has so far refused to seriously consider: overhauling land transfer duty in favour of a fairer and more sustainable source of income, like land tax.

Land transfer duty – or stamp duty, as it is commonly known – is one of the most inefficient and inequitable taxes we have. It adds around \$40,000 to the cost of buying a house in Melbourne, contributing to our housing affordability crisis. It can discourage people from moving closer to work or downsizing as well. It disproportionately affects young people, who are more likely to have to move more often or who are already struggling to save a deposit and afford their first home in a brutal housing market. It is unfair. It targets people who need to move more often – young families and first home buyers – and acts as a barrier to home ownership for older women. Almost every economist and policymaker agrees that stamp duty is quite simply a bad tax that should be abolished as soon as possible. Professor John Quiggin, an economist at the University of Queensland, said stamp duty is a:

... terrible tax that is already riddled with exemptions and concessions.

Prosper describes it as:

... a painful tax that hurts young, working families the most ...

Economist Ken Henry labelled it as 'a diabolical tax'. And in its review of the National Housing and Homelessness Agreement the Productivity Commission was highly critical of stamp duty concessions, noting that the money spent on concessions would be better spent supporting people who are homeless or at risk of homelessness.

Given the almost unanimous opposition to the tax, you have to wonder: why is the government so afraid of reform? The answer is: they depend on the billions of dollars raised through stamp duty each year. Land transfer duty is far and away the largest source of revenue for the government. Last financial year we raked in a massive \$10 billion from stamp duty, about 34 per cent of the total tax revenue and almost 60 per cent more than the previous financial year. Without the billions in revenue from stamp duty each year, the budget would essentially collapse. This reliance on stamp duty revenue prevents the government from embarking on much-needed tax reform. The only reforms to stamp duty are a range of concessions and carve-outs to help first home owners; exemptions for first home buyers on

properties below \$600,000; and the government's shared equity scheme, which reduces the deposit a first home owner needs to pay up-front.

The government's reliance on stamp duty also means they fail to consider other ways to raise revenue to help address our housing crisis. The social and affordable housing contribution, for example, was a very sensible policy that would have seen property developers contribute a small part of their profits to fund more affordable housing, but it was abandoned after just five days. Increasing the vacancy tax would disincentivise owners from leaving properties vacant, returning them to the long-term rental market. And we could even look at raising revenue in a way that does not depend on the housing market, such as a levy on the big banks, which the Parliamentary Budget Office estimated would raise \$4.7 billion over the next 10 years.

The other major reform this government has not considered is of course the most obvious: abolishing stamp duty and replacing it with a broad-based land tax. Land tax is a more sustainable source of revenue. Instead of being linked to fluctuating house prices, land tax is stable and predictable. It allows long-term planning and long-term investments. It is fairer, as it is levied on the value of the land, not on property transactions. And of course it will help make home ownership more achievable for more Victorians by removing the up-front financial barrier of stamp duty. Modelling by the Grattan Institute suggests that replacing stamp duty with land tax across the whole country would add up to \$17 billion per year to our economy. It was recommended by the Productivity Commission, who said stamp duty reform needed to be much bigger than just tinkering with concessions and recommended it be fully or partially replaced with a land tax. The major 2010 Henry tax review also recommended discarding stamp duty and implementing a universal broad-based land tax.

Only the ACT has made progress on this reform. In 2012 the territory committed to progressively phasing out stamp duty by 2032. But New South Wales is not too far behind. Last month New South Wales's land tax reforms came into effect, which allows first home buyers in New South Wales to choose between paying stamp duty on their purchase or an annual land tax of \$400 plus 0.3 per cent of the property's land value. The Greens would like to see Victoria follow in this direction and abandon stamp duty and instead introduce a fairer land tax that targets land value and housing wealth, not housing consumption. Shifting to land tax will take time – the ACT's reform is a 20-year project, other reviews recommend 15 years – but we are hopeful that this inquiry will get the ball rolling in Victoria.

Of course there is much more for us to do as well. The sheer scale of the housing crisis means we need significant reforms to tackle housing unaffordability and rising rates of homelessness. And while abolishing stamp duty is an important part of the solution, it cannot be the only one. We need a big increase in public and affordable housing, caps on rent increases to stop skyrocketing rents and actual regulation of the booming short-stay industry to reduce the pressure on the rental market. But we are pleased to support Mr Limbrick's referral and look forward to participating in this inquiry.

**John BERGER** (Southern Metropolitan) (14:26): I thank Mr Limbrick for bringing this motion to the house. I am particularly grateful that he brought this motion to the floor as it gives me an opportunity to talk about our government – a government of reform – and our goal to take on boldly, without fear or favour, reform opportunities, whether social or economic policy. I am proud of the work that we have done to reform our tax system. Too often the top end of town can rort the system and leave those without a good tax accountant to foot the bill. That is why I am proud of the work to deliver a progressive tax system that can deliver the essential services every Victorian relies on: good schools, good hospitals, good public transport, good water, good electricity and good government services. When I delivered my inaugural speech yesterday I said fairness was in my DNA, and that is why I am proud of this government. We believe in the principle that those with the means to contribute should make a fair contribution and should deliver to the state that has delivered so much to them – to grow our state for all of us.

Since the Andrews Labor government was elected we have cut or abolished taxes and fees – listen to this, and this is not a lie, I want everyone in the chamber to hear it – 57 times. That is right, we have

cut or abolished taxes and fees 57 times since coming to government in 2014. We have cut the payroll tax threshold so that fewer small and medium businesses pay any payroll tax, and we have cut regional payroll tax to 1.2125 per cent. That is quite a mouthful, and it is just one quarter of the metro rate and the lowest in the nation. And here is another number: 2.8 per cent. That is not only the number of people in this room paying attention, particularly those opposite, but it is the rate of regional unemployment.

And here is another number for the record to note: 223,000 transactions that have been proposed for first home buyer exemptions to stamp duty from July 2017 to July 2023. That is a concession of \$3.9 billion. Our support was more than \$1 billion last financial year alone, but we are not alone there. Yet, Mr Limbrick, we are not done there. That is right, we have got a whole lot of reforms to talk about, and if you gave me an hour I would be able to list them all. But here is another concession. We provided a temporary stamp duty concession of up to 100 per cent for new residential properties with a dutiable value of up to \$1 million in the City of Melbourne. I want to read out part of the motion, just for its holistic value, to really get to the crux of this:

- (2) examining potential alternatives to land transfer duty, assessing models from interstate and international jurisdictions ...

Well, we on this side of the chamber are proud of leading the nation. That is what reform is all about. We are innovating, delivering bold policy reform that is not only nation leading but world leading. We know how important the role of the government is in supporting the community. It creates jobs. You see it every day with the Big Build, the new schools, the hospitals, level crossing removals, roads, the Metro Tunnel and the Suburban Rail Loop. What else? Have I missed anything? It is endless.

Yesterday I received an email from principal Sally Lasslett of the Prahran campus of the Hester Hornbrook Academy. She invited me to visit their school and experience the special assistance school. Hester Hornbrook is an independent flexible school for young people. They wrap their arms around young people, offering wellbeing supports and services – not those in mainstream schools. You know, 50 years ago these schools would not have existed. You know the famous saying, ‘Imagine where humanity would be if everyone got a great education – if the playing fields were level.’ On this side of the chamber we recognise the role government plays in our lives, and it is these funds that support these programs. While I appreciate Mr Limbrick may have some quirky takes – yes, quirky might be a bit special – that are maybe even a bit out of the ordinary or he may consider taxation theft, we on this side of the chamber know that it is schools like Hornbrook Academy that can function because of them. It is the price we pay for a world-class education and the price we pay for leading the world in so many ways. I invite Mr Limbrick to join me on the visit to Hornbrook Academy, and I hope it will change his mind on the importance of public education.

Mr Limbrick, on the topic of resource allocation and on the topic of equality, which you mentioned in your speech, I refer to the constitution of Victoria, because you mentioned that you do not like taxes. Well, Mr Limbrick, part V, section 89 says that:

All taxes ... shall form one Consolidated Revenue to be appropriated for the public service of Victoria ...

It is in the constitution, ‘for the public service of Victoria’ – for the collection of good. Our payroll taxes saved Victorian businesses up to \$1.7 billion up to 2021–22, and by the end of the forward estimates period they will have saved Victorian businesses about \$4 billion. Make no mistake, we are appropriate and we are fair. We cut payroll taxes, and we have the record to prove it. But we will ensure people pay their fair share, and that goes to the heart of overall tax efficiency. That allows us to do the big things.

In conclusion, the runs are on the board, and we are getting on with what does matter. We are not ignoring the noise, we are getting on with the job. Our tax policy is clearly working. Victoria’s unemployment rate currently sits at 4 per cent, nearly 3 points lower than when we came into office. We have created over 340,000 jobs since September 2020. We need to invest in the infrastructure of

the future – not later but now. So if those opposite are against that, shame on them. We are a government that is about doing things, not a government about not doing things.

**Ryan BATCHELOR** (Southern Metropolitan) (14:33): I am very pleased to contribute to the debate on Mr Limbrick's motion in relation to land transfer duties, because it does give us the opportunity to have a broader conversation, both about taxation, as some of my colleagues have so eloquently described, and also about housing – two very important issues for us as members of this place to consider.

Obviously in relation to the first of these two topics we have had the discussions and the exhortations about the role that taxation plays. As Mr Limbrick described, it is the price of civilisation. I think to my mind, though, taxation is not so much the price of civilisation but really a foundation of the compact for a civilised and decent society, because without the revenue that our taxation base raises we cannot provide the necessary services that so many Victorians rely upon in all walks of life, particularly those who have less. Through our taxation system we are able to give them more. We are able to give them the basic services that they all rely on and they all expect: the schools, the health care – the list goes on.

So when we have in the chamber contributions demonising taxation – or bloviating against the evils of taxation is probably a more accurate description – what we do not hear from the critics are the lists of those services that they want to cut as well. You cannot come into a public debate about the evils of taxation and say that we should get rid of taxes without then having the courage to articulate the rest of that conversation, and that is what services you want to see cut as well. Without taxation we cannot offer services, and we on this side of the chamber believe that good public services are what Victorians rely upon.

Taxation, however, is also a tool. It can be used as a tool of policymakers to help shape those goals that we desire, which is why, as my colleagues have articulated, the government has taken a very active role in making concessions on the payment of certain taxes to encourage home ownership. We see this particularly in the record that the government has in tax reform: lowering taxes for first home buyers to encourage home ownership, abolishing stamp duty for purchases for first home buyers under \$600,000 and offering concessional rates of stamp duty for those first home buyers with purchase prices between \$600,000 and \$750,000. So taxation can be an active tool that we use to encourage the things that we believe are important – in this case, home ownership.

Another point I want to make – and I think it is important to consider in the context of this debate – is that whilst we can talk about the evils of taxation we do have to understand and acknowledge the constrained environment that state governments work under when it comes to their tax base and the constraints that the vertical fiscal imbalance embedded in the terms of the Commonwealth constitution place on state governments' abilities to raise taxes to fund the range of services that we desperately need. What we do not want is for Victoria's social progress to be held back by a lowest common denominator approach to tax and tax policy, which is why I believe that we, in considering this motion and considering the issues that Mr Limbrick wants to raise, have to think about ensuring that our tax base is fair, efficient, progressive and most importantly sufficient to deliver the things that Victorians need.

Obviously one of those things is a roof over their heads. The goal of promoting home ownership at affordable levels and making sure that we can give every Victorian a place to call home and a roof over their heads is an incredibly important part of the product of that revenue that is raised through land transfer duties and other forms of taxation. That revenue is being applied to service those really important ends. There are a couple of initiatives that this government in particular has been focused on to promote home ownership and access to housing. We have obviously seen the very significant homebuyer fund that was recently given a \$1.1 billion boost, taking it to \$1.6 billion in total. This is a shared equity model, where government helps first home buyers to lower the cost of the borrowing they need to get into the housing market and to make sure that they have got the capacity to enter the

housing market through this shared equity model, which is proving to be not only popular on an individual basis but also admired at a policy level and copied in other jurisdictions around the country, most noticeably recently at a federal level.

We also have, very importantly for a debate about housing, an investment of \$5.3 billion in the Big Housing Build, which is delivering 12,000 new social housing dwellings across Victoria. That is the sort of active policy that you can do to help people into housing when you have got a robust, fair and sufficient tax base in order to deliver on those services. We are also, as colleagues have mentioned, willing to use and able to take an active stance using a taxation system to promote housing being made available to home owners to buy, by introducing a vacant property tax, which is a 1 per cent tax levied on the capital improved value of vacant properties in an attempt to get people who own properties but do not live in them to provide them to the open housing market. We believe that this range of policy actions that the government is taking demonstrates its commitment to the goal of achieving greater levels of home ownership in Victoria.

Mr Limbrick, Ms Ratnam and others have talked about the issues that economists clearly have with stamp duty – with land transfer duty – as a tax that has a whole well-described range of reasoned critiques that have been articulated in a lot of detail, and there have been many proposals put forward in the public policy debate in recent years about how to fix that. I certainly do not want to go through those in detail. I do want to just reflect on a word of warning that was in a policy brief written by the Australian Housing and Urban Research Institute about the move from stamp duty to land tax that is worth considering. That is that policymakers, they say, should exercise caution to ensure the beneficiaries of such a change and such policy proposals are current or prospective home purchasers who face the greatest difficulties in accessing markets, rather than those benefits accruing to those already well placed to access home ownership, because I think in the context of a debate about policy reform, tax and housing policy reform, the number one priority in considering that debate should be about improving access to home ownership.

The last point I wanted to make as my contribution to this debate is really just a contribution to reflect a little bit on the other thing we need to remember in debates about housing and taxation, because it is a debate dominated by economists. Some of my best friends are economists; I do not want to denigrate their contribution to public policy debate, but we need to think about housing as not just dwelling units that can be efficiently allocated at a resource level but that these are also people's homes. In the public policy conversation that we have about housing and in the questions about the efficiency of our tax base and stamp duty, we need to understand that people living in their homes love their homes. They have great fondness for them, and we need to consider, understand and reflect on the human element of public policymaking and the behavioural aspects of considering these discussions and potential possible future changes, because not everyone, particularly in relation to their home, acts as the archetypal rational actor so beloved by economists and other forms of policymakers. It is an emotional topic; it is a topic that is close to people's hearts and to their families, and it is one where I think we need to consider those elements as well as the other wider policy issues.

**David LIMBRICK** (South-Eastern Metropolitan) (14:43): Firstly, I would like to thank everyone for their contributions to this inquiry today. I am glad to note that no-one stood up and mounted a strident defence of stamp duty. I was sort of expecting that that would be the case.

I would like to just take up a few points. Mr Batchelor was talking just a moment ago about needing government services, and obviously we need to tax to provide those government services, but in the case of housing it seems that we have gotten ourselves into an absurd situation where we are taxing housing to provide housing. I do not think that anyone would see that that is a reasonable thing to do. I would also challenge the notion that services will not exist if the government does not provide them. I imagine that in countries where the government provides food their politicians probably say, 'Well, without us you wouldn't get food.' Well, here people buy their own food. And what the Liberal Democrats support is a smaller government, a government that does less than what the government currently does – and in fact the government has grown to the size now where it intrudes into every



aspect of our lives, and in fact as to what things we would cut we are quite happy to outline some of the things that we would cut, including the upcoming Suburban Rail Loop and many other expenses of the government.

I would also note that Mr Berger in his contribution spoke about the government providing electricity. They do not do that yet, but they may do that, although I might be breaching an anticipation rule there. I also do not take offence at being labelled quirky. Yes, people who are interested in taxes might be labelled quirky, but as everyone has pointed out, it is a really important issue.

Anything that we can do to make housing allocation more efficient and more accessible to more people I think everyone in this room agrees we need to do. Everyone with knowledge about how stamp duty works agrees that it is a very inefficient way of doing it. That is exactly what this inquiry is trying to do – look at some of the problems and look at some of the solutions and how we might get the ball rolling on tax reform. It sounds like everyone in here supports some form of tax reform. We might disagree on what the outcome is, but we do need to get moving on it, and that is what this inquiry is all about.

**Motion agreed to.**

### *Business of the house*

#### **Notices of motion**

**David LIMBRICK** (South-Eastern Metropolitan) (14:46): I move:

That the consideration of notice of motion, general business, 27, be postponed until later this day.

**Motion agreed to.**

### *Motions*

#### **Electoral reform**

**Debate resumed on motion of Samantha Ratnam:**

That this house:

- (1) acknowledges that Victoria continues to be the only jurisdiction in Australia that uses the undemocratic group voting system to elect members to this place;
- (2) notes that after the 2021 Western Australian state election, where a representative from the Daylight Saving Party was elected with 98 primary votes, the re-elected Western Australian government initiated an independent review of the state's electoral system which recommended abolishing the group voting system;

and calls on the government to show similar leadership and urgently establish an independent expert panel to review Victoria's undemocratic group voting system and make recommendations to Parliament on options for reform.

**Ryan BATCHELOR** (Southern Metropolitan) (14:47): I am pleased to rise to speak further in relation to Ms Ratnam's motion on the group voting system, which is obviously a matter and a topic which is dear to the hearts of everyone in this chamber because we are all products of the electoral system that brought us here. I have got a slightly different contribution that I want to make today, and I will get to that in just a minute.

While I am not going to stand here and give a resounding endorsement of all the elements of our current voting and electoral system, I do take a little bit of umbrage at the notion that it is undemocratic. It is not a word that I would use to describe the methods of election to this chamber. I think the critique that the motion moved by Ms Ratnam is seeking to get to is that the current arrangements are producing disproportionate results or that the sorts of proportionality that are coming out of those arrangements are tending towards disproportionality. Of course the factors that go into those elements of producing results relate to electoral formulas, electoral models and balanced structures, and all of those need to be considered.

The more substantive thing I wanted to touch on today really is that it is essentially affording me the opportunity to talk a little bit about something that I spent quite a bit of time reflecting on in another context. It surprises me, but it was 20 years ago when I wrote my honours dissertation on the 2003 reforms to this chamber. I will spare colleagues a complete recitation of the 63 pages that I have got in front of me. However, I cannot but use this opportunity to talk about some of those issues here today, because what that –

**Nicholas McGowan:** Please table it.

**Ryan BATCHELOR:** We might be able to share a bit of it later, but I do want to just preface it by saying it was written in the context obviously of the last time there was significant constitutional reform undertaken in the state of Victoria.

The Constitutional Commission that was established by the Bracks government in 2002 produced a series of reforms which changed, I think fundamentally, the shape of this chamber, so I did just want to spend a little bit of time talking about some of the things that I have learned from that process. I want to start by saying I was very grateful as an honours student to have, in the preparation of that dissertation and the consideration of the electoral arrangements that were being proposed for this place, two very significant and serious interviews with I think two of the people who have played a very significant role in understanding this chamber's role in parliamentary democracy in Victoria. Those were the late Alan Hunt, who served as a long-term member of this Council and was a former president of this Council, and the late John Cain, a former Premier of Victoria – two, I think, of some of the most thoughtful contributors to the question of parliamentary democracy that we have seen probably in the preceding generation.

What the history of this chamber and the history of this Parliament tell us is that this chamber has been on a long journey from a place where it was definitely undemocratic to a place today where I think that we can definitely say that it is providing a forum for a range of voices that is much more representative and reflective of the people of Victoria than we have definitely seen over the course of our 150-year history. We obviously came from a time when this chamber was a bastion designed to protect the interests of the propertied class, and that was a very deliberate design feature of this chamber when it was set up in the pre-Federation colonial days. It was given its character to essentially stop people who were coming here because of the gold rush getting a foot in the door via the property franchise that was created. That it was elected and not appointed was a piece of perhaps strategic foresight to prevent what happened in Queensland, where an appointed chamber voted itself out of existence.

But in the 80 years that we have had reform to this chamber there has been a series of constitutional reforms we have had to this chamber. In the last 80 years they have all been driven by Labor and Labor governments. It started, fundamentally, back in the 1950s with the transformation of this chamber from a propertied franchise to a more universal – not completely, but more universal – franchise because of the requirements that the Labor Party put on the then Country Party government to form government in the other chamber. That was the first of the ways that Labor has been a driving force for the democratisation of this place.

Sadly it did not continue. Noted academic Brian Costar, who was at Monash University for many years and I think more recently at Swinburne, said the three decades of Liberal domination of this chamber prior to 1982 were a period he described as a 'constitutional ice age' and that it was only because of the election of the Cain government in 1982 and then its quest to try and get a majority in this chamber for the first time that subsequent constitutional reform was attempted. The Labor Party did not have a majority at that time, and its reform efforts in 1987, 1988, 1990 and 2000 were all defeated by conservative majorities in this place. Really it was only the election of the Bracks government in 1999 and the results in 2002 which led to the constitutional convention which brought about the really significant and momentous changes that we saw about 20 years ago towards

proportional representation, towards a system whereby more people, wider ranges of voices, were brought into this chamber.

One of the, to be honest, really nerdy things that I did in the back of my thesis – which I did nerd out a bit about yesterday and try and update – is an index of disproportionality of electoral outcomes developed by Michael Gallagher, who was a professor of comparative politics at Trinity College London. He developed a mathematical formula to measure the over-representation or under-representation of parties in chambers and developed an index of disproportionality, so the higher the index the more disproportional the electoral outcomes are. What is interesting – interesting to me – is that that index was ranging in the 25 to 30 range in the 1950s, the 1960s and the 1970s, and it dropped as low as 3.8 in 1985, when that second election of the Cain government occurred, before racing back up again to 21, 23 in 1996 and, even under the old systems, 13.5 in 1999. So we see that higher index, more disproportionality and less proportionality, of the relationship between vote share and seat share in the composition of the chamber.

Since those reforms were put in place in 2003 and in the 2006 and subsequent elections, that index of disproportionality has come right down. In 2006 it was just over 7, in 2010 it was around 10, in 2014 it was just under 6, in 2018 it was 6 and in the last election it was about 8.5. What I think that is demonstrating is that the problems that this Parliament and this chamber in particular have had with disproportional electoral outcomes over their history have been significantly addressed by the reforms that our Labor governments have put into place. What we do see is that this chamber is more representative of the community that it seeks to represent than it has been over the course of its history. I do not think it is right to describe it as undemocratic in that sense.

I think we as parliamentarians – and as one-time not particularly good scholars – have an interest in making sure that we continue that conversation about making sure that this Parliament and all parliaments are able to best reflect the will of the people who we seek to represent and in doing so ensure that they play an important role as key parts of our democratic institutions in Victoria, because I do think it is a matter that we must all take very seriously. It is something that I take very seriously. I know it is something that the government takes very seriously, and I am very proud to be part of a government that has introduced a series of reforms in its time here to make sure that our entire electoral process is more transparent, open and accountable. I look forward to listening to further contributions to the debate.

**David ETTERSHANK** (Western Metropolitan) (14:57): Thank you first of all to Mr Batchelor for his very thoughtful contribution on the history behind this item. We are supportive of the resolution. The introduction of an expert panel to consider the issues of group voting tickets is appropriate. We were involved in discussions in the media prior to the election, and at that point in time we did give a public undertaking to support such a review. There are obviously significant issues associated with group voting tickets that strike both to the nature of our democracy, good and bad, and also to the integrity of our system. I think we all witnessed some moments in the media during the election campaign where the rather crude commerciality of some consultants in the electoral business was exposed, and quite clearly that has a danger associated with it of undermining public confidence in this place and our democratic process. On that basis we would be supportive of the review and look forward to hearing more in this debate.

**Evan MULHOLLAND** (Northern Metropolitan) (14:59): I think that group voting tickets are an absolute affront to democracy. It is gaming the system, and people are not getting who they voted for. It is a lottery where no-one is the winner except for the candidate that snuck in through the back door on the back of a small number of votes.

I come to this debate with a keen interest in this policy, and I come to this debate with some policy background on this issue. In a past life I was an adviser in the Australian Senate and spent quite a while trying to steer through the Australian Senate voting reforms. In fact if you look at the parliamentary videos on that Senate sleepover – I think it was a 48-hour sitting – you will see me there in the advisers

box at 3 am attempting to steer it through. We worked with crossbenchers. We worked with the Australian Greens at the time, who were quite supportive. But there was one party who obstructed this. Can anyone guess who? It was the Australian Labor Party who fought tooth and nail. They kept the Australian Senate sitting overnight; they kept the Australian Senate sitting for a very, very long time. I went without sleep for a very long time as well. There were members of the Australian Labor Party wanting to continue the system of rotting the Australian people, rotting their vote to try to game the system for a crossbench more amenable to them – for a more amenable Senate – and they are doing exactly the same thing in Victoria.

Who can forget that in this state in particular we had a party like the Australian Motoring Enthusiast Party getting in on a very, very tiny percentage of the vote – I think it was less than 1 per cent. We know from scrutineers at this past election that voters are simply ticking boxes across-ways above the line, because they believe it is the same system they had in the federal Senate in the Australian election – the Commonwealth election – that was only earlier that year. So this is creating a lot of confusion, particularly for my constituents. We are the last state – the very last state – that has this ridiculous system.

We saw in 2014, in 2018 and even in 2022 parties getting up with a very small amount of the vote. This happened at the last WA election – I admit, not a good election for the Liberal Party. The Labor government there had the good sense to immediately reform the system – not motions in the upper house; they carried it through the lower house, got the department and experts in straightaway, because they elected a party called the Fluoride Free WA Party, which had barely any votes. I think it was less than 0.5 per cent of the vote –

**David Davis** interjected.

**Evan MULHOLLAND:** They did stand for something, unlike those opposite, but managed to game the system in order to get themselves elected.

Some people in this place have curiously said they deserve to be here, and I am here to tell you they really do not. We had the Animal Justice Party get up in Northern Victoria; they gained only 1.53 per cent of first preference votes in Northern Victoria. There are many other candidates and parties who should be rightly aggrieved to see someone get in with way less votes than they did. I will point out my friends in the Legalise Cannabis Party. They should be rightly aggrieved they do not have a seat in Northern Victoria, because they got way more of a percentage of the vote, 4.67 per cent of the vote in Northern Victoria. They should be affronted that someone is sitting here who does not deserve to be in this place.

I note the Greens should be even more affronted that they do not have a seat in Northern Victoria. Now, I will note the Greens got 6.66 per cent of the vote – I will not make a joke about that number – but that is the percentage that they got in Northern Victoria. The Shooters and Fishers got 5.03 per cent of the vote in Northern Victoria, so they should be affronted as well. We had several other parties that got more votes than the Animal Justice Party. We had the Liberal Democrats, 1.94 per cent; Derryn Hinch's Justice Party, 1.92 per cent; and Family First, 1.61 per cent, all of whom deserve to be in that position more.

Now, it is not just me that is saying they do not deserve to be here; it is respected, reputable psephologist Dr Kevin Bonham who believes it is undeserved – people are getting up in this place that do not deserve to be here. He has also said it is bad for accountability, because whether or not minor party representatives are re-elected has more to do with the group voting ticket preference deals and unpredictable events in the preference redistribution than whether or not they have any real level of voter support.

Antony Green, the quite respected ABC election analyst, has said that:

... the ballot paper's preferences are replaced by party preference tickets. The overwhelming majority of voters would have no knowledge of these preference tickets.

And he has said:

I'm loath to use the word 'stolen' –

I would –

but that's what will happen to many ballot papers in November's Legislative Council election when it comes to counting preferences –

which actually happened.

I believe we should move to a system like we have federally, where people can set preferences above the line and also include a floor of support before you can proceed to gather preferences. We saw before the election what was absolutely outrageous. Glenn Druery, in a leaked video, admitted he made a deal with the Labor Party for 'an amenable crossbench'. Is it any wonder the Premier has been sitting on his hands since 2014?

Andrews, before the election, said a future review could look into this and look into a new system. Well, it should not really be referred to a future review; it should be referred to IBAC. Really, this is what is going on: you have a preference whisperer, who no-one elected, making deals with the government for an amenable crossbench and saying to everyone who is part of his 'family' – to quote what he said – that they need to create an amenable crossbench for the government, that they need to vote with the government. 'You can't just oppose the government all the time,' he said. And he calls them a family. This sounds like some sort of mob dealing. This sounds like something out of *The Godfather*, but that is what is going on with our democracy. That is what is going on with the Victorian electoral system that our Premier does not want to do anything about. We have seen election after election after election people getting elected that do not deserve to be here.

I am at least grateful that in the Northern Metropolitan Region preference trickery was avoided. Even under the federal system, the same five people would have been elected, including Mr Somyurek, despite some media briefing that perhaps some other parties should have been elected. Perhaps the former Reason Party – even the Victorian Socialists did better than them, so even they had more of a right to be here. But if you analyse what the federal system looks like, the results would be exactly the same, so I am at least glad that in my region that sort of preference trickery was avoided. I want to also point out that the Liberal Party had quite a good result in that region. We are back to over a full quota and even got slightly more votes than the Greens. So I was very happy with that result in the Northern Metropolitan Region because it actually reflected the will of the voter. I want a system that reflects the will of the voter. I am not going to push for what is best for my party, because we need to push for what is best for the voter and what the voter actually wants. If this system that we come up with is a system that might be detrimental to the Liberal Party, I do not care. I want a system that is beneficial for the Victorian voter so they know where their vote is going and this place truly represents the people.

**Jeff BOURMAN** (Eastern Victoria) (15:09): This is going to be very short and sweet. Another election, another thing from the Greens about the group voting ticket. I am not even going to bother with them, but there is some rank hypocrisy going around here. We have had a whole lot of stuff saying people do not deserve to be here – that the people should decide who is going to be here and all that sort of stuff. Well, I have been here three terms now. Does that mean I do not deserve to be here because I use Mr Druery? It is public knowledge. If I was a brain surgeon, would I operate on myself? No. So I get someone who is better at it. Nothing illegal was done. It has all been referred to IBAC. It is rank hypocrisy.

No doubt we are going to hear from a couple of other people, but the federal system was changed to get rid of Ricky Muir – let us be honest. For whatever it was worth, he did get in on not much, but it cut out all the minor parties, basically – except, I think, One Nation.

Let us get back to me. My party was brought up in an inaugural speech – 2.93 per cent in my case; Mr McGowan himself got 0.32 per cent and Ms Bath 0.52 per cent. So there are a whole lot of us here due to the system.

**Nicholas McGowan:** Hear, hear. Let's review it.

**Jeff BOURMAN:** I will take up that interjection. If you are happy to put your own butt on the line, I am happy for that, but let us just keep the hypocrisy down to a dull roar. The representation we have had from the crossbench over the years has been wide and varied. We have got the cannabis people here, we have got Greens – whether I like them or not is another thing. We have had the DLP a couple of times, we have had other minor parties. Yes, they got in on not much, but the experience they brought to this place is what makes this place unique. It is not just them, them and the Greens. There is a need to have different people. Now, my party, the Shooters, Fishers and Farmers, may or may not survive a change in the electoral system, but right now we bring the voice of the common people, and that is what we need.

**David DAVIS** (Southern Metropolitan) (15:11): I am going to make a small number of comments about this motion. I think it is an important motion and we support it. Others in the chamber will remember similar motions in the last Parliament and they will have been able to very easily intuit my views through my very carefully modulated comments that made it clear I did not like the group voting tickets. I have always thought they are a corrupt mechanism. They do not provide the transparency that is needed. They do not provide the honesty that is needed. It is true that a range of people have been elected through that system that ought not to have been elected and would not have been elected if there was a fair system in place. So I for one think it is time.

I should note that the then government prior to 2014 went to the Labor Party and others and actually sought to look at options to reform the group voting ticket at the time, but Labor would have no part of that, and it is important to have that on the record. I was deeply informed about what was going on at that time and it was my view that we should have pressed forward with that in any event, but nonetheless, we did not because we did not have that broader support in the Parliament.

Notwithstanding all that, I do think there are a number of points to be made here. It is true that in the last Parliament there was a group of Labor-voting independents over on the other side. Three of them have gone and one remains. In a sense Samantha Ratnam as a Green is part of a major party and in a very different position, but the other three have all gone and their voting record, I think, was a very big part of that. They could not, even with the help of the group voting tickets, fool the people on that occasion, and I think those three lost specifically because of their voting efforts and decisions in the last Parliament.

On this I do think the way forward is a model similar to the federal one. I think it was thought through carefully and I think in general it is a model that is a much more sensible, balanced and even-handed model. There are all manner of problems with our voting system here, but I was interested to hear Mr Batchelor come forward with a history of this chamber and of reform of this chamber.

**Nicholas McGowan** interjected.

**David DAVIS:** No, I think it is a very interesting history. It has changed, and we should celebrate the change over time and so forth. But what I was struck by was the notable omission. Mr Batchelor's father Peter Batchelor was actually a person who needed to be mentioned in that long record. For those of us who have been around politics for quite a while, in 1985 at the Nunawading by-election – just to educate the chamber on what actually happened – there was a tied vote, and the returning officer drew the name out of a hat and declared Bob Ives the winner. That was challenged in the Court of Disputed Returns. In any election it is not hard to find one vote, but there were 44 where there were issues and so forth. So it was clear that the result was unknown.

**Nicholas McGowan:** Ro Varty.

**David DAVIS:** That is right, Rosemary Varty. There was a by-election called, and Mr Batchelor's father was directly involved in falsification of how-to-vote cards. The Nunawading by-election how-to-vote cards for the Nuclear Disarmament Party were printed by Labor, distributed by Labor – and corruptly distributed. Mr Batchelor's father should have been in jail over that. In fact it was actually a shocking miscarriage that our electoral system could be rorted so openly and indeed that not be dealt with. If he wants to do a review of the electoral history of this chamber, that chamber for six weeks did not have a member for Nunawading. The by-election occurred, and a Liberal was elected on about 50,000, as opposed to 42,000, if my memory is roughly correct.

**Enver Erdogan:** On a point of order, Acting President, if Mr Davis wants to make allegations against people, he knows he should do it by way of substantive motion and not defame people using privilege in this way.

**The ACTING PRESIDENT (Bev McArthur):** There is no point of order.

**David DAVIS:** Mr Batchelor Sr is not in this chamber. He is not even in the Parliament now. He later became a minister, but actually nothing will remove the stain of what he did in 1985 – the corrupt intervention in the Nunawading by-election, distributing how-to-vote cards that were falsified. He should have gone under the old Crimes Act 1958 with the fraud provisions and all of that. But leaving that aside, I just thought it was very important. If we are going to get a trip down memory lane on the history of the chamber, that is a very important piece of history that is relevant and that was omitted for whatever purpose.

But I do want to say on these points proposed by Dr Ratnam, there are ways forward. We are the only chamber that has not been reformed in this way. It is needed. We have a voting outcome which has been influenced by Mr Druery. We know that. He has taken money, and people do not deny this. It is just a matter of public record that Mr Druery takes money to arrange preferences. I think that is a problem in and of itself, and I think it ought not to have occurred and ought not to occur in the future. I do not think we should have our electoral system arranged in that way, and the wheel – and it is important I think that the community understand what we are talking about when we talk about the wheel – is there. They all preference each other. The left preferences the right and the right preferences the left and so forth in this wheel to spit out an unknown – it is like a fair where you spin the wheel and you do not know who is going to win the lottery, win the padded bear, on that day.

*Members interjecting.*

**David DAVIS:** I am just saying that this preference machine is a device that is unsatisfactory, and anyone who thinks carefully – many in your party – thinks the same. I do not think it is a fair representation, I do not think the people are getting a fair outcome here and I think the time for reform has more than arrived. It should have been done in 2014, and it will need to be done now.

**Adem SOMYUREK (Northern Metropolitan) (15:19):** We have a tradition in this country of doing electoral matters, electoral reform, based on consensus and principle. It is very important. Principle is very important. Electoral matters go to the heart of our democracy. If we get that wrong, we are in all sorts of trouble. I sense a bit of political expediency in this motion here from the Greens, and that is no good. Every four years, no matter how nasty the election is, the leader of the party that lost gets up on election eve and concedes. They never make any excuses. It does not matter what they think. They never make excuses, because they know our democracy, our electoral system, is based on consensus and is based on principle. We should not be doing electoral matters, electoral reform, based on expediency, and that is what I sense here with the Greens.

I understand today that the Libs are opposing this, but I can see their position is not based on expediency. I am going to run through the figures, and you will see why theirs is not based on expediency. What is the problem that we are trying to solve? When you are reforming, you are trying to reform to fix a problem. If it is proportional representation that is the problem, I am going to take

you through some figures that show that proportionally, when you are looking at the big picture, there really is not a problem.

Let us first start with some of the barometers of a healthy electoral system. There are two key barometers: one is participation and two is equity. When you are talking about participation there are three pillars to participation: one is maximising the amount of people – the percentage of the eligible voters that get on the electoral role – and then you are talking about the turn-up of those people who are on the role to the election. Having got there, you want to make sure that the electoral system is practical enough that people who intend to cast a formal vote, cast a formal vote. Sure, some people do not want to vote formally; they will rock up and not vote formally, and that is legitimate. They are making a choice. So, the third aspect – the third pillar – of participation is formal voting or minimising informal voting, and a group voting ticket is about savings provisions, which means that it is the gold standard in minimising informal rates of voting, so that gets a big tick as far as one criteria goes for the barometer of the health of an electoral system.

The second criteria is equity. How equitable is the electoral system? Let us go through some figures, shall we. The Labor Party got 33 per cent of the vote, and they have got 15 members of Parliament. That is 37.5 per cent of the seats in this place, so they are punching above their weight. For the Liberal Party, this is why I said I can see they are acting on principle. I actually do not know what the Labor position is, so I cannot actually say to you guys that you are acting on principle too. I do not know what your position is. So the Libs with the Nats have got 29.44 per cent of the vote, and they have got 35 per cent of the members of Parliament in this place, so maybe they should reconsider their position. That is 14 seats. This is where all the problems start. The Greens have got 11.5 per cent of the vote, and they have got 10 per cent of the members of Parliament. You are bang on. You know, you could do a little bit better, but you are nowhere near five yet. You know, you have not been done over too much. You have not been done over too much at all. The people that have been done over are the crossbenchers. So the major parties – and I include the Greens in this – have got 73.94 per cent of the votes and the major parties have got 82.5 per cent of the representation. You need to cannibalise the major parties and get more votes, but you are not going to get them because the Socialist Left are in charge of the Labor Party, so you are not going to outflank them on the left.

Dr Ratnam, the problem is this. The electorate have said, ‘We’re cheesed off with the way the major parties are doing business. We don’t like the apparatchiks. We don’t like the hacks. We don’t like the ideologues. We’re sick of you all. What we want is deliberative democracy, and we’re going to pick the crossbench. Right, we want crossbenchers.’ They’re a voice, the people from the suburbs. I am not one of them. I have evolved; I am becoming closer to them now. So the electorate have said we are going to give 73.4 per cent of the votes to the major parties, and we want you to not have this percentage – whatever it was – to elect 100 per cent of the MPs. That would be wrong to have three major parties elect 100 per cent of the MPs in this place. That would be gaming the system. It would be wrong. The public would be even more dissatisfied with the outcome there.

The crossbench have got 26 per cent in total of the vote, but they only got 17.45 per cent of the seats in this place. Let us face it, what this is about for the Greens is this. The Greens do not like the Animal Justice Party, do not like the cannibal party –

*Members interjecting.*

**Adem SOMYUREK:** That is the Shooters – the cannabis party cannibalising their votes. See, they do not accept that single-issue parties are legitimate. Not too long ago when I was in this place none of us accepted that the Greens were legitimate because we thought they were a single-issue party as well. The Greens remind me of the ethnic communities, the latest immigration communities that come in and want to keep the rest of them out. That is how they are. They do not like the fact that the Animal Justice Party and the cannabis party are picking off votes because they see the people that vote for the cannabis party, the people that vote for the Animal Justice Party as their constituents. So what the Greens are saying is, ‘We want those back. We want the three more seats that the cannabis party have



got and Animal Justice have got. We deserve to have seven seats. Why? Because we are entitled to it. Why? I don't know.' You have got 11.5 per cent of the seats. You got 11.575 per cent of the votes, you cannot have 22.5 per cent of the seats just because you want it. I will tell you why the Greens say that. They know there is research available which shows that people vote for the micro-party of their choice and then they go on to vote for the next major party that they are aligned to. Obviously the Greens lose preferences that way. So what this is about is expediency, and we need to do what we have always done, electoral reform based on principle.

Let me go back to 2004, 2005, when the Labor Party reformed the upper house in this place. We introduced – I say 'we'; I was in the Labor Party then – proportional representation. That went against the Labor Party's interests because we all knew at that point that the Greens were going to get a foothold and that they were going to cause some serious damage to the Labor Party vote, but we did it. We did it based on principle, not expediency. We did it based on the principle of proportional representation.

As predicted, the Greens got a foothold and got a bit more of a foothold and a bit more of a foothold, and here we are. I would not tempt fate by moving away from electoral reform based on principle. Both major parties have got a lot of mouths to feed. Once you start moving away from principle, and if they decide that electoral matters are now about expediency, believe me there is a lot of pressure. There are a lot of union officials and a lot of branch stackers in the Labor Party, and I am sure the Libs have got the same pressures. There are a lot of mouths to feed. There are a lot of mouths to feed in the major political parties. You know what, they might be feeding on the Greens if you are not careful and you move away from the principle. If you dilute proportional representation, you will end up with a version of the system that we had before, and that will mean the Greens being completely smashed in the upper house. So be careful. I would encourage you not to move away from principle and to leave political expediency away from this.

**Lee TARLAMIS:** I move, by leave:

That the total time for debate on this motion be extended by up to 40 minutes.

**Motion agreed to.**

**Nicholas McGOWAN** (North-Eastern Metropolitan) (15:29): It is a pleasure to rise and speak on this matter today. I think the candour with which this debate has occurred is actually a very healthy thing, a healthy thing I say for our democracy, not our partisan politics. As those in this chamber are probably well aware, some of the first speech I gave to this place was spent on this very issue. I was then and I remain now very passionate about democratic reform. The problem is we hear that word bandied around here so often that everyone claims it. But what does it actually mean? As the member in this place Mr Somyurek has alluded to, it can mean very many things.

It was perhaps somewhat enlightening to have the history lesson from member Batchelor today. But the truth is, for all the so-called democratic reforms of the Labor government, what they actually did was strip away the fundamental requirement that when somebody leaves this chamber they should be replaced democratically by a vote of the people. I cannot think of a fundamentally less democratic way to elect someone to this place, by very definition. That is a reality. It is just one reality. When anyone looks at the history of this place in its totality, they must take these things into account.

We must also, when we review these things, including the way we elect representatives to this place, be mindful of the role this place actually plays. As I have pointed out previously, once upon a time this was a chamber of equal value. That is no longer the case. We are the lesser chamber. We cannot block supply. Once upon a time we had that right. That was stripped away, yet again by the Bracks government, who could not wait – had been waiting decades, it is fair to say – to strip this chamber of its democratic right. Again, there could not have been a more fundamental or blunt assault on democracy in this state.

I will make this point for all those present and perhaps those listening elsewhere: this is not a debate of personalities, nor is it a debate of particular individuals. I do not begrudge anyone their presence here; in fact I welcome it. It is great. I commend you. I respect the fact you are here, and I actually look forward to working with everyone. However, that does not mean that we cannot have constructive debate about how we all got here, including me. And if that should mean that in the future some review does away with my position and the position of others here, then so be it. What are we afraid of? Is it getting a job in the real world? Is that the problem we are all confronting here? This constant want for politicians to have their noses stuck in the trough – that is what is turning people off politics. I have spent most of my life outside this chamber. I am sure I will survive again when I leave. That is what it is about.

What we cannot have as any part of the review or any part of any future law is horsetrading. Money exchanged to minor parties, money exchanged to major parties – whatever it may be. While we are talking about money, let us also consider that as part of this review. As part of those reforms, suddenly the taxpayer was footing the bill for our electioneering – for our campaigning. It sort of makes us all look like we are fools. On one hand we are having all these investigations and all these inquiries into how we spend money, because we could be using it politically, but in actual fact the entire system is based on a system that according to your votes you get paid to campaign. What a mess. No wonder the public are sceptical. No wonder they are losing faith, not only in this place and in the other chamber but in the entire political system in this country. I welcome the review.

For the benefit of those who were not here previously, let me just go through some of the figures. In 2018 – not too long ago – Mr Barton got 2508 votes and could still win. A Liberal Democrat got 0.84 per cent and still got elected. The Animal Justice Party got 2.7 per cent and still got elected. The Reason Party – of course we know what happened there – got 1.37 per cent. And I have already covered it, but this last election is faring almost worse: Animal Justice Party, 1.5 per cent; One Nation, 3.6 per cent; Liberal Democrats, 3.5 per cent; Shooters and Fishers, 2.9 per cent.

My problem is not with the individuals; my problem is not with their causes. My problem is not even with the contribution they make, because I hope it is going to be a great one. My problem is with a system we call democracy which actually does not instil confidence in the people who vote for us to be here. If we are all fair dinkum about the review, then we should be looking at voting systems. We should be looking at things like first past the post – dare I say it. This whole preference system where we actually accord the second, the third, the fourth, the fifth – in our system, the vote is endless. That is not a vote; that is gaming. That is like going down to your local RSL and pressing a button. That is what we are doing. That is what it felt like, in all honesty, for those of you who, like me, were present when after all the votes had been calculated and put into the system they literally pressed a button. It felt like I was at the pokies, and your fate and the fate of this state actually goes according to the distribution of preferences – the gaming of preferences. So when we start using words like ‘gaming’ in the democratic sense and ‘harvesting’ – this is 2023, ladies and gentlemen. 2023, and we are talking about harvesting of votes and we are dancing around the law – in a beautiful way, nothing is illegal. Forget about the ethics of what we are doing, nothing to see here.

If we keep going as we are, we should not be surprised that the public will lose confidence in the role we play, and that is fundamental. That is the most important guiding principle, as Mr Somyurek said, that we have to keep foremost in our mind when we look to changing our system of governance and governing. If this does not govern the decisions we make – if we instead make decisions based on our own self-interest, our own tenure here, our own future here and that of our parties – then the future, I put to you, is rather bleak.

I am an optimist. Many before me have been optimists, and I hope many optimists follow. I am optimistic that this review will produce something meaningful. I am optimistic that everyone in this chamber might participate in a meaningful way. I am perhaps less optimistic that it might get through the lower house, but time will tell. For my efforts and for my time here with our party we will be working assiduously to ensure that the taxpayers of this state, the citizens of this state, end up with a

government that is representative, that has not been gamed and where we are not using words like 'harvesting', 'gaming' and 'preference deals'.

Only if we get to that point can we actually start to debate some of the more fundamental issues and frankly some vital issues that stand from before this day. I know the Greens have often mentioned and often talked about not only the environment but housing, housing affordability, housing of homeless people and the care and attention we can pay to all manner of people in our society. Then we might have more time to focus on their needs, but we have to start with a very sound foundation upon which to do that, and I put it to you that foundation and that start, I hope, are in the form of this review, notwithstanding I would have personally liked concrete action from the beginning, and I think the people of Victoria certainly deserve that action to have come from their government. It is a great failing of this government that they have not taken that initiative, but given their track record it is no surprise.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (15:39): I rise to make a contribution on this motion brought by Dr Ratnam on group voting. I have had the benefit of listening to many of the contributions, and they have been quite entertaining, enlightening, educational and a whole range of other things. But I think what is important to note is that whatever system you have for voting, you have got to have a system, and I think our system of voting for upper house electoral results is one that has been commented upon by many people and analysed and picked apart. I think some of the earlier contributions that have been made today have quite aptly pointed out the results of voting across Victoria. There is conjecture about how that ultimately ended up, but by and large what this chamber reflects is the will of the Victorian people in terms of what we have got.

Of course there may be some anomalies somewhere, but by and large the representation in this chamber reflects the will of the people. I know the Greens do not like that; of course they want to maximise their representation in this chamber. That is obvious and unsurprising. But again, to bring a motion like this – I note the language is quite inflammatory as well in there, like 'We must have an independent review.' It is standard Greens tactics. 'Urgently establish' – I do like all the overuse of adjectives in there to try and say how urgent it is. But the bottom line is that this system, the last round of reforms that were actually brought in, the group voting ticket system, was first used in Victorian elections in 2006, and there has been upper house reform – and I note that others here today have commented on the trajectory of this chamber and the reforms that have been experienced. So it is not like it is something that has never been looked at.

Also it is a good opportunity to highlight some of the achievements. Our government, the Andrews Labor government, has a really proud record on electoral reforms. Before the 2018 election we passed some of the most extensive reforms to the Electoral Act 2002, and that was when the Greens actually had five people in this chamber. I did hear a contribution by another Greens member in the other place yesterday saying that this electoral result was the biggest result the Greens have had, so he was quite wrong in that regard – there were previously five members in this chamber. Nevertheless, the Greens were present in this chamber then and they are also here now. No motions were previously moved until they were whittled down to one upper house member in the last Parliament. So again, it really is about expediency rather than good intentions.

Effectively, as I said, we have implemented some of the toughest political donation law reforms in Australia, and we are proud of that. The requirement to disclose donations in a timely manner speaks to the Andrews Labor government's commitment to transparency, because on this side of the house we believe Victorians have a right to know who is donating to candidates as they elect their representatives. It is something we are proud of and it is something that was needed, and we took that on. It was a tough issue and we did it. Not only are the disclosure requirements in place but there is also an onus on the person or party receiving donations to provide an annual return to the Victorian Electoral Commission – and the VEC publishes that information as well, so that is transparent. So to say that the way this system operates lacks transparency is, like I said, all about political expediency for the Greens.

Also in the 59th Parliament we introduced a bill to amend the Electoral Act in response to the recommendations made by the Electoral Matters Committee report on the inquiry into the conduct of the 2018 Victorian state election, including addressing issues raised in early voting and with postal voting amendments, which the opposition opposed despite their unanimous support of the Electoral Matters Committee's recommendations. So when it comes to electoral reforms our government has a clear record of getting on with it and rolling up our sleeves when it really matters.

This government respects the Parliament and its committees as the institutions to work through these matters, and this government values the hard work and expertise of the Electoral Matters Committee. As I have said and I have touched on already, the Electoral Matters Committee has already returned some very detailed responses and reports, and the review of the last election will be undertaken by the Electoral Matters Committee in the usual way. The government will assess the committee's recommendations on their merits, and that is the appropriate thing to do.

I know there is a lot of disquiet over there on the Greens benches, but nevertheless there is a process for this to happen. It is interesting. The Electoral Matters Committee is the appropriate place to determine those things. Of course the Greens would like to say they are experts in these matters, because again it is about getting an outcome that they want. They are unhappy that they did not get more people in the chamber. That is obvious; it is just really obvious. I do not know how they can sit there and say that it is something other than it is, because like most people these days, people can actually see through that. It is really quite disingenuous, and it is obvious. I know a lot of people in my electorate actually comment to me about the disingenuousness of the Greens and how they constantly try to take credit for things that they do not do – and I note we are going to debate another motion very shortly where they are trying to take credit for things that they really have nothing to do with.

It just shows the immaturity of a fledgling political party who like to make out that they are of more significance than they actually are, and I remind them to look at the outcome of the Victorian election. The government was returned with an increased majority – and not only in this chamber. We have got a healthy government bench over here. Again, as I said earlier, there was plenty of commentary by other speakers about the mathematics of the result, and it actually is about right. Despite what you say, you have got a very limited representation or constituency, and it is reflected in the outcome of the election. Nevertheless, I think I will conclude my contribution there.

**Samantha RATNAM** (Northern Metropolitan) (15:46): It is a pleasure to rise to provide some summary and final reflections on the debate that we have had now over two sitting weeks. Firstly, thank you to everyone who has risen to make a contribution. We have had some really interesting and meaningful contributions, and I thank a number of members who have indicated their support across the aisle for this motion. We certainly have come a really long way from a similar debate we had in this place just over a year and a half ago, when I was the only member in this place that voted for fixing Victoria's broken and undemocratic group voting system. I am pleased that we have arrived at this more progressive place.

We have heard throughout this debate over two weeks some very strong arguments for reform, a recognition that the system we have distorts the will of voters and is indeed undemocratic, and most people in this chamber have declared their position through their contribution. Even if we may not agree yet on the outcome of the reform process, the majority of us have indicated that we agree on the need for reform, and I think that is one of the most important outcomes of this debate. So I thank the chamber for engaging in this debate in the way they have.

I just want to respond to a couple of contributions before I conclude. Firstly, there is a lot that I can respond to in Mr Somyurek's contribution. I do not really think it is worth our time in this debate to go into all that detail to do so. But let me just say it does seem like Mr Druery has been once again very busy with speechwriting, like we saw a couple of years ago, and I have to say that being lectured by Mr Somyurek on matters of principle and integrity is quite the experience.

What we have not heard during this debate, particularly from the government, is their position. Ms Terpstra has made a number of big claims with a number of inaccuracies through her contribution, which I would very much like to rectify. My colleague was right, the colleague that you bumped into –

**Sonja Terpstra** interjected.

**Samantha RATNAM:** Acting President, I would like to be able to offer my contribution without interruption. I cannot hear myself.

**The ACTING PRESIDENT (Bev McArthur):** Order! Could we have a bit of quiet so Dr Ratnam can continue her summing up.

*Members interjecting.*

**Aiv Puglielli:** On a point of order, President, I was unable to hear the member's contribution.

**The ACTING PRESIDENT (Bev McArthur):** Could I please have silence so Dr Ratnam can continue her summing up.

**Samantha RATNAM:** Thank you, Acting President. We heard a number of inaccuracies in Ms Terpstra's recent contribution, and just to correct the record, my colleague – I am not sure which colleague you bumped into; there are so many at the moment – that you bumped into was right. At the 2022 election we did have our best election result ever, electing eight Greens MPs at a general election for the very first time, and you have to add up the numbers in the lower and the upper house to get the eight. So, yes, we have moved in terms of numbers from previous election results in terms of our representation in the upper and lower houses. But we had a historic election result because more people are voting for the Greens because they like what we have to say.

In terms of the Electoral Matters Committee's remit to review our voting systems at each election, Ms Terpstra was right in one part: the Electoral Matters Committee should be reviewing the election system. But what we saw over the last term was an absolute betrayal of Victorian voters by the government through the Electoral Matters Committee, who refused to hold an inquiry into the group voting system despite the majority of submissions to the 2018 election inquiry asking for that system to be reviewed and reformed. Not only did they refuse to hold an inquiry, they deliberately obstructed an inquiry from happening, using their majority on the Electoral Matters Committee. So we have government-dominated joint investigatory committees charged with doing this really important reform and review work for this Parliament but being rendered incapable because the government is using its majority to block reform that Victorians deserve.

When it comes to democratic reform, we are now left as a Parliament to think about how we progress this reform – hence the Greens have proposed through this motion that the government set up an independent expert panel to review and hopefully provide recommendations to reform this broken, undemocratic system – because how can we have faith in a system that is dominated by government that we have had ample evidence they have used to obstruct this meaningful democratic reform? We have provided a pathway forward that the government can now take. It leaves the government isolated in its position backing this broken, undemocratic system.

**Motion agreed to.**

### *Bills*

#### **Children, Youth and Families Amendment (Raise the Age) Bill 2022**

#### *Second reading*

#### **Debate resumed on motion of Samantha Ratnam:**

That the bill be now read a second time.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (15:51): It is a busy day in the chamber today, isn't it, on this non-government business day? I rise to make a contribution on the Children, Youth and Families Amendment (Raise the Age) Bill 2022, and I note this is an important issue in terms of raising the age of criminal responsibility. None of us in this chamber ever want to see children in custody. It is something that should only ever be an absolute last resort and always within a system that protects and supports young people in custody. You will hear that, but this is a difficult issue. It is a complex issue, and what you tend to hear in the discourse that has been created around this sort of discussion – it is not just this bill but the broader issue around raising the age of criminal responsibility – is that it is incredibly complex.

Some of the issues that present in this discussion tend to get conflated and skewed. Often what you will hear in the discourse in the media is around people feeling concerned about community safety and children or offenders needing to be punished and all the rest of it. But what is important to note around this issue is that there has been some work done in other jurisdictions on this. If you look around the world, for example, other jurisdictions have different ages of criminal responsibility. I believe in Japan the age of criminal responsibility is actually 21. And of course what that looks at is that a young person's brain is still developing when they are a child.

There is this long-running debate that has not been settled about nature and nurture and about what happens when you put a young developing brain and a child in an environment that is riddled with conflict or perhaps family violence – or with crime present, neglect, abuse and the like. What we know is that oftentimes if you can have a therapeutic response or take a therapeutic approach to managing young offenders, the trajectory for young offenders is far better when they are out of the criminal justice system and they can get the support and the therapeutic response that they actually need. There is a high likelihood – or at least any likelihood, really – of young offenders being able to turn their lives around and then ending up being meaningful contributors to society. So that is an intervention strategy, which means that rather than having a young person being funnelled into the justice system, they are actually helped to stay out of it.

I note that people in the community say things like, 'Well, there's a lack of accountability there. A young person is not going to be held accountable for their actions.' None of those things are actually true. And if you look at some of the things that happen in the justice system, there are lots of different programs where young offenders are encouraged to confront and think about some of the actions that they have done. We know that certainly in First Nations communities there are opportunities for elders to become involved with some of these kids as well. So again it seems like the issues often get conflated down into things about community safety and fear around crime and offending. But it is much broader than that. It is not just about that.

It is a much bigger issue. We know it is important that one of the most effective ways of keeping our young people out of the criminal justice system, as I just said, is to look at diversion pathways for young offenders to give them support and to address offending behaviour. That does not mean that we do not seriously consider and contemplate community safety as part of that rubric, and it is important to make sure that that aspect of that is addressed. You know, people need to feel secure and safe in their own communities. Our last budget included more than \$600 million as part of a package of investments for the justice system, including youth diversion, reducing reoffending, increasing mental health support and providing financial assistance to victims of crime.

Before I go on to the next bit, I just wanted to touch on something that is well known and is something that we look at. It is a slight diversion away from this topic, but in our criminal justice system, in our prison population, often what you see is that amongst the prison population there is a high degree of prison inmates who present with mental health concerns, perhaps brain injuries or brain damage, and sometimes those things predispose people to acts of violence or violent behaviour. So oftentimes when offenders become touched by the criminal justice system, it is the first time in their lives that they may in fact have had a full assessment of what is going on for them, and they may have never had access to perhaps proper medical treatment or psychological services. Once they come into the justice system

it can be, for the first time in that person's life, quite revealing to them as well about what is actually going on for them. We know often people will self-medicate because they do not actually know what is going on. They might feel isolated and quite caught up and not know what is actually going on for them, so in some cases it is actually quite revealing for the person themselves.

Nevertheless the \$600 million is part of the package of investments focused on the justice system. This builds on the investments we have already seen for young people to be successfully diverted from the justice system, including \$15.5 million which has been provided to a range of programs to prevent more young people entering the system and to ensure that those that do have the best chance of rehabilitation, as I just said.

The other thing that is critically important to note is there are a number of other reforms that are really important, and this government's commitment to early childhood education is one of those reforms. We know that the critical years, as we call them, are nought to five, where personality development is formed. Getting kids into early childhood education, into three- and four-year-old kinder, is one of the things that is noted that can significantly improve the trajectory of a young person. It is really, really important. The other part to it is support for families, and the other thing that this government has done, which is no secret of course, is that we have implemented all the recommendations from the Royal Commission into Family Violence, because what we know is that for young people, and I touched on this earlier, growing up in an environment where family violence is present – whether it be violence, coercion, intimidation or even coercive financial control – can influence and impact their brain development. Where we have programs that act to support families and reduce family violence, that is also critically important.

The other part that is also important is making sure there are proper parenting support programs for families who may be suffering disadvantage or hardship, or for those who have large families as well. There is absolutely no guarantee that a young person who might be experiencing neglect or have violence in their background will turn out to be a young offender. It is not that clear-cut. As I touched on before, the nature versus nurture debate is a very old one, and it is a bit like the chicken and the egg. Which came first? There can be a variety of answers to those sorts of things, so it is complex, and that is what I talked about earlier. The complexity of what makes a young person an offender is complex, but what we do know absolutely is if you incarcerate a young person, you will create a life-course offender, and nobody wants that.

The youth justice strategy that we created, the *Youth Justice Strategic Plan 2020–2030*, was released in May 2020 and commits to age-appropriate responses for 10- to 14-year-olds to keep them out of the youth justice system. Whilst the numbers are small, you can see the importance, the investment and the resourcing that this issue has been given, because it is critically important to try and assist those young people to stay out of the justice system and to help them turn their lives around. Oftentimes the environments that they find themselves in are no fault of their own, and to help them I guess on the path to becoming a contributor to society, being able to work and function as a member of society, is the ultimate goal in staying out of the justice system.

But the youth justice strategy also sets out a framework to reduce any over-representation of Aboriginal children in our youth justice system, and this is something that our government takes incredibly seriously. We are committed to addressing the over-representation of Aboriginal children and young people in the youth justice system. That was outlined in Victoria's first *Aboriginal Youth Justice Strategy*, which was launched last year, and our government has backed that strategy with \$55 million invested. So it is critically important, and we will continue to invest in our youth justice strategies.

But also we have invested more than \$2 billion since 2014 to rebuild and strengthen our youth justice system. Last year's state budget alone provides over \$400 million in funding over four years to improve youth justice services, so \$357 million in the budget for the new facility at Cherry Creek, which is due to open later this year; \$11 million in last year's budget allocated for programs to divert

young people from entering the system; and currently \$58 million is allocated to the custodial strengthening works initiative, expected to be complete by the middle of this year. As you can see, we have not wasted any time. There is a lot of work being done at numerous levels to try and help keep young people out of the justice system and then, when they do become involved in the justice system, to assist them in any way we can.

We have also introduced targeted behaviour programs and an intensive intervention unit for the most high-risk young people in custody, additional behaviour support specialists to support custodial staff to address challenging behaviours amongst young people and a dynamic risk assessment as well. An \$11 million investment in the budget will go towards improving the Central After Hours Assessment and Bail Placement Service and fund the Children's Court Weekend Online Remand Court, which commenced operation in September last year. This will ensure that children and young people are not remanded unnecessarily over weekends because there is no available court to hear their bail applications. Funding will also deliver additional Aboriginal youth justice hubs that will prevent children coming into contact with the justice system, including by embedding Aboriginal self-determination in the service delivery. These investments are working, with results that lead the nation.

We acknowledge over here on the government benches there is always more work to do on many, many levels, but we are certainly getting on with that work. As I said, these issues are complex. They are not straightforward. As I said, the debate and the discourse around this issue, often driven by those opposite, tries to conflate a whole range of issues and stoke community fear and say that we are soft on crime and all this kind of stuff. It is complete rhetoric, because what we know is, as I touched on earlier, these issues are complex, and we want to make sure we have got the right supports enabled to help young offenders.

The government obviously will not be supporting this bill. With all due respect to the member who is raising this and putting this bill forward – and I have touched on this before – what it actually does is oversimplify what I have said is a complex issue, and I hope in my contribution I have laid out some of the complexities that need to be highlighted. Bringing forward rushed legislation cuts corners on critical consultation. It does a huge disservice to our courts, our justice partners and the children that it intends to protect. The criminal justice system works very hard at trying to help young offenders, and ultimately, yes, there need to be criminal sanctions issued to children when they do offend. But at the same time I know magistrates, other court services and our justice partners work incredibly hard and take their work seriously in this area.

The bill seeks to immediately bypass and ignore Victoria's participation in the national approach on this issue as well. As the Premier made clear less than a week ago, this is a process that deserves a reasonable and fair chance, and we want to make sure that that happens. There are key benefits to a national approach on the issue. For example, a nationally consistent approach means greater consistency in our laws with our borders and a more uniform approach to the application of these laws by our judges, because as we know we are divided up by state boundaries but often things do happen across state borders.

People do not live within state boundaries of course. I will just give a very brief anecdote. I remember when I was at law school studying criminal law there was a very famous case about somebody who lived in the ACT. They were driving a car, but they committed an offence in Canberra, and there was a lot of discourse around which criminal justice system would be hearing the matter and where the offence actually occurred. There might have been an accident that occurred on one side of the boundary; someone might have been flung out of the car and injured. There are all these complexities around jurisdictions. I know we get criticised for talking about why we need to have a nationally consistent approach, but ideally it is better to have a nationally consistent approach.

The national approach on the age of criminal responsibility was a key point of discussion at the most recent meeting of the Standing Council of Attorneys-General in December last year. There is a lot of goodwill between the attorneys-general across all of our states and territories. I know they work



incredibly hard and give very serious consideration to these issues. As I said, it is easy to come up with something and just say we want to rush this through, but it is a complex issue and we cannot afford to rush it. An outcome of the meeting was for the national age of criminal responsibility working group to undertake further work to consider the need for adequate supports and services for children who exhibit offending behaviour, which again reflects the need to ensure support for young offenders is the crux of this issue.

The Premier has, however, made it absolutely clear that we will not hesitate to take our own approach if a nationally consistent approach cannot be implemented. This will not, however, be done without ensuring we closely consult with expert stakeholders and our partners in the youth justice system who are at the front line of this issue. Again I might just touch on a personal anecdote. In a previous life I did do some volunteering with a youth outreach service. We would go and visit at-risk youth who were on the streets of Melbourne. As volunteers in that service, we would offer a whole range of things – food and whatnot, toiletries, whatever – but we would also offer an ear to often young children who were out on the streets and not at home. Obviously the question is that if a 14-year-old child is on the streets of Melbourne with a skateboard, not wanting to go home, there is a reason for that. Oftentimes what we found was that kids really just wanted to talk to an older person or a parent. Perhaps what was going on at home was unbearable, and their choice was to perhaps either sleep on the streets or couch surf rather than go home.

What you heard me say in my contribution earlier was to make sure that we have the appropriate supports in place. There are a range of reasons and circumstances for why young people may begin to offend, and I touched on them earlier. Some of these things can be related to trauma. I talked earlier about family violence, abuse and neglect – there can be those things. There can also be mental illness. There can be brain injury and sometimes lifelong brain injury. Someone may have a brain injury that is caused by fetal alcohol syndrome – something that a person will never recover from. It is a lifelong condition that may predispose a person to violent outbursts. Do we punish that person, ongoing, for the rest of their life? I do not know that that is appropriate. I do not know that we should. What does that person require as a young person? Do they not require our support? Do they not require support and appropriate services – wraparound support from government services or other services or agencies to help them actually live the best life that they can given the lifelong condition that they have? Is it their fault they have a brain injury that might predispose them to violent outbursts? Again, I do not know that it is.

We hear lots of discussion around human rights in this place from some people, but the bottom line is that it is a balancing act. We need to balance the rights of individuals. We need to balance the rights of community members to feel safe in their own communities. We also need to ensure that we have the best approaches that we can towards people who are young offenders and, where absolutely possible, divert them from the criminal justice system so that they do not become life course offenders. There is something that is absolutely crystal clear: incarcerating a young child will absolutely make them a life course offender, and that is something that I do not think anybody wants in Victoria.

To incarcerate someone for the entire period of their life is actually incredibly expensive. And of course if you incarcerate someone at a young age, when they are 14, the person that they are when they are 50 or 60 may be an entirely different person. Perhaps with help and support and rehabilitation that person may be able to turn their life around. Again, circumstances that may have prevailed may have prevented that person from being able to live a full life. So there are lots of different approaches that could be taken. As I said, it is expensive to incarcerate someone for the rest of their life, so why wouldn't we frontload any efforts by investing in reforms and support services and taking therapeutic approaches to young offenders where we absolutely can.

I might conclude my contribution there. It is a serious issue. It is a very complex issue. I just really want to say that whilst I think the bill does oversimplify this I want to thank the member nevertheless for bringing it forward and I guess for the chamber to have a debate around these issues as well. It is important, and it also gives the Parliament here in this chamber an opportunity to explain to people

who might be watching at home, watching our debate, the complexities around this. Because again we do see in the media a conflation of issues around softness on crime. It is actually not about that at all, and I think most fair-minded Victorians given half the chance to understand the complexities around this issue would find a lot of sympathy with some of the things that have been raised today.

I know a lot of constituents in my own region also do not want to see children incarcerated. They are up for looking at appropriate reforms where we can see people, young offenders perhaps, turning their lives around and living their best lives and becoming fully functioning members of our society, which is ultimately what we all would like to see. So thank you. I will leave my contribution there.

**Matthew BACH** (North-Eastern Metropolitan) (16:12): It is fantastic to rise, finally, to have a discussion about raising the age of criminal responsibility. We have been waiting a very long time for this moment, and it is odd to hear members of the government say that they are really pleased to have a debate about these matters. We could have had a debate about these matters hundreds and hundreds of days ago, because of course 500 days ago this week – it is a sad anniversary – the Children, Youth and Families Amendment (Child Protection) Bill 2021 was introduced by the government; a good bill. The Minister for Child Protection and Family Services is in the house, which is fabulous. She was discussing a different child protection bill that she reintroduced. It is not her fault that it lapsed last term. We had a different child protection minister at the time; I cannot remember who it was. It could have been one of a whole range of people. Nonetheless, this minister has brought back the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023, and that is a very good thing.

Of course at the time, hundreds and hundreds of days ago, the government was so desperate to avoid this very debate about whether we should raise the age of criminal responsibility that it ditched a bill that it said was absolutely vital for vulnerable children, introduced 500 days ago. I know I am going off topic at the start, but seeing that bill again, the children, youth and families bill, will not be a bad thing either because I do not think Dr Ratnam – I cannot speak for her – will necessarily be seeking to attach an amendment to raise the age of criminal responsibility, because she has brought forward this private members bill, and I for one am incredibly pleased that she has done so.

I concur with many of the points that Ms Terpstra made. I caught the eye of Mr Puglielli while Ms Terpstra was talking. The three of us – along with you, President – all represent the good people of Melbourne's east and north-east. I dare say again on this point we would all be in agreement that the vast majority of people in that community want to see not only fewer and fewer young people in custody but also fewer and fewer young people having any interaction whatsoever with the youth justice system. So it has been good to hear members from across the chamber talk about a commitment to more diversion, for example. I think we need to do that. We need to see that. We need to see more done.

Again, this is ongoing work from the minister for child protection, who is here, to seek to end the dreadful pipeline that has existed for so many years between child protection and youth justice whereby the most vulnerable and traumatised young people in the state are funnelled, as a result of policy, into youth justice. We know our recidivism rates are out of control in Victoria. So what we do as legislators when we put in place dysfunctional policies that funnel the most vulnerable and traumatised young people in this state into youth justice is not somehow magically fix or redeem them but brutalise and traumatise them further, making it more likely, not less likely, that ultimately they will go on to lead lives of significant dysfunction and, yes, greater criminality.

Again, I agree with the points that Ms Terpstra made. Too often, probably since the 1980s or 90s, we have seen a chest-beating exercise that has been engaged in by parties certainly of the centre left and the centre right, in an effort to be seen to be tough on crime. This impulse has led to, again, bad policies and far too many young people coming into the orbit of criminal justice systems. I am on the record as saying that, in my view, youth prisons represent the greatest social policy failure of the last 200 years. We need to have prisons, I think, and there is a need presently, due to a paucity of other

options, to incarcerate people who commit really serious crimes in order to keep the community safe. But there are far too many young people – and there are far too many adults, in my view – who have been imprisoned under our current laws for offences that are not violent offences and for offences that are not sexual offences.

Ms Terpstra was right of course that certainly over the last 20 or 30 years it has largely been centre-right parties, often followed along by those on the centre left, who have championed a tough-on-crime agenda. Yet historically, interestingly I think, it has been those on the left who have been far more hopeful about outcomes for people after entering prison, which makes sense when you really think about it. You have to have a touching and I think naive view of the power of the state to do good to think that, by putting the most vulnerable and traumatised people in society all in one place, away from supports and under the gaze of the state, that will somehow redeem or fix them. So my view as a liberal is that we would do far better, principally for young people, to keep as many as possible within their families and their communities. Again, I do not disagree with some of the points Ms Terpstra made specifically about this bill, but I also think that this bill could move forward standing on its own, as it does, as long as then there was an understanding about what could be done outside of a legislative framework to support the young people who have hitherto come into the orbit of the youth justice system.

Here is what I mean. I know that Dr Ratnam is very cognisant that should we go down this pathway – raising the age of criminal responsibility, some people have said to 12, Dr Ratnam argues to 14 and many experts argue to 14 – her view is not that there is no need then for any other systems or processes, and she touched on these issues in her introductory speech, in order to support young people who previously would have moved into the youth justice system. It has been good for me over recent, well, months now to have discussions with the Police Association Victoria and to have discussions with people at the Centre for Excellence in Child and Family Welfare, the Victorian Council of Social Service and other fabulous community organisations, and I am actually convinced that, given how fabulous our community sector here in Victoria is, should we move down this pathway it seems unlikely today but potentially at some point in the very near future our community sector is at a point where it can step up. There are fantastic programs that are currently funded by the government, I would argue, to an extent that needs to be scaled up, but nonetheless they are currently funded by the government. I am thinking about programs like functional family therapy.

This is one of the programs that in my mind's eye could be used to support young people who have committed crimes but who we all I think desperately want to keep out of the youth justice system. And I would reject any notion that programs like this are a soft option. I have had detailed discussions, for example, with the CEO of Anglicare Paul McDonald about functional family therapy. Anglicare runs functional family therapy – funded by the government; thank you, Minister – and that is a tough program for parents and families to go through. In particular it is a tough program for deadbeat dads to go through. So again I agree with some of the remarks of Ms Terpstra that one of the reasons why it is so important to be having this debate is that there is still, hopefully in a small portion of the community, a misunderstanding about the nature of supports available for young people. I think, should we go down this pathway, today or at a future point, there will certainly be a need to very significantly scale up the amount of funding, first and foremost to the community sector, to carry out that work. I think the approaches are already there and the expertise is there in our community sector in order to support young people who have experienced shocking trauma and do so in a way that far more often than not would, I think, leave members of the community satisfied that they will be kept safe.

There are questions of course about specifically what should be done in the very, very rare cases where young people commit particularly heinous crimes. I suppose I am thinking about violent crimes and sexual crimes. Again, I am well aware that advocates of raising the age of criminal responsibility to 14 – advocates who I deeply respect – argue that even in those cases there should be principally a welfare response, a community-based response, rather than a criminal justice response. I think that,

however, is a very difficult question for many members of the community and one that needs to be unpacked to see if we could get to a point where there is some consensus across the community. I understand, of course, that advocates of raising the age of criminal responsibility to 14 – and this includes Dr Ratnam and the Greens team – are very keen not to see so-called carve-outs. But nonetheless on a personal level I do not mind saying that I am exercised about what we would do in that very, very small number of cases where particularly egregious crimes have been committed. And obviously the Police Association Victoria and some others who work in law enforcement have views of their own there as well.

So from the point of view of the Liberal Party and the National Party, we are not in a position to support this bill today. We are very pleased that Dr Ratnam has brought it forward. I want to acknowledge her longstanding advocacy in this area. It is advocacy that is founded on her understanding of the evidence and her deep compassion for young people who have experienced trauma as well. I am pleased to hear from others in this chamber about the commitment across the board, it seems to me, to seek to do far better, whatever the particular mechanism may be, to not only keep vulnerable and traumatised young people out of youth justice facilities but stop young people rubbing up, if you like, against the youth justice system.

Again, this is a point that Dr Ratnam has made time and time again, and I think she makes it well and aptly. Yes, we are talking about a tiny population, praise God, in Victoria's youth justice centres. But the number of young people who have interactions with the youth justice system is far greater, and we know from all the evidence that outcomes for that much, much broader cohort are also dreadful. So it is a very important discussion to be had, principally because of the fact that we are not at a point yet where we have either a fulsome understanding or a commitment – largely a funding commitment – from the government about scaling up the supports that would need to be done in order to make sure that we support young people in a way that gives the community satisfaction that they will be kept safe up to the age of 14. It is principally for that reason – but also because we want to have ongoing discussions about the tiny proportion of young people who commit really violent or sexual crimes and what is the best way forward for them – that we are not in a position today to support this bill, notwithstanding the fact that we thank Dr Ratnam heartily for bringing it forward.

**Georgie PURCELL** (Northern Victoria) (16:26): I rise today to speak in support of this bill to raise the age of criminal responsibility, and I thank the Greens for bringing this important issue for debate. I would like to start by asking you all to consider where you were, what you were like and what mattered to you at the age of 10. I would suspect that, coming from diverse backgrounds, our responses would all differ a little, but I could hazard a guess that no-one in this place, the other place or anywhere in Victoria as a whole would say that at just 10 years old they believed they could be identified as a criminal. But under our current laws that is exactly what can happen. This in most instances is not the fault of the individual, the family or the school. It is the decades of failure of governance, systems, services and society that make it more likely for some children to be more disadvantaged than others.

For me at age 10 my best friend was a budgie named Cletus, I still had a favourite teddy – her name was Lucy – and I had not quite broken the habit of running down to my parents' room when I woke up scared in the night. It is incredible to me to think that when I was this young I could have been arrested, charged and potentially jailed, but the reality is it is unlikely that I ever would have been. In just one year across Australia close to 600 children were locked up and thousands more were hauled through the criminal justice system. But it is Aboriginal and Torres Strait Islander children that are disproportionately impacted by these laws at even higher rates, accounting for 65 per cent of younger children in prisons.

We know that locking children up has a lasting detrimental effect on them, only making them more likely to reoffend in the future. Criminalising children creates a vicious cycle of disadvantage and only widens the gap of racial injustice in this state. We must listen to First Nations people, who have been crying out for this most basic of reforms to protect one of the most vulnerable cohorts of our society:

our children. Our nation and our state are lagging far behind our international counterparts on this issue. It is not just embarrassing that we are failing our children, it is heartbreaking.

This bill will also prohibit in law the use of solitary confinement on children held in youth detention. I support the full reform of this system to genuinely rehabilitate and support our youth. The Victorian government has a chance to lead the way on this reform, and as a progressive state I hope that we can do this and encourage the rest of the country to follow in our footsteps. The current age of criminal responsibility is one of the biggest failures of our state's justice system. Our children belong in schoolyards and not in prison cells. I am hopeful that we can support the significant findings from the recent inquiry on the need to reform Victoria's bail system and to raise the age of criminal responsibility to 14 years in this state, and that is why I am proud to support this bill today.

**Jeff BOURMAN** (Eastern Victoria) (16:29): I rise to give my input to this issue. It will not surprise anyone that I am not supportive of it, but I am not hardcore against it in principle, and I will go into why. We see the world through the lens of ourselves. We grow up. We go through everything. Ms Purcell had a budgie named Cletus, which is probably more than we ever thought we would find out, and probably had a nice childhood. Now, not everyone in this place will have had that. We have had people come from diverse backgrounds, but we all knew right from wrong, and I think that was the difference.

I think because we see things through our own lens and our own experiences, we forget that other people have a different outlook on life and different experiences. Do I think jailing people under 14 is the first answer? No. Do I think it is the only answer? No. But having experience of dealing with some of these people, these so-called kids, some of them are just caught up in a wheel that they cannot get off, and by all means have the system help them to get off, but some of them – I do not know whether it is nature or nurture – are broken. Some of them are rapists and some of them are murderers, and they are under 14. By increasing the age of criminal responsibility to 14, you are leaving a gap of what to do with them. I hear a lot about raising the age. I do not hear a lot about what to do with the rapists and the murderers, and they are out there at that age. Sadly, I had to meet a few of them. I can only imagine they are either in the system or dead by now. But I think as we propel ourselves headlong into a brave new world, we need to be careful. We need to not put the horse before the cart. We need to have answers to the things like what to do with the hardcore criminals that are under the age of 14 before we start letting everyone out.

Now, perhaps Ms Ratnam in her summing up will help me with this, but until we have that done, I think it would be grossly irresponsible for anyone to change the age of criminal responsibility. I mean, as a young person, in fact as an adult, it is pretty hard to go to jail. Unless it is a particularly serious crime, you do not just get caught shoplifting once and get sent to the can. Nope. You will go through a number of things and then eventually if you are a recidivist offender you may or may not find your way into the prison system. Now, to a small degree, a touch in with the justice system is the first opportunity for the wider government – the justice system, the government, social services or whatever you want to call it – to have an influence on a person's life. Now, as it is at the moment under 10 there is no criminal responsibility, but if we just raise that to 14, well, then what do we do?

I think this may or may not get through in this term of government and all that sort of thing, but very much like the public drunkenness laws, the cart was definitely put before the horse, and that was as much a health response as a police response. The police were looking after people as drunks, and I can tell you from personal experience that does not always go well, but someone was looking after them. Now, if it is no longer an offence, who is going to look after these kids?

**Lee TARLAMIS** (South-Eastern Metropolitan) (16:33): I move:

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

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

*Committees***Legal and Social Issues Committee***Reference*

**David LIMBRICK** (South-Eastern Metropolitan) (16:34): I move:

That this house:

- (1) notes that:
  - (a) Melbourne will host the 27th Harm Reduction International Conference from 16 to 19 April 2023;
  - (b) despite the government implementing some of the recommendations from the 2018 inquiry into drug law reform, there remains significant problems and opportunities;
- (2) requires the Legal and Social Issues Committee to inquire into, consider and report, within six months of the house agreeing to this resolution, on drug harm reduction policies, including:
  - (a) improvements in opioid substitution therapy service delivery;
  - (b) the establishment of a drug-checking service;
  - (c) safe consumption sites and prescription hydromorphone program;
  - (d) nicotine harm reduction including e-cigarettes and their role in smoking cessation; and
  - (e) any other related matters.

The government has made some significant and some minor improvements in drug policy and harm reduction: legalising medical cannabis, setting up a medically supervised injecting room and improving health alerts for novel and emerging psychoactive substances. There have been inquiries that have looked at drug policy, including those outlined in this motion, over previous years, but some of the recommendations have been left to languish. Stakeholders in the sector described issues with the opioid substitution therapy program as a ‘looming crisis’ back in the 2018 inquiry into drug law reform. I have been informed that the crisis is now no longer looming but is here. For people with serious opiate addiction problems, there is more need than service availability. Several of the doctors managing clients have delayed their retirement because there is nobody to replace them. It is an urgent issue that needs action now.

The need for a drug-checking service to be established or at least trialled in Victoria was highlighted recently with yet another tragic death of a young person at a festival in New South Wales. The ACT have got on with it. After successful trials they have now established a fixed service already identifying novel substances circulating in the community and ensuring that health services and consumers are alerted.

While the government have established a medically supervised injecting service which is preventing deaths from overdose and supporting people to access treatment not just for addiction but for other health issues and services, it is a half measure, as the illicit market and the organised crime that funds it are maintained. An alternative would be to trial prescription hydromorphone. No solution is perfect, but jurisdictions such as Switzerland that have trialled a similar approach have seen very good outcomes.

Another issue that we seemingly cannot go a day without some media mention of is the issue of vaping – or, as it should be more accurately referred to in a public health context, tobacco harm reduction. Harm reduction is supposed to be a complementary approach that does not replace other approaches, such as dissuading people from taking up harmful or risky practices or approaches that encourage abstinence. Rather it is an approach that acknowledges that some people will persist with these activities, and if there are ways to reduce the harms then they should be encouraged.

No-one would deny that nicotine is addictive. Quitting smoking is really hard. I have done it myself. Even people who manage to quit often fail multiple times first. There is an option available for people that did not exist 20 years ago that many smokers credit with allowing them to manage their nicotine

use while avoiding many of the harmful effects of smoking. But let us be clear: we are talking about harm reduction, not harm elimination. Vaping is not without harm, but the vast majority of experts acknowledge that it is significantly less harmful than smoking. We have a strange approach though, with vaping being far more restricted than smoking itself. You can buy smokes when you fill up your car with petrol or when you buy your groceries, but if you prefer the less harmful alternative you need to get a prescription and import products from overseas, with no liquid nicotine products being able to be legally sold here. That does not mean they are not sold, and we have been inundated with reports of teenagers accessing these products from a range of retail outlets selling them, despite the laws, through the black market. It is vital that we find a better way to regulate this industry, and we need to hear from all of the experts, not just the ones that support further restrictions.

On these issues, restrictive government regulations are preventing effective solutions, and we need to get to work so that these solutions can be implemented as soon as possible. It is my view that an inquiry of this type to look into a range of these issues around drug harm reduction would set us on a course so that we can better inform ourselves of things that may have happened since the drug inquiry in 2018, and I urge others in the house to support this inquiry.

**Sheena WATT** (Northern Metropolitan) (16:38): I rise to give my contribution to this motion about harm reduction, and in doing so I would like to note that the Andrews Labor government takes a health-led approach to alcohol and drug use and is committed to preventing and reducing associated harms. As a case in point of our commitment to harm reduction, we are hosting the flagship Harm Reduction International Conference in Melbourne this year in April. Opened by former New Zealand Prime Minister Helen Clark, the conference will have over 1000 delegates from over 80 countries in attendance, including frontline service workers, some policy and decision makers, some UN officials, researchers, activists and people who use drugs, among others. It will also be a great chance to showcase our great city and our great state to the world.

As a demonstration of our commitment to harm reduction, in the most recent budget we provided and committed over \$300 million in alcohol and other drug services, including supporting Victorians to access information and advice, treatment and harm reduction services. This includes \$1.4 million to maintain alcohol and drug support services for Aboriginal Victorians, \$6.6 million to respond to alcohol and other drug treatment demand, \$1.3 million to respond to global supply pressures for critical harm reduction products and \$35 million over three years to support the establishment of a 30-bed alcohol and other drug residential treatment facility in Mildura. I do know that there are certainly places in our state that do not have as easy access to treatment facilities as some of us here in metropolitan areas, so it is really good to see that commitment being made to regional services. I will just have that noted. These services reach approximately 40,000 Victorians every year, ensuring that support reaches those that need it most.

However, overdose deaths cannot stop at investment alone. We know, for example, that some Victorians have a dependence on high-risk prescription medicines. That is why we launched SafeScript in Victoria to help clinicians make safer clinical decisions and reduce the incidence of harm among their patients. SafeScript is Australia's first real-time prescription monitoring system, developed and implemented in 2019, keeping more Victorians at risk of overdose safe from harm.

We support evidence-based, innovative approaches for those who need us to work differently, like our medically supervised injecting room and funding Harm Reduction Victoria's DanceWize program. DanceWize peer educators engage with attendees at Victorian music festivals and nightclubs, providing chill spaces, discussing safer drug use with patrons and handing out health resources.

We are progressing implementation of the commitments we made in response to the inquiry, including access to the life-saving medicine naloxone, with the expanded take-home naloxone program commencing later this year. We recognise the impact of drug harms on the Victorian community and are working tirelessly to prevent and reduce these harms. Every single life lost to drugs is a terrible, terrible tragedy for the families and friends affected and for our wider community.

The supervised injecting room in North Richmond is doing exactly what it is designed to do; it is saving lives. We are trialing a medically supervised injecting room, a safety-first medical approach which aims to reduce overdose deaths and harm. It is a comprehensive health service supporting clients to access health and social support services from housing to treatment to hepatitis C diagnosis and medication. It has safely managed more than 5000 overdoses, saved lives and taken pressure off hospitals, reduced ambulance call-outs and led to a decrease in public injecting. The coroner's 2022 report into overdose deaths showed a significant reduction in fatal heroin overdoses in the City of Yarra since the facility opened. The trial has also shown that drug overdoses in our community are preventable, and it is incumbent upon us in this place to do what we can to prevent them.

Naloxone is a safe and effective treatment to reverse opioid overdose and a crucial part of the government's harm reduction strategy. In Victoria naloxone has previously only been available when prescribed by a medical or nurse practitioner or when supplied over the counter by a pharmacist. Victoria's take-home naloxone program will increase community access to this medication. Workers in approved organisations will be able to supply naloxone to people who are at risk of or more likely to witness an opioid overdose, including family, friends and supporters of people who use opioids. In response to the 2018 inquiry into drug law reform, we have reformed legislation governing the supply of naloxone. The new regulatory framework will reduce opioid overdose related morbidity and mortality by removing barriers to this life-saving medicine.

Pharmacotherapies like methadone are a key part of treating addiction. These treatments save lives lost to overdose. They also bring stability and choice to people's lives, an important step that allows people to take better care of themselves. We are aware of longstanding challenges in this pharmacotherapy service delivery, especially regarding primary care workforce capability and capacity. That has not gone unseen. These problems have intensified recently alongside broader pressures in primary health care.

The Commonwealth government is currently conducting a review of how pharmacotherapy medicines are made available in Australia under the PBS. This review and subsequent changes to Commonwealth pharmacotherapy arrangements are expected to be finalised later in 2023. The Department of Health is also exploring opportunities to trial hydromorphone and similar effective medicines for people who have not found success with existing treatments. This is a direction recommended by the 2018 inquiry into drug law reform. Any trial will require careful consideration of appropriate science and medication subsidies as well as close engagement with clinical experts and people with lived experience.

We know it is crucial to monitor emerging drugs and drug harms to help protect public health and community safety. Our work to increase understanding of emerging drug-related harms incorporated both state and national activities. Since 2020 the Department of Health has supported a number of research trials that aim to develop Victoria's drug early warning capability. These have involved significant collaboration with a network of hospital emergency departments, community health services, people with lived experience and scientific experts. This work has enabled the Department of Health to issue public drug alerts when it becomes aware of especially hazardous products circulating in the community – a trusted form of information for people is available to make more informed decisions about their health. We also know that illegal drug taking can have a devastating effect on a person's health and wellbeing, especially their mental health. We have currently no plans to implement a drug-checking service in Victoria but will continue to consider evidence for additional harm reduction approaches.

While the long-term impacts are still unknown, e-cigarette products contain a variety of chemicals and toxins that have the potential to cause adverse health effects. I will just say that most smokers that use e-cigarettes to quit do not do so in a controlled way and often continue to also smoke – look, there are all sorts of different impacts. I think there is a lot more work to be done on that, and I look forward to hearing more from our experts as time goes on.



I know that my time is about to come to an end, but I just want to say that there is no silver bullet here. Together the measures being introduced by the Andrews Labor government will save lives and keep Victorians safe.

**Georgie CROZIER** (Southern Metropolitan) (16:48): I am pleased to rise and speak to motion 27 under Mr Limbrick's name. He has put an important motion to the house, which we are debating this afternoon. The motion notes that:

- (a) Melbourne will host the 27th Harm Reduction International Conference from 16 to 19 April 2023 –

that is in only a few weeks time –

- (b) despite the government implementing some of the recommendations from the 2018 inquiry into drug law reform, there remains significant problems and opportunities;

- (2) requires the Legal and Social Issues Committee to inquire into, consider and report –

on a number of issues relating to harm reduction policies, including –

- (a) improvements in opioid substitution therapy service delivery;
- (b) a drug-checking service;
- (c) safe consumption sites and prescription hydromorphone program ...

I am particularly interested in that last bit. As Mr Limbrick is aware, going into the election of last year the Liberals and Nationals had a policy on this very important area – and thank you, Mr Limbrick. It was an excellent policy put forward to the Victorian people by my colleague Emma Kealy in the other place, who has done an enormous amount of work in this space. She really is very much across her brief. She understands the issues extremely well, and she has been speaking to the agencies and so many people that have been affected by drug and alcohol abuse and looking at ways to support people.

We know that there are many people that have, sadly, succumbed to drug addiction, and that has led to some dreadful outcomes – some very serious and sad outcomes. I do not think anyone in this chamber is not familiar with having their own personal experience and being touched by the very severe effects of drug abuse and how it can just simply ruin lives and ruin families. It has a massive impact on communities, and of course we must do everything we can to support those people to minimise harm and to get them off those horrendous addictions. I know too many instances where tragic outcomes have occurred from accidental overdose. Obviously there is ongoing abuse and violence, there is getting on the terrible treadmill of crime at a young age and not being able to get off and there are just so many other implications that have health, mental health and economic impacts both for the individual and for society as a whole.

My colleague Emma Kealy was pointing out that in Victoria in particular we have a problem around this area. What we know is that the waitlist for people to get treatment has grown. At the end of 2021 there was an increase of 60 per cent on the year prior, so there were more than 4000 people waiting for this vital treatment and support in these facilities. Of course that came off the back of Victoria's lockdowns and the restrictions that were in place. I have spoken many times about the extensive lockdowns that Victoria had to endure, and we are seeing the result of that. We had the harshest restrictions, but we have also had the worst outcomes. Lockdown after lockdown has not been good for all Victorians and especially those Victorians who need mental health and drug and alcohol treatment and support. We also know that Victoria has had the greatest number of deaths, so the lockdowns did not stop all the tragic deaths that occurred. I am not going to re-prosecute that case because I have done it to death, but I am still very concerned about the impacts of those lockdowns. I am particularly concerned about how they have affected those people seeking these vital treatments.

The other point that my colleague Ms Kealy was making when she was putting some policies forward was that the budget had been cut by \$40 million and there was the cutting of 100 FTE jobs in the sector. There has been a huge cut to the budget for many, many years. These are real issues and we want to address them. We know that regional parts of Victoria in particular that do not have access to

these services sometimes are the worst affected, and we were putting forward solutions in terms of establishing 180 withdrawal and residential rehabilitation beds across Victoria. That would have been a step in the right direction to get more people off these drugs. The other thing I want to make note of which is particularly interesting, as I said, around the hydromorphone program that Mr Limbrick has highlighted in his motion is that we were committed to establishing an Australian-first hydromorphone treatment program that would break the addiction of heroin.

Again, I have raised the issue in this place around the injecting room in North Richmond. Whilst we want to see those addicts supported, treated and not succumbing to overdose – well, they still are overdosing – there are crimes and social impacts in that local community because they put this injecting room next to a school in a residential area. It is the wrong place. Where is the Lay report, while I am on this? The Lay report was due out last December 2021, and it is now 2023. The government has stalled on this issue and those people in North Richmond are none the wiser, although I am aware that people are talking to North Richmond from high places within the department, so it will be interesting to know what the government's plans are if they have got the bigwigs going down to talk to people down there. I think every Victorian deserves to understand exactly what is going on with the North Richmond injecting centre and what the government is going to do with a second injecting room.

We think that hydromorphone programs to get people off heroin, not providing more facilities that provide people with the opportunity to go and inject ice and heroin, is the way to go. And we certainly do not think we need a second injecting room in Flinders Street in the Yooralla building that was bought for over \$40 million and is sitting there idle. Well, what on earth are they doing with that? All of these questions the government has refused to answer, and I say again, where is the Lay report? I am sure as a former policeman he would be absolutely horrified that this report is sitting on someone's desk gathering more dust without being acted upon, and I think that all Victorians deserve to understand exactly what the government's intentions are.

Going back to this important motion, it does call for the Legal and Social Issues Committee to look at these issues. I think that is the right place for this sort of issue to be addressed – in this parliamentary committee. That parliamentary committee, of which I have been a member, has done some excellent inquiries in the past on many important issues, and I do agree with Mr Limbrick that this is an important issue to bring to the chamber today. This committee can look at these particular issues around opioid substitution and other aspects that have been highlighted in the motion.

In conclusion, I know there are many organisations, like the Victorian Alcohol and Drug Association and other drug and alcohol organisations, that are doing great work in this space. They need more support as well, particularly with the growing number of Victorians who have, sadly, succumbed to addiction and who need this support. They need to be able to be treated. They do not need to be waiting on a waitlist to be seen for months, even years, before they can get that vital treatment that they are able to have. I am hoping that this inquiry will look at some of these aspects and really drill down on what we need to do and what is really happening across our society to understand, particularly, the impacts, as I have mentioned, and some of the issues – the cost of living rises, the financial pressures that are across our communities – that sometimes become the triggers for people to become further addicted. We need to understand those impacts, and I look forward to this committee getting underway.

**Melina BATH** (Eastern Victoria) (16:58): I am pleased to rise to put my name in association with Mr Limbrick's motion 27 on the notice paper. In particular my interest lies around an inquiry into and consideration of the drug harm reduction policies, opioid substitution therapy service delivery – how is that going? – the establishment of a drug-checking service, the safe consumption sites, a prescription hydromorphone program and also nicotine harm reduction, including e-cigarettes and their role in smoking cessation – we have had debates on that in past parliaments – and also any other related matters. The 'any other related matters' that I would like to see included in that are also to include people who have been drug affected and alcohol affected as well, because alcohol certainly places a

significant burden on human lives. Those that become addicted can devastate their families, devastate themselves and really impact very heavily on not only the fabric of society but also the economics of our towns and communities.

The other day I was pleased to have with the shadow minister in this space Emma Kealy a briefing with the Victorian Alcohol and Drug Association, and I was very pleased to gain some understanding and insight from their in-depth knowledge of this topic. They are really, as we call it, at the coalface of support. They are down in the pit with people, working out those strategies, working out harm minimisation treatments and doing a most amazing role. And I thank all those people who work in this area because, let us be honest, it is a very challenging space for people to operate in. It is often very highly committed people – they may not always be, but sometimes they can be reformed drug users and alcoholics – but it is still a very, very important area, and we thank all of those people who work in this space.

One of the things that was impressed upon me – and I would like to just put on record some of the learnings that I took out of that briefing – was that substances which are licit, so prescription drugs and things that come across from doctors who write them out and those sorts of things, can heavily impact on people's lives and health as well as illicit substance abuse. Again they went into the detail around harm minimisation frameworks, which can include the physical – certainly if someone comes in and they are addicted, they have a physical addiction to whatever that drug may be, but their psychological state is altered. They are working in an impaired state. They may be functioning in the community at some stage, but the back end of their life is often falling apart. Their emotional state is heightened, reduced or bouncing all over the place. But it is also that wider ripple effect that they have on their families and on their communities, whether they become then a danger of violence within their family unit – whatever that looks like – or within the local street that they live in, or whether there is that crime ripple effect that then can occur if you are talking about illicit substance abuse and the need to have access and the need to keep those funds flowing through. One of the things that made sense – it totally hit the mark from the people I see coming into my electorate office and families who are highly distressed – is that 35 per cent of all suicides in Victoria have alcohol or drug related dependencies. So one-third of everyone who commits suicide has already got this propulsion due to abuse of either alcohol or drugs.

The other point is that with those fatalities – and this is not something I enjoy reading, but I think it is important to say – it is not only in the city; it certainly happens in rural and regional Victoria and in our larger regional centres. Let me read you the very sad lists of fatalities from alcohol and drugs through the LGAs and who is topping those charts. From alcohol, pharmacological drugs as well as illicit drugs, the highest deaths have occurred – and this is fairly consistent too; this is a nine-year cycle here, and unfortunately Geelong has a very high quota. Bendigo has also got 12 per year roughly. The Hume LGA and then unfortunately the Latrobe local government area also have around probably 10 to 11 fatalities annually through drugs and alcohol. And they were saying these are direct responses. These are not people crashing their car being high or the like; these are direct fatalities due to an overdose. So there are some startling statistics that I wanted to put on record about the need to look into regional Victoria as well when we look into this inquiry. I hope this motion gets up, and then I hope we can travel out into the regions – where it is warranted – to come out and listen to responses.

The other thing that I found quite alarming – and these statistics are off aodstats.org.au – was ambulance attendances in regional Victoria. They highlighted three separate locations. One was Latrobe, and again this was alcohol-related ambulance attendances. Between 2021 and 2022 they were 68 per 10,000 head of population – that is, double the state average. Horsham had 125 per 10,000 head of population, and Ballarat, looking in terms of pharmaceutical-related ambulance attendances, was 70 per cent higher than the state average. So that is saying that there is certainly something going on there. Interestingly, when they looked at Mildura for alcohol and other drug treatment, Mildura had illicit drug treatment at twice the state average, but pharmaceutical and AOD treatments were 20 times

the state average. Certain pockets have certain issues that are really prevalent, and I think it is quite important for this committee to be region specific, to drill down and to see what is going on.

The other thing that I felt really saddened to understand was in terms of rehabilitation centres. Victoria unfortunately has a ratio of only 0.74 beds per 10,000 head of population, and we lag far behind Queensland, New South Wales, Western Australia, Tasmania and the ACT. So you have to ask why that is not serving these statistics that I have read out. I know my shadow minister Emma Kealy had a very important policy going into the election which was around an increase of 180 detox and residential rehab beds across the state and they were in pockets, some of which I have described today. It is important that when people are ready to get treatment there is that treatment available, there is funding towards that treatment but also there are beds. There are many mechanisms and different ways to have treatment, and that was outlined. They can be in the home and attached to a hospital, but sometimes it is very important to actually get people into a residential detox and then rehabilitation centre. We want to see outcomes and we do not want to see families crushed by this.

The other thing – and I think Mr Limbrick actually brought it up – that was really quite shocking and there needs to be new models to look at, was that very few GPs actually prescribe that pharmacotherapy. There are a few of those GPs carrying a huge burden to write those scripts out and get people on alternative treatments to get them off those hard drugs – heroin et cetera. They also were talking about alternative models such as a nurse-prescribed way of presenting those. Certainly it has to be monitored well and prescribed and followed up, but I think that is also another area to look at in this inquiry.

**Lee TARLAMIS** (South-Eastern Metropolitan) (17:09): I move:

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

**Motion agreed to.**

### *Business of the house*

#### **Notices of motion and orders of the day**

**Lee TARLAMIS** (South-Eastern Metropolitan) (17:09): I move:

That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until later this day.

**Motion agreed to.**

#### **Sessional orders**

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:09): I have a few items in relation to the standing committee memberships that were circulated earlier today. I move, by leave:

That until the end of the session, unless otherwise ordered by the Council, the following sessional order be adopted, to come into operation immediately:

##### **5. Standing Committees – membership**

Standing Order 23.05(1) is suspended to the extent necessary to allow the following committees to consist of the following number of members:

- (1) Economy and Infrastructure Standing Committee will consist of nine members; and
- (2) Environment and Planning Standing Committee will consist of nine members.

**Motion agreed to.**

*Committees***Parliamentary committees***Membership*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:10):  
Further, I move, by leave:

That:

- (1) members be appointed to joint committees as follows:
  - (a) Electoral Matters Committee – Mr Ettershank, Mr Mulholland and Mr Tarlamis;
  - (b) Integrity and Oversight Committee – Mr Batchelor;
  - (c) Public Accounts and Estimates Committee – Mr Galea, Mr McGowan and Mrs McArthur;
  - (d) Scrutiny of Acts and Regulations Committee – Ms Payne;
  - (e) Dispute Resolution Committee – Ms Blandthorn, Mr Davis, Mr Ettershank, Ms Lovell and Ms Symes;
  - (f) House Committee – Mr Bourman, Mr Davis, Mr Erdogan, Ms Payne and Ms Stitt;
- (2) members be appointed to Council committees as follows:
  - (a) Privileges Committee – Dr Bach, Ms Blandthorn, Mr Bourman, Ms Crozier, Ms Lovell, Ms Shing and Ms Tierney;
  - (b) Procedure Committee – President, Dr Bach, Ms Crozier, Mr Erdogan, Ms Lovell, Ms Symes and Ms Terpstra;
  - (c) Economy and Infrastructure Standing Committee – Mr Berger, Ms Copsey, Mr Davis, Ms Ermacora, Mr Limbrick, Mrs McArthur, Mr McIntosh, Mr Mulholland and Ms Purcell;
  - (d) Environment and Planning Standing Committee – Mr Batchelor, Ms Bath, Mrs Deeming, Mr Ettershank, Ms Lovell, Dr Ratnam, Ms Terpstra, Mrs Tyrrell and Ms Watt; and
  - (e) Legal and Social Issues Standing Committee – Dr Bach, Mr Batchelor, Mr Galea, Mr Luu, Mr McCracken, Ms Payne, Mr Puglielli and Mr Tarlamis.

**Motion agreed to.**

*Statements on tabled papers and petitions***Birrarung Council***Birrarung Council Annual Report to Parliament on the Implementation of Burndap Birrarung Burndap Umarkoo: Yarra Strategic Plan 2022*

**Sheena WATT** (Northern Metropolitan) (17:12): I rise to speak on the *Burndap Birrarung Burndap Umarkoo: Yarra Strategic Plan*. The introduction of the landmark Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 enabled for the first time in Australia a river to be legally defined as a single living entity. The Birrarung has now become one of a small but growing number of rivers around the world that are recognised in law as living entities. The traditional owners the Wurundjeri Woi-wurrung and Bunurong people have always considered the Birrarung to be the lifeblood of country. It flows through and across organisational boundaries, encompassing the land and waters of the river as well as its unique ecosystems. The plan reinforces this holistic view. The Birrarung requires our focus, our care and our reverence.

The Yarra strategic plan, the plan, *Burndap Birrarung Burndap Umarkoo* – and apologies to the traditional owners for any of my errors in pronunciation – is the very first plan to protect and enhance the Yarra River, Birrarung, and its parklands as one living and integrated natural entity, from the source to the sea. The plan sets out the first 10 years of action to deliver on the 50-year community vision, which sets out the community's long-term aspirations for the Yarra River corridor. The Birrarung Council's first report on implementation of *Burndap Birrarung Burndap Umarkoo* highlights the strong progress made over the first five months of the plan, including the strong commitment to the

plan and the collaborative governance framework by traditional owners, government agencies and local councils.

Collectively local and state agencies invested over \$50 million last year on activities that impact the Yarra strategic plan area. This plan will see this scale of investment delivering more holistic outcomes that align with the community's vision through increased collaboration and coordination. The council report tells us that the journey to deliver the 50-year vision is just beginning. We need to continue to embed long-term change, focusing on the governance to support decision-making through the use of decision-making frameworks, through building strong partnerships between agencies and Wurundjeri and Bunurong as the traditional owners of the Birrarung. It is all our responsibility to protect Birrarung today, tomorrow and for generations to come.

Implementation planning for 2023 is in full swing. Since the plan's launch in February the priority has been to embed a collaborative governance model under the guidance of the Birrarung Council as the voice of the river and also reconvening the Yarra Collaboration Committee and operationalising the plan in business processes for responsible public entities and other organisations with interest in the management of the Yarra. These include Melbourne Water, the Department of Energy, Environment and Climate Action, Parks Victoria, the Department of Transport and Planning, the Victorian Planning Authority, the City of Manningham, Banyule City Council, the City of Boroondara, the City of Melbourne council, Nillumbik Shire Council, City of Yarra council, Yarra Ranges Shire Council and the City of Stonnington council, the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, the Bunurong Land Council Aboriginal Corporation and the Birrarung Council.

The act specifies reporting obligations for responsible public entities: the lead agency, which is Melbourne Water in this case; the Birrarung Council; and the responsible minister. These responsible public entities submit a report on the implementation of the Yarra strategic plan over the defined reporting period, currently 12 months, to the lead agency, Melbourne Water. As the lead agency Melbourne Water must compile a report with information collected from responsible public entities and provide it to the Birrarung Council to assist with their reporting obligations. The Birrarung Council must report to the Minister for Water on implementation on or before 31 October each year. It also states that the Minister for Water must cause the Birrarung Council and lead agency's report to be tabled in both houses of Parliament within seven days of the receipt of the report, which obviously brought us to the ministers statement we heard this morning from the Minister for Water. I must say that this is a marvellous report, and I ask the chamber to note this historic and landmark report.

### **Department of Treasury and Finance**

#### *Quarterly Financial Report No. 1*

**Wendy LOVELL** (Northern Victoria) (17:17): I rise to speak on the Victorian budget 2022–23 *Quarterly Financial Report No. 1*, which is the report for the September quarter, but it has only just recently been tabled. Of course we know that the budget raises the budget for everything in this state, including public housing and social housing. What we have seen under this government is not only a rapid rise in the number of families who are languishing on waiting lists but also the data around that being hidden. We know that up until June last year the public housing and social housing waiting list – because it includes both public and community – had risen by 59 per cent under this government. But of even greater concern than that is that the priority component of that waiting list had risen by 20,776 families, who are left to wait, languishing on the list. The list now has 30,766 families languishing on it – that is at June last year – an increase of 208 per cent under this government.

But of course we do not know what has happened since June because the government are hiding the figures from us. The September waiting list figures are now 145 days overdue and the December waiting list figures are now 53 days overdue. These are figures that were published regularly under previous governments, including both Labor and Liberal governments, and why this government is hiding these, we can only assume, is because they have absolutely exploded even further.

Another report that the government is hiding is the social housing assistance additional service data that is released as part of the Department of Families, Fairness and Housing annual report. So if you go onto the DFFH site, eight months or even more after the end of the last financial year, it still says, 'These files will be available shortly.' So all we have to go on are the figures from June 2021.

What I want to talk about particularly is social housing in the town of Rochester. The town of Rochester has been severely impacted by the floods, as we all know. Ninety per cent of the homes have been affected by the floods. A number of the homes that have been inundated would be social housing properties, and we need to ensure that these are brought back on line as quickly as possible. But we also know that some of the private rentals will never come back on line, or if they do come back on line, because they have been renovated and because there will be less of them, the cost of the rental will increase.

What we know is that prior to the floods, at 30 June 2021, there were 793 social housing properties in Campaspe. That is in the whole shire. 169 were community owned, 624 were public. A number of those properties will have been impacted by floods in Rochester, in Echuca and in other areas. In Rochester at June 2022 there were 197 families languishing on the waiting list; 152 of those had priority status. They were homeless, escaping domestic violence or living with a disability, needing special housing, and there were 197 languishing on the list. That is at June 2022. We do not know how many that had gotten to before the floods, but we can guarantee that it is a lot more since then.

What the government is not doing in Rochester is providing any legacy project that will benefit the town moving forward. In my opinion the government should be investing significantly in community housing and social housing to make sure that they do leave a legacy for this town – that there are additional rental housing properties available, because there will be social housing properties there, particularly to look after the most vulnerable of those tenants, the ones that are going to be priced out of the private rental market if the rents increase dramatically, which we expect that they will. This is something that could be funded out of the government's Big Housing Build, and it would provide a real legacy to this town to allow it to recover from the floods and to benefit it going forward.

### **Country Fire Authority**

#### *Report 2021–22*

**Melina BATH** (Eastern Victoria) (17:22): I am pleased to rise this afternoon to make a statement on the Country Fire Authority annual report 2021–22. Indeed it was one of the multiple, multiple reports dumped only recently in Parliament after the election. Before I discuss this report in detail I do want to put on record my solemn condolences on the 40th anniversary of Ash Wednesday, which has just passed. Indeed I was a young girl at school at the time – in high school, admittedly, not that young. I do recall friends from up in that Upper Beaconsfield area were CFA volunteers at the time and the mass devastation that they had to endure – the braveness, the courageous actions in fighting to keep people alive and their homes away from the inferno. I just want to put that on record not only for volunteers but particularly for those volunteers who were so selfless in these acts.

To this report now, the current report, I do want to concentrate on my concern for volunteers, noticing – and I did see that this got a little bit of press the other day – in terms of human resources the targets have not been met for volunteerism in the CFA. They have got a target of around 36,000 volunteers, and at the moment they are about 7,500 below that at 29,000. You can ask why. I think there are a number of reasons, and I am not going to go down into fine detail on this. One I think was the general fatigue at the end of the FRV bill and the fight against the FRV, and I know Volunteer Fire Brigades Victoria put up a very strong opposition to that bill that is now the current act. So there was a fatigue there.

I think there is also a disenfranchised feeling out there from time to time, just in the lack of respect that volunteers have felt. However, I also know that volunteers are very stoic. They love their communities. They are passionate about fire prevention and safety within the community, and they still turn out and

they still train. And that is the other thing. Certainly volunteers train to a very high degree now. Sometimes people want to offer a couple of hours of volunteering, and there are so many ways that we can volunteer in Victoria. But in terms of the CFA, there is comprehensive training and skills maintenance. That is a very large commitment, and we thank those people for doing that.

What I am interested in in part of that FRV bill, which is now the act, is the topic around the Fire District Review Panel. It was purported to be an independent panel, and I will leave that for the moment, but it is about ready to present its first report to Parliament. I see the Minister for Emergency Services there, so it is probably about to very soon land on her table. Some of the volunteers certainly conveyed to me their concerns around the methodology of this review panel, seeking to ensure that if this review panel finds risk – and this is about looking at the methodology of risk – then it is not going to be heavy-handed in the opposite direction of the volunteers, if they find a change in risk profile. This review panel, for clarity, is around the footprint of FRV – integrated FRV stations compared to volunteer, standalone stations. That is the concern that they have. They do not want to see that their footprint is going to be eroded. Their focus is always going to be on safety of life and property; that is their mantra and their key focus. But we want to ensure that this is not an opportunity for FRV, for those paid stations, to overtly increase their footprint. That is what I am putting on the table for the minister to be mindful of when this report comes in – that the methodology is sound around maybe making inroads into supports if there is a risk increase, rather than just *carte blanche* increasing that footprint of FRV.

### *Adjournment*

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (17:27): I move:

That the house do now adjourn.

### **Hampton Park Women's Health Clinic**

**Georgie CROZIER** (Southern Metropolitan) (17:27): (48) My adjournment matter this evening is for the attention of the Minister for Health, and it is in relation to the Hampton Park Women's Health Clinic, who provide fantastic services to the local community and many women in that area. It calls on the government to undertake some negotiations with them, because they have written to the minister about utilising their services to help assist with the enormous waitlist, particularly around gynaecological services for women. This private clinic currently provides surgical and medical termination of pregnancies as well as a range of services such as colposcopy, cervical biopsy and other minor gynaecological procedures.

As I have said, there are literally tens of thousands of Victorians waiting on the elective surgery waitlist, and on that waitlist there are many, many women who are waiting for procedures around these important areas that are affecting their gynaecological health. We know that the public health system is under enormous strain and that there are just so many issues going on, and what I am particularly concerned about is the rates of cancer because of an inability to get appropriate screening and biopsies undertaken.

The Hampton Park Women's Health Clinic has the capacity to perform additional services, and it has put the proposition to Monash Health that it would help reduce their public waitlist for some of these minor gynaecological procedures. That would then enable those women who are waiting on that waitlist to, obviously, get those procedures done in a more timely fashion – get those biopsies undertaken, get the results and get the treatment, should they require it. I am aware that the CEO of the clinic has approached Monash Health and the minister to offer these services in a public and private agreement. So the action I seek is for the minister to progress negotiations on this proposal as a matter of urgency so that more women can access this vital treatment and get the medical management and care that they may need, which could avert some disastrous outcomes for them but also allay any anxiety, and enable those treatments to occur.



### Swimming and water safety education

**Ryan BATCHELOR** (Southern Metropolitan) (17:30): (49) My adjournment is for the Minister for Education, and the action I seek is for her to explain how the government's additional investment in swimming lessons have helped primary school children in the Southern Metropolitan Region who missed out during the pandemic. The finally warmer weather here in Melbourne has encouraged Victorians to visit the beach more than they have been able to all summer. Frankly, with my region stretching from Port Melbourne to Mentone, I am proud to represent Melbourne's most popular and best beaches. As the number of Victorians recreating in open water is increasing, more and more of us are exposed to water safety risk. Tragically, in the last year 61 lives were lost to drowning in Victoria, and 15 of these were of children under the age of 14. My thoughts, and I am sure all members thoughts, are with the families and loved ones. Each of these incidents is a tragedy.

Drowning is a leading cause of death amongst children under 14 years old, and while lifesavers and lifeguards do incredible jobs saving lives, all Victorians must play their part and do the right thing by staying safe around water. A critical pillar of Victorian water safety has for a long time been swimming lessons and swimming education, and every child should have the opportunity to learn survival swimming and water safety skills. To ensure that no Victorian children are missing out, school is an ideal environment for the provision of these lifesaving skills, and swimming and water safety have been part of the Victorian curriculum since November 2016. The Victorian water safety certificate details the specific competencies and safety skills for children before they leave primary school, and that includes being able to swim 50 metres continuously.

Like in many parts of Australia, swimming lessons at some Victorian schools were impacted by both the pandemic and the current teacher shortage that many councils and swimming facilities are experiencing, so the government has ensured that no child is held back from their opportunity to learn vital water safety lessons by providing students at Victorian government and Catholic primary schools who missed out in 2021 with vouchers to assist accessing lessons at their school's usual facilities. This program has been extended until term 2 this year, and this news has been warmly welcomed by local parents who I have spoken to. I am very excited that their young kids will soon be able to swim confidently at local beaches. As part of the Victorian government's Positive Start in 2022 program, \$16.3 million in funding was given to primary schools to enable an additional 690,000 swimming lessons for primary school students. Swimming lessons and water safety skills can significantly reduce the risk of drowning and enhance community safety so we can all enjoy the beautiful beaches around Melbourne.

### Rochester social housing

**Wendy LOVELL** (Northern Victoria) (17:33): (50) My adjournment matter is directed to the Minister for Housing and concerns ongoing housing needs in Rochester following the devastating October flood event. It kind of carries on from my statement on reports, which the minister might also like to read. The action that I seek is for the minister to address the shortage of accommodation for Rochester residents displaced from their homes due to the major flood event in October 2022 by providing funding for additional social housing to be constructed, which will ensure a legacy for the Rochester community, and also to establish some temporary housing structures in the town for out-of-town tradespeople to assist with the reconstruction of properties in the town.

The township of Rochester was severely impacted by the major flood event in October 2022, and the impact on residents continues as the town attempts to recover from this devastating event. It is estimated that 90 per cent of homes were inundated, damaged or isolated by the floods, not to mention the impact the event has had on most of the local businesses and essential services. Many home owners and renters have been displaced from their properties, with most facing the reality of being unable to return to their homes anytime soon. Many landlords have been unable to undertake remediation works in a timely fashion, and I have previously spoken about the frustration that many residents are experiencing dealing with their insurance companies. With rental properties taking longer to come

back online, rental costs will skyrocket and the most vulnerable will be the ones most affected. The construction of additional social housing in Rochester would provide a legacy project for the town that would help residents recover from the devastating flood as well as futureproof the town's rental housing requirements for some of the more vulnerable tenants.

A major factor for home owners who are experiencing arduous delays in getting their damaged home repaired is the shortage of tradesmen in the local area. Many tradies who carry out repairs or remediation works on damaged Rochester properties are from metropolitan Melbourne and are travelling a 4-hour round trip from their homes to Rochester to work each day. This is a cost that is being borne by home owners, and 20 hours of travelling time per tradesman each week equates to home owners having to pay an extra two and a half days of wages just for travel. That additional cost means that any insurance money is stretched further and obviously repairs are much more expensive. In the wake of the flood, temporary housing structures, colloquially known as 'dongas', were erected at the Elmore Events Centre. I have also been advised that many of these structures are not currently being used and the relocation of those structures from the event centre to somewhere like the Rochester Recreation Reserve would provide excellent accommodation for tradesmen working in the town.

### LGBTQIA+ equality

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (17:36): (51) I have been reflecting on some of the opinions that were raised here in the chamber yesterday, in particular some of the transphobic, vile opinions that were aired last night by a member of the Liberal Party. I will never understand how some politicians can get elected to this place –

**Georgie Crozier:** On a point of order, President, that is a member reflecting on another member of the house. It is unparliamentary, and I would ask the member to withdraw.

**The PRESIDENT:** Mr Puglielli, there are a couple of issues. One of them is I am not too sure who you are directing your adjournment matter to, and the other issue is, if you want to make an accusation against a sitting member, you need to do that via a substantive motion. I will just give you that advice and call you again.

**Aiv PUGLIELLI:** I will start by withdrawing the comment. The action I seek is for the Minister for Equality to meet with me and representatives of our trans and gender-diverse community to discuss ways to fight back against transphobia and hate towards the LGBTQIA+ community. To those in our community who peddle hate and bile meant to divide the community for cheap political points, I note that we must all remember, as I said in my first speech, particularly for those in this place, that it is a privilege and an honour to be here and that we have to live up to that. What we say matters because our voices have impact. I ask for us all to have some respect and have some humanity. And if the only way that we can think of to find relevance in this place is by targeting trans people, then I say maybe in that case just retire.

### Melbourne Chamber Orchestra

**David DAVIS** (Southern Metropolitan) (17:38): (52) I want to raise an adjournment matter for the Minister for Creative Industries, and it concerns funding for the Melbourne Chamber Orchestra. I am in possession of a letter signed by Claire Febey, the chief executive of Creative Victoria, to a Ms Alice Glover talking about the funding for the Melbourne Chamber Orchestra. I note that they indicate that Ms Febey recently met with the Melbourne Chamber Orchestra regarding their work and touring Victoria, but I just want to report that up on the departmental website it makes quite clear that in fact funding for such touring has been cut. It has been cut from \$1.503 million to \$819,900 – that is a 45 or 46 per cent cut in funding for touring. The recipient list was cut to eight from a higher number in previous years, and there was only one round of touring Victoria in 2022. This is very harsh in its impact on many of the companies – a 45 to 46 per cent cut is a very significant cut.

This is not the rhetoric that this government talks about with respect to arts and creative industries, but increasingly this is part of the reality we see. This will have an effect on many of the orchestral legs of the touring that was normally undertaken. Areas like Mildura, Bairnsdale and Yackandandah have been cut from the program. Despite groups like the Melbourne Chamber Orchestra doing additional fundraising of their own – and that obviously is an administrative and challenging burden and no-one suggests that they should not raise some of their own money, and they should of course and do regularly – nothing gets around the fact that this is a decision of government to cut funding to these organisations and to do it peremptorily, without warning and without proper indication.

What I would ask the minister to do is to come back firstly and admit that these cuts have been made – it is not sufficient just to slide it up onto the departmental website – and then to work out how they are going to replace this black hole that has been left to ensure that proper funding is available for groups like the Melbourne Chamber Orchestra. It is a great group, a great orchestra, with a very significant touring program, particularly in country Victoria. Think of some of those country venues that have had a slot set aside for the chamber orchestra to come, and now that has just gone. It has just disappeared. Venues will no doubt be impacted as well, so that is what I ask the minister to do.

#### **Protective services officers**

**Melina BATH** (Eastern Victoria) (17:41): (53) My adjournment matter this evening is for the Minister for Police the Honourable Anthony Carbin in the other place. It relates unfortunately to a rise in youth-related violence within Central Gippsland and more specifically in the Latrobe Valley and its impact on the community and indeed local traders. The action I seek is for the deployment of extra protective services officers – PSOs as we know them – to include areas of high-risk locations within the scope of their designated workplace. We know that PSOs came about in 2012 and were very well received. It was a Nationals and Liberals idea back then to support the police in the good work that they do in terms of safety on the public transport system. Since that time PSOs have been an integral part of our Victorian communities in terms of bolstering safety. Indeed we have them in Parliament as well, and I thank them very much for the work that they do.

As part of the Justice Legislation Amendment (Police and Other Matters) Bill that passed in 2022 we had a situation where PSOs could be expanded onto police premises in order to provide extra support and protection. What I am asking for – and indeed it was actually a policy of ours in the previous Parliament – is to have them stationed at key hotspots or points. Indeed my constituent who is a local youth worker – and I thank him for his services – often attends the Traralgon police station late at night to pick up the pieces, and these are his comments in terms of his clients and these young people who have alleged serious offences, even to the point of knife attacks and forms of assault.

It is very important that PSOs are on our railway stations and in our transport hubs, but certainly our community feels that this is an important area that needs to be addressed in terms of accessing some of those retail outlets and some of our larger centres. It could occur. It should occur. At the moment we only have five PSOs to work in that area. I think there should be – and this gentleman thinks certainly that there should be – a far greater deployment of them into areas where we can minimise disruptive and socially aggressive behaviour. I call for a greater deployment of PSOs.

#### **Outdoor education**

**Matthew BACH** (North-Eastern Metropolitan) (17:44): (54) My adjournment matter tonight is for the Minister for Education. It is about the very worrying developments for outdoor education as a result of the new Victorian government schools agreement between the government and the Australian Education Union. There is a current process underway, and I note that. Nonetheless, the action that I seek is for the Minister for Education to update me with the exact number of outdoor education programs that have been cancelled or deferred as a result of this agreement.

Over some years now there has been widespread agreement that engagement in camps is so important, principally for the wellbeing of young people but also ultimately for their learning as well. Over such

a long period of time – seven terms in a row – Victorian kids were locked out of their schools and sent home. For that period of time they did not have access to outdoor education programs, which was not only such a shame but also so stupid, because we knew at the time that transmission of the COVID virus was so unlikely outdoors. We knew that the World Health Organization had said that schools should only be closed as a last resort. That was their exact language – ‘as a last resort, in areas of intense local transmission’ – and yet across the whole state, including in regional areas, Ms Bath –

**Melina Bath:** Exactly, I know.

**Matthew BACH:** schools were shut in order to ‘level the playing field’. That was the expression that Mr Merlino used at the time, which was a strange expression looking at the recent NAPLAN results because there is no level playing field in education between kids in regional areas and kids in metro Melbourne. But nonetheless, these were the decisions of the government, so young people right across our state were denied these immensely important opportunities and they are being denied them again.

We know that Victorian parents pay more for public education than parents in any other state or territory. Now, I thought that was strange when I first read it, because my understanding was that a public school education was supposed to be free at point of service. We pay taxes – we pay quite a few of them here in Victoria – and so those of us who either send our kids to state schools or intend to, as my wife and I do next year with our little one Phoebe, would I think have a reasonable expectation that you would get, of course, a fantastic education – as you do at the vast majority of our state schools and through the vast majority of our wonderful state school teachers – but also that you would not have to pay more for it than you do already through your taxes. But I have already been advised by some principals that they are making really difficult decisions: run the camps and pass on even more costs to parents or cut the camps and deny vital learning and wellbeing opportunities for kids. So I want to know from the minister exactly how many times that has occurred so that then we can work together to seek to make sure that we keep camps running for as many kids as possible.

#### **Kalkallo traffic congestion**

**Evan MULHOLLAND** (Northern Metropolitan) (17:48): (55) I seek the action of the Minister for Roads and Road Safety to urgently look at the traffic chaos in my Northern Metro suburb of Kalkallo and to come with me for a visit at peak hour in the morning. I say this because it takes residents sometimes over an hour in the morning to get out of their own estate because there is only one road in and one road out. Many migrants and young families have secured the great Australian dream in the suburb of Kalkallo, but it has now become the great Labor nightmare while they are sitting in traffic every morning because this government is too slow keeping up with demand for infrastructure and there has been a lack of oversight in the planning system. Here we have a swathe of new homes feeding into a single-lane road where vehicles get pincer trapped before they can even get to a major roundabout that feeds on to the Hume Highway and Donnybrook Road. The volume of traffic from the other directions is making it really tough to get out of the roundabout. ABC reporter Margaret Paul described the chaos, saying:

I’ve seen people overtaking on the wrong side of the road and driving onto the grass to turn left. The frustration is intense ...

and then later finding a traffic queue for residents to get out of their own housing estate has grown to over 1 kilometre.

Clearly locals are frustrated. It is the highest source of inquiries to my office. People are absolutely sick of this traffic bottleneck. After the recent grassfire at Beveridge last week my residents are very, very concerned. What if there was a ‘leave now’ alert just down the road from Beveridge in Kalkallo? It is a catastrophe waiting to happen. The Andrews government wants to pretend like this issue came out of nowhere, but when these new suburbs are going in that include thousands of people, surely there is some sort of planning oversight on this. They pretend like it has come out of nowhere. I know the

member for Kalkallo has. But they are repeating the same mistakes in a different part of the world just further south with their Craigieburn West precinct structure plan, which they pushed through against the wishes of the council, because they have got a single-lane Mickleham Road which they are not even duplicating all the way up to Craigieburn Road. So they are repeating the same mistakes. Where is the proper planning? It is incumbent on the government to properly plan these suburbs and model them before residents move in, not after. Labor must now fast-track the upgrades of Donnybrook Road and the Mitchell Street roundabout, including the duplication and other works of Donnybrook Road to improve traffic flow for my residents in Melbourne's north.

### Economy

**Renee HEATH** (Eastern Victoria) (17:50): (56) My adjournment matter is for the Treasurer. Victoria's finances are deeply in the red. Since 2018 Victoria's state government borrowings have shot up from \$31.6 billion in 2018 to \$123.5 billion in 2022, and they are set to increase to \$201.5 billion in 2026. This government's interest expense is up 22.3 per cent to \$822 million compared to the same quarter last year. Governments should provide infrastructure and services that are needed to improve our lives, but this government is not living within its means. The opportunity cost for our interest rate repayments for this debt is staggering. Further funding for more maternity nurses, country road upgrades or public housing goes begging because of this enormous debt. Every dollar added to our debt and interest rate repayments is one less for the things that matter. If we do not pay down our borrowed money now, what happens if Victoria has another pandemic and there is absolutely no reserve? Will Victorians be at the mercy of overseas lenders? The action that I seek is that the Treasurer commits to paying down this astronomical debt before it is left to the next generation.

### Colac-Ballararat Road, Rokewood

**Joe McCRACKEN** (Western Victoria) (17:52): (57) My adjournment matter is to the Minister for Roads and Road Safety, and the action that I seek is that the minister personally inspect the Colac-Ballararat Road, in particular the section just south of Rokewood. I have had many concerned residents raise with me the poor condition of the Colac-Ballararat Road, in particular the section just south of Rokewood, which is in the seat of Eureka. This is a designated arterial road. I recently went out and inspected the condition of the road myself, and I was disappointed to see that it was in a very poor condition. In the short time I was there I noticed trucks, caravans, cars, trailers and a whole heap of different vehicles, even including motorbikes. There have been some very minor works that have been completed, combined with the warnings to people 'Slow down' and 'Hazard ahead', but these signs cannot be considered a permanent solution. I have even had contact from one gentleman that raised the issue that he had his tyre busted on this road because of the state of the road. Others have reported similar stories of minor damage as well. This is just another example of a significant country road that seems to have been ignored. It puts road safety and lives further at risk; however, nothing significant seems to have been done, so I hope the minister can come out with me if they would like to and inspect the road with me.

### Princes Highway, Colac

**Bev McARTHUR** (Western Victoria) (17:54): (58) My adjournment matter is for the Minister for Roads and Road Safety, who is going to be kept very busy here. It seems I am not the only person in western Victoria utterly frustrated with the state of our roads.

**A member** interjected.

**Bev McARTHUR**: It is in Northern Metro, as my colleague reminds me. In particular it is the Princes Highway west of Colac, no less. As a member of this Parliament I have unfortunately become used to hearing obfuscation from those opposite, watching finger-pointing in other directions or observing the Premier's preferred 'nothing to see here' modus operandi on matters of importance to the state. It is why I was incredibly disappointed to recently read words from the Warrnambool *Standard* newspaper indicating that its simple requests for straightforward information are also being

ignored by the Andrews government – they do not even want to deal with the media these days. On Sunday its editor Greg Best outlined to subscribers the frustration felt by locals at the ongoing failure of governments to address the seriously inadequate condition of the Princes Highway west of Colac. Mr Best quoted a Victorian government email to the paper in 2021 which described the Princes Highway as:

... one of Victoria's busiest freight and transport routes, and together with the Commonwealth Government, we're examining how best we can improve it for the thousands of drivers who use it each day.

But after asking the government last week about those upgrades mentioned in 2021, the government denied ever committing to them. It now says any upgrades:

... would be done with federal funding and the state would complete the works.

I find it utterly unsurprising that Mr Best finds himself reporting that the federal Labor government is effectively just as pathetic as the Andrews state government when it comes to committing to essential roadworks in regional Victoria. The Albanese government has told the Warrnambool *Standard* that it 'has no plans' to upgrade that section of highway. Mr Best described the Princes Highway west of Colac as:

... a crumbling mess, there are limited overtaking opportunities and then there's sections ... that have had temporary 80km/h speed limits for more than two years ...

and that the road merely gets worse the further west you drive. His description is most apt. The action I seek of the minister is to uphold the commitment this government made at the state election to govern for all Victorians, and in doing so the upgrade of this section of the highway should happen as a matter of urgency, given its own recognition of it as 'one of Victoria's busiest freight and transport routes'.

### Responses

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (17:57): Ms Crozier raised a matter for the Minister for Health; Mr Batchelor raised a matter for the Minister for Education, as did Mr Bach; Ms Lovell raised a matter for the Minister for Housing; Mr Puglielli raised a matter for the Minister for Equality; Mr Davis raised a matter for the Minister for Creative Industries; Ms Bath raised a matter for the Minister for Police; Mr Mulholland, Mr McCracken and Ms McArthur all raised matters for the Minister for Roads and Road Safety; and Dr Heath raised a matter for the Treasurer. I will pass all of those matters on to them for action.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 5:57 pm.**