



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Wednesday 19 June 2024

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Georgie Crozier

Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

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

¹ Resigned 7 December 2023

² Lib until 27 March 2023

³ LDP until 26 July 2023

⁴ Appointed 7 February 2024

Party abbreviations

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

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

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

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

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Wednesday 19 June 2024

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

The PRESIDENT: I acknowledge that in the gallery we have many of our friends from the Fijian Parliament – members of Parliament as well as officials. We have a great relationship via our twinning program, which has been very successful, and we learn a lot from the Fijian Parliament. I especially acknowledge in the gallery the Speaker of the Fijian Parliament, the Honourable Ratu Naiqama Lalabalavu. We are very happy for you to be here. Thank you for our relationship and for what we learn from you.

*Petitions***Housing**

Georgie CROZIER (Southern Metropolitan) presented a petition bearing 143 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council to the lack of community consultation regarding the redevelopment of the Barak Beacon public housing estate in Port Melbourne. The Government has reneged on the original low rise proposal and is now planning a private development with nine and 11 storey towers that will be harmful to both tenants and the community. Of the 408 units, zero will be public housing and only 130 will be privately managed social housing. The population on this 2.095 hectares is likely to exceed 1,200 people. This will result in 15 times the annual population growth for Port Melbourne in a single block, in a single year. In conjunction with the Fishermans Bend development, the local population will increase by about 80,000 within the next decade. The Port Melbourne population is currently 17,358. The Fishermans Bend Framework includes mandatory limits of six storeys and 174 dwellings per hectare adjacent to existing low scale development patterns in this part of Port Melbourne. The proposed Barak Beacon development of nine and 11 storey towers and 195 dwellings per hectare, which is equivalent to 408 dwellings in 2.095 hectares, is excessive by the Government's own standards.

The petitioners therefore request that the Legislative Council call on the Government to reconsider the Barak Beacon development housing proposal and the available facilities, amenities, road infrastructure, community welfare and building by-laws and confine the development to its original target of three and four storey towers to reduce the dwellings from 408 to 250 public housing homes.

Lord's Prayer

Evan MULHOLLAND (Northern Metropolitan) presented a petition bearing 10,912 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that they should oppose any move to abolish the reading of the Lord's Prayer at the commencement of the proceedings of the Victorian Parliament's Legislative Council (Upper House). We acknowledge the joint letter to members of Parliament from the Catholic Archdiocese of Melbourne, Anglican Diocese of Melbourne, Board of Imams Victoria, Hindu Council of Australia, Victoria and the Australia/Israel & Jewish Affairs Council who minister and care for more than two million Victorians in our communities. The Lord's Prayer is a strong reminder that Parliament is not the ultimate authority for building a just and caring society and, since 1857, the Lord's Prayer has been a longstanding part of the formal processes of both Houses of the Victorian Parliament. The recitation of prayer is a common tradition of the Westminster system, and together with the Acknowledgement of Country, provides a vital link to two important facets of Victorian Parliament's heritage. The Lord's Prayer is an action of public acknowledgement of responsible service to the people of Victoria. Multi-faith communities perform a vital role in Victoria's multicultural society. Any move to secularise parliamentary proceedings would send a clear message from the Parliament that faith has no place in Victoria. The petitioners therefore request that the Legislative Council recognise the valuable role of the Lord's Prayer in Parliament and ensure its practice continues to play an integral part of our democratic tradition.

Evan MULHOLLAND: As this petition qualifies for debate under standing order 11.03(10), I give notice that I intend to move 'That the petition be taken into consideration' on Wednesday of next sitting week.

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

Auditor-General –

Domestic Building Oversight Part 2: Dispute Resolution, June 2024 (*Ordered to be published*).

Effectiveness of the Tutor Learning Initiative, June 2024 (*Ordered to be published*).

Planning Social Housing, June 2024 (*Ordered to be published*).

Crown Land (Reserves) Act 1978 –

Order of 13 March 2024 giving approval to the granting of a licence at St Kilda Botanical Gardens Reserve.

Order of 8 April 2024 giving approval to the granting of a lease at Sandringham Beach Park.

Order of 9 May 2024 giving approval to the granting of a licence at St Kilda Botanical Gardens.

Order of 13 May 2024 giving approval to the granting of a licence at St Kilda Botanical Gardens.

Order of 21 May 2024 giving approval to the granting of a licence at Sandringham Beach Park.

Order of 5 June 2024 giving approval to the granting of a lease at Flemington and Kensington Reserve.

Subordinate Legislation Act 1994 – Legislative instrument and related documents under section 16B in respect of a Ministerial Prohibition Determination Applicable to Particular Place of Take Approvals that are Tagged under the Water Act 1989.

*Business of the house***Notices****Notices of motion given.***Motions***Middle East conflict**

Samantha RATNAM (Northern Metropolitan) (09:51): I move, by leave:

That this house:

- (1) notes that since the Legislative Council's resolution on 17 October 2023 concerning Israel and Gaza, which stated this house 'stands with Israel' –
 - (a) over 100,000 Palestinians in Gaza have been killed, injured or are missing;
 - (b) a significant proportion of Gaza's population is now facing a famine because of the state of Israel's restrictions on the inflow of humanitarian aid, including supplies of food, water and medicine;
 - (c) 50,000 children in Gaza are requiring treatment for acute malnutrition resulting from the famine;
- (2) does not support the state of Israel's continued invasion of Gaza;
- (3) supports calls for an immediate and permanent ceasefire; and
- (4) calls on the Victorian government to advocate to the Australian government that it ends its support for the state of Israel's invasion of Gaza.

Leave refused.*Members statements***Cecilia Donnelly**

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (09:52): It is all too rare that in this place we are able to square the ledger somewhat by recounting the lives and contributions of people across our communities who have given so much without perhaps the public recognition that they deserve. To that end today I rise to pay tribute to the

late Cecilia Donnelly, also known as Celia, also known as Cece and, if you read the plaque that was given to her upon her 25 years of service at St Vinnies in Witton Street in Warragul, Sylvia.

In 1958 Sylvia and her husband Frank arrived in Warragul from Glasgow. Theirs was a journey that took them to the other side of the world and enabled them to set down roots, to create a family and indeed to create and be part of and contribute to the community of West Gippsland – and indeed as a consequence of Cecilia’s dedicated operations in immigration work, to bring 21 family members across to Australia between 1959 and 1971.

Cecilia’s life was characterised by so many different things, all of them good, all of them worthy – faith, grace through service, humour, generosity and an unfailing dedication to her family. I want to pay tribute to her life and to her contribution to Frank and Jana, Gerard and Andy, Bernadette and Ric, Terrence and Tracey, and Stephen and Jessie; as Gran to Shauna, Michael, Liam, Lani, Rebecca, Georgia, Matt, Joanna, Kieran, Zoë, Callum, Allison, Jordan, Georgia, Olivia and Angus; and as beloved Cece to Eden, Archie, Banks and Harper – 91 years of a life so well lived.

Grant and David

Moira DEEMING (Western Metropolitan) (09:54): Today I want to tell you about two brothers in my electorate, Grant and David. They both have gorgeous red hair and adorable personalities, and I have watched them both grow up and bravely face the challenges of having complicated heart defects which have resulted in numerous, very serious surgeries. David has severe hearing loss and goes to a very special school run by very special people, the very special Jennings Street School in my electorate. I know Grant has been having a really rough time lately, so I just want to congratulate Grant here in Parliament with all of my colleagues for being such a wonderful son to his mum and dad and such a responsible big brother to David. Most of all I would like to give him a really big shout-out for always picking himself up after making mistakes and for focusing on doing what is right. That is all anybody can ask of him, and we are all very proud of him and we think that he has a bright future ahead of him.

Western Victoria Region Premier’s visit

Jacinta ERMACORA (Western Victoria) (09:55): I wish to express my appreciation to Premier Allan for her recent visit to the south-west. With the south-west emerging as a renewable energy powerhouse, the Premier started her visit by marking the completion of the Mortlake South wind farm. The Premier also visited South West Healthcare, and it was a delight to meet Casey and Angel, who have taken part in the healthy mums, healthy babies program, a support program for pregnant women and their babies during the pre- and postnatal period. I was then fortunate to host my first women’s pain round table with the Premier. I greatly appreciate the leadership of Premier Allan in bringing the voices of women forward. The women’s pain round tables are opening up previously taboo conversations about women’s health as well as opening up the floor for practical solutions. These conversations will feed into the Victorian inquiry into women’s pain, and I am sure it will result in better health outcomes for many women. It is fantastic to have a Premier in a position to shine a light on the substantive health challenges faced by many women, in particular regional women.

King’s Birthday

David ETTERS HANK (Western Metropolitan) (09:56): I would like to speak briefly about the King’s Birthday. I like a day off as much as the next person; a paid day off is even better. I have no argument with a long weekend to kick off winter. But seriously, is there a sillier reason for a public holiday than to celebrate the non-birthday of the king of a foreign country? The monarchy, even with the public holiday thrown in, is well past its use-by date. Our head of state is not an elected representative of our nation or even an unelected representative, someone who may have got the gong on merit. No, he is an old multimillionaire who was born into it and, not counting his brief stay at a private school outside of Melbourne, one who has barely spent any time here. And really, notwithstanding the day off, for most Australians the British monarchy has no relevance. There has to

be a better reason for a long weekend in June than to celebrate the King's birthday. Why don't we celebrate one of our own? What about Eddie Mabo? He was actually born in June. Better yet, we could become a republic. And if you still really, really want to celebrate King Charles's birthday, you could always just send him a card.

Nunawading Basketball

Sonja TERPSTRA (North-Eastern Metropolitan) (09:58): Earlier this month Nunawading Basketball hosted their annual King's Birthday tournament over the weekend of 8 to 10 June. I know, President, this is a matter that is very close to your heart, because I understand you were there, and I am told, reliably, that you very much enjoyed the tournament that took place over that weekend. The King's Birthday tournament is a Nunawading Basketball signature tournament and is the largest single-operator basketball tournament in Victoria. Over a thousand teams – 1030 to be exact – participated in the competition, with each team playing five times over the weekend.

Although Nunawading Basketball's facilities only have five courts, they managed to find a total of 74 courts across the eastern suburbs to use for the tournament. Six hundred referees were hired for the weekend, giving so many people, particularly young people, important work experience and leadership skills. It was a wonderful investment for the players, and the tournament was a great fundraiser for the Nunawading basketball club. There was an enormous sense of community pride, with families and friends getting together to watch the games. Basketball plays such an important and positive role in the eastern suburbs and in my region, and I would like to shout out to the incredible team at Nunawading Basketball for putting this tournament together and congratulate them for their efforts.

Police conduct

David LIMBRICK (South-Eastern Metropolitan) (09:59): Like all right-minded people, I was disgusted to see the hotheads and reprobates coming out of hiding in Melbourne on the June long weekend. It all began when scores of young men were seen riding bikes together through the CBD. However, they were not the hotheads, the hotheads were the police. They seemed to be furious that these young men were out having a good time with their mates without authorisation. You know you have an attitude problem when a boy is telling you to calm down. However, this is exactly what happened to Victoria Police. These young men were also not the reprobates. The reprobates were the people on social media who tried to claim they were blocking traffic, as if these boys were not worthy of being traffic, and those who worried about what they believed, as if we need to know what someone thinks before they can appear in public. We should be ashamed that the most rebellious thing a young person in Melbourne can do these days is go out and play. The Libertarian Party stood up for the right of kids to play during the pandemic, and we stand up for them to have rideouts now.

Soldiers–Thompsons roads, Clyde North

Michael GALEA (South-Eastern Metropolitan) (10:00): I rise today to raise concerns on behalf of my constituents in Clyde North, specifically in relation to the significantly worsening traffic situation at the corner of Soldiers Road and Thompsons Road. I have heard from countless residents now about these issues on these two roads, which are completely no longer fit for purpose in what is a fast-growing area. I note that as the manager of these roads Casey council is undergoing the process of extending Bells Road through to Thompsons Road, which will significantly address and fix this situation. However, I share the residents' concerns that those works by council have been delayed. I have reached out to council, and I am looking forward to continuing to have productive conversations with council about how we can get this project done as quickly as possible. As a user of the roads in the area myself, I know firsthand how much of a traffic nightmare the intersection of Soldiers Road and Thompsons Road has become. The state government is doing its bit as well. We have invested in the forthcoming works to significantly upgrade the Thompsons Road and Clyde Road intersection, and of course there is the recently announced funding for new bus services in the Clyde North area, the extension of both the 831 and the 798 routes, which will significantly improve and alleviate

congestion in the long term as well. But in the near term this is a major traffic issue which is causing grief for my constituents, and I call on Casey council to finish these works as soon as possible.

Climate change

Sarah MANSFIELD (Western Victoria) (10:02): Recently on World Environment Day as a regular citizen of Geelong I attended the Geelong Regional Library Corporation to listen to a thought-provoking panel on water. One of the panel guests was the formidable Dr Joëlle Gergis. She is an acclaimed climate scientist and was the lead author on the Intergovernmental Panel on Climate Change's sixth assessment report. For much of her career she has observed the accepted norm among scientists of detached objectivity. However, with the world hurtling towards levels of warming that will lead to unthinkable consequences within decades, Dr Gergis has felt morally compelled to step out of that frame and clearly and unequivocally call out the biggest barrier to meaningful climate action: political failure. Her recent *Quarterly Essay* aptly titled 'Highway to hell' is essential reading for all members of this place, especially those members who heckle me for calling out ongoing support for fossil fuel projects, like the new gas project that Victorian Labor signed off on just last week. Read her essay and then try to tell me you can honestly continue to defend your party's decisions. I would like to quote Dr Gergis:

It makes me wonder if people in decades to come will look back at the world's collective failure to shut down the fossil fuel industry in time and see it for what it really is: an intergenerational crime against humanity.

Casey Basketball Association

Lee TARLAMIS (South-Eastern Metropolitan) (10:03): Basketball is a fantastic way for young people to stay active while teaching them invaluable life skills. That is why I want to take this opportunity to congratulate Casey Basketball Association for their achievements and the opportunities they provide to younger people in our community. Recently the association's hard work has been recognised with several prestigious awards, including CEO Tammy Bower receiving the Victorian Jack Carter Memorial Award for Administrator of the Year, Mia Wilson being recognised as Basketball Athlete of the Year with an Intellectual Disability and Sitaya Fagan being recognised as Female Junior Player of the Year. But that is not all. The association has also been recognised as Basketball Victoria Association of the Year and Victorian Junior Basketball League Large Association of the Year. This recognition is testament to their outstanding success on and off the court throughout 2023 and could not have been achieved without the tireless work and dedication of passionate volunteers, who are truly something special.

This success continued in 2024 with the association hosting 200 teams from across the state in multiple age groups and divisions to compete in the largest three-by-three tournament in Australia. Additionally, for the first time in Casey basketball history, a record eight of their junior teams recently participated in the 2024 National Junior Classic, one of the most prestigious tournaments in the country. All teams performed well, with the under-14s being crowned national champions after winning the grand final and the remaining under-17s finishing in the top eight of their age groups.

This association is committed to growing grassroots basketball and increasing participation levels, particularly among female players, with their efforts yielding an impressive 42.4 per cent increase over the past two years. The association has now surpassed 10,000 members. A massive congratulations to the Casey Basketball Association for continuing to deliver positive outcomes for our youth. Your passion, commitment and dedication are an inspiration, and you should be so proud of your achievements.

*Production of documents***Country Fire Authority**

Georgie CROZIER (Southern Metropolitan) (10:05): I move:

That this house:

- (1) notes that Ambulance Victoria has executed a memorandum of understanding (MOU) with the Country Fire Authority (CFA) regarding the implementation of the fire medical response by CFA volunteers;
- (2) requires the Leader of the Government, pursuant to standing order 10.01, to table in the Council by 18 July 2024:
 - (a) the MOU between Ambulance Victoria and the CFA regarding the implementation of the fire medical response by CFA volunteers; and
 - (b) a copy of all briefs, advice and correspondence provided to the Minister for Ambulance Services and the Minister for Emergency Services in relation to the MOU.

I am pleased to move this motion in my name, motion 459, which notes that Ambulance Victoria has executed a memorandum of understanding with the Country Fire Authority regarding the implementation of a fire medical response by CFA volunteers, and this motion calls for the release of those documents relating to that MOU. The reason I am keen to get these documents is in the interests of the Victorian community. I have had people that have contacted me who have got excellent clinical expertise, but they are also CFA volunteers. What they are worried about is, as they say, they have become suspicious about what is going on here, and they are concerned that it is simply window-dressing to cover the poor regional coverage of AV with CFA volunteers.

This goes to the point I think of what we are facing today, with the very tragic story of a young boy who could not breathe. His parents were forced to drive him to seek emergency care because there was no ambulance available, and they were told there was no ambulance within 50 kilometres. This is a very serious situation when you have got emergency response times like this not being able to be addressed. I understand that there has been comment, and I have certainly received lots of communication over the last few weeks from paramedics and others, to say, 'There isn't enough availability of our ambulances.' It is less than 1 per cent, less than 2 per cent, and under their understanding that should be a code red. The government is trying to fudge that and say, 'It's not just about availability, it's also clinical expertise and what's on the ground.' But this case of this young boy demonstrates the crisis of our ambulance system and the failure of the government to address it.

We are in winter. We know that there is an increase in demand for flu and respiratory issues. That is not unusual. That happens every year, and you plan for that. You plan for these peaks and troughs of seasonal issues, and that should have been done. I am concerned. I do not know the details obviously of this young child, but he did have breathing problems. We know that the government did not even order paediatric RSV vaccine, and we are only providing emergency vaccine to those that need it in dire situations. I do not know the ins and outs of this situation, but if that child had RSV and could have had a vaccine and the government failed to provide it as other states have done, then I think it shows again the dire situation of where we are at with the health crisis in this state.

Again regarding this story today, which talks about somebody having a heart attack in Wyndham and the nearest ambulances being in Geelong or Windsor, that is not good enough. That is seriously not good enough. The ambulance response time, which is just over 67 per cent, is well below the government's own target of 85 per cent, so I do think there is a real issue around Ambulance Victoria, the level of MICA and paramedic expertise that we have got and what the government is failing to do. The amalgamations – I have been saying this – of rural and regional health services will only impact rural and regional Victorians further if they are needing an ambulance and ambulances are called off to take their patients to either the city or to a large regional hospital and they are ramped, which happens continuously. We see that in Bendigo where ambulances are continuously ramped. Then that leaves that area exposed, and there is not going to be any expertise within that area to cater for those regional Victorians. I know the government is very exercised about this, and the point is –

Jaclyn Symes: Your misinformation to country communities is disgraceful.

Georgie CROZIER: I have got to say, on Saturday – I am taking up the interjection from the Leader of the Government – it was a rally organised by concerned GPs. It is a pity you were not there; you are the local member. Concerned GPs and other specialist services –

Jaclyn Symes: Concerned about what?

Georgie CROZIER: About the amalgamation of the Mansfield hospitals.

Members interjecting.

Georgie CROZIER: Again, it is a pity you were not there to hear from those clinicians like Sarah Lieber and others – CEOs who came up to me and said, ‘Our funding cut is here – 33 per cent funding cuts.’ They are going back to funding pre COVID when the government has not even considered the increase in costs.

Jaclyn Symes interjected.

The PRESIDENT: Order, Minister!

Georgie CROZIER: I know that the Leader of the Government is very exercised. It is a big issue in regional and rural Victoria. Government has not considered the increase in wages costs, increases in product costs, and –

Jaclyn Symes interjected.

The PRESIDENT: Minister! Order!

Georgie CROZIER: It is a pity you were not at the Mansfield rally as the local member, Minister. But I will say again: this is a simple documents motion that the government needs to release, and I would urge the house to consider it and support it.

Sheena WATT (Northern Metropolitan) (10:11): I rise today to speak on yet another motion moved by those opposite trivialising the hard work and the entire dedication of Victoria’s frontline emergency services volunteers and everything that they do. Recently there was some really stellar news that soon in Victoria our CFA volunteers will receive training from Ambulance Victoria to complement their existing extensive skills so that they can administer medical assistance when required. The background, for those curious, is that the motion asks that the government provide the MOU that exists between Ambulance Victoria and the CFA regarding the fire medical response program.

Georgie Crozier interjected.

Sheena WATT: I did hear a wide range of the contribution by Ms Crozier, and I am going to frankly speak to the motion that she moved in the house rather than to her contribution just then.

This program that we are discussing here is to complement the existing emergency medical response that is delivered by Fire Rescue Victoria as much of CFA’s responsibility in this area was transferred to FRV following the fire services reform. There are currently six volunteer CFA brigades that do deliver fire medical response services: Berwick, Cranbourne, Edithvale, Mornington and even a few in the Northern Metropolitan Region, with the Whittlesea and South Morang brigades. I know that my colleague Mr Galea is going to spend some time talking about them and their work. But I note that a couple of those brigades are co-located with FRV, who are not delivering FMR in the area that is already covered by an emergency medical response service provider. Those opposite are referencing the MOU between the CFA and Ambulance Victoria, and the government does not have a copy of the MOU – something that I am sure could have been figured out before this motion was moved. With our not having the MOU, you will be really shocked to hear that the government cannot provide it to the chamber, so there you go.

I would love to say they would have learned – those opposite – if they bothered to do some investigation into this matter that in fact we learned in a media release from the CFA on 12 July 2022 that the program will be established in strategic locations which can best complement the Ambulance Victoria response. This motion takes away from the important program that fire medical response training is. FMR is an investment into the health and wellbeing of rural and regional communities, something that those on this side care very deeply about, as volunteers receive training to deliver life-saving first aid and resuscitation when responding to 000 calls. This initiative exemplifies our emergency services collaboration as a uniting team for the benefit of all Victorians.

I draw attention to the 2024–25 budget alone, which committed \$18.6 million to deliver 15 replacement urban response pumpers to the CFA. The new pumpers will provide better engine performance – something I know is incredibly important – resulting in faster firefighter response; have an additional payload – which is the amount of weight that they can carry, for those that are not familiar with that term; and have a 2500-litre water tank. This includes enhanced capabilities for road crash rescue with modern ergonomics, reducing fatigue and improving crew safety. There are 48 heavy tankers that are being rolled out and two light tankers funded as part of our \$126 million CFA capability package. Can I just say that those tankers have recently been delivered in Creswick, Daylesford, Miners Rest, Wendouree and other places. They are across our state, including at Ballan. It is well known that quickly providing CPR and using a defibrillator greatly enhances a patient's survival odds, and when the CFA is the first responder – they have vast reach, and can I just say with over 1100 volunteer firefighter stations and more than 50,000 members right across our state – it is really quite critical. The CFA makes significant contributions to our regional and rural communities, not only through being the first medical response. That is why we are committed to supporting all the dedicated volunteers across the entirety of the CFA and the opening of new stations. I could go into them, but there are another 20 CFA stations right across our state which are currently in the land search, design or construction phase. There is so much happening when it comes to our work to support our CFAs. I have got 8 seconds but about 25 minutes to go, so I will leave my remarks there. I know that there will be other contributions from members of this chamber.

Richard WELCH (North-Eastern Metropolitan) (10:16): I rise to make a very brief contribution to this motion. I just want to clarify to the house that under the freedom-of-information request reference FOI/24/1289 Ambulance Victoria conducted a thorough and diligent search for documents, and one document, an MOU, relevant to the terms of the request was located. So it would appear the government has misled the house.

Michael GALEA (South-Eastern Metropolitan) (10:17): I rise to make a brief contribution and to correct the record on what has just been put forward by colleagues across the chamber. The member has just referred to Ambulance Victoria allegedly having a document and conflated that with the government having the document. My understanding is the government is not in possession of this document. As the motion explicitly states, this is a memorandum of understanding between the CFA and Ambulance Victoria. There is no minister who is a direct party to that memorandum of understanding. The government does not have that document.

However, I do note that the government will not be opposing this motion. We are happy to assist. If we are able to get a copy of that document, then we will table it, as we always would. But to suggest that there has been any misleading of the house is absolutely outrageous coming from those opposite when, as Ms Watt clearly said, the government does not have it. If Ambulance Victoria has a copy of that, then that is something that we will naturally work with them on to assist this chamber, if this motion does indeed pass today, and I note again that we will not be opposing it. But to conflate Ambulance Victoria with the government itself and with any particular ministerial office and suggest that we are misstating the facts is blatantly outrageous, particularly given that your lead speaker on this topic spent a significant portion of her contribution not actually talking about the motion but talking about theoretical, hypothetical hospital amalgamations in regional Victoria, which have not even been announced, have not even been revealed as far as we are aware and may well and truly not

even happen. So for her to be alleging that members on this side of the house have been misrepresenting is absolutely outrageous, and I will not tolerate it from those who spend their time in this place opposing hypotheticals, jumping at shadows and trying to scare Victorians. Clearly they must think that the job that we are actually doing is quite decent if the best that they can do is bring up these ridiculous scare campaigns over non-existent events. It is absolutely typical, shameful and disgraceful on the part of the opposition, but it is all that they know, it is all that they do and it is all that they bring into this place.

As I say, as to the heart of this motion, we will not be opposing it. We do not have that document. If we are able to get it, we will table it. Exactly as Ms Watt said, we do not have that. These are outrageous accusations from an opposition that cannot get its act together. You certainly cannot get your nuclear policy together, that is for sure. You cannot seem to agree on anything between yourselves. I will note, though, that this is a government – and Ms Watt made the point in particular as well – that backs in our CFA volunteers, that backs in our paramedics. I note in regard specifically to the fire medical response program, which is to complement the emergency medical response program, that three of those six CFA sites in fact are in the South-Eastern Metropolitan Region, including at Edithvale, Cranbourne and Berwick. The other three are in other parts of Victoria. Some of those sites are co-located with the FRV, and they do provide an important pathway and important program for supporting each agency.

This is a government that has a proud record of supporting our CFA volunteers, and we have done so with considerable funding, with continued funding, whether it is in this year's budget with the \$18.6 million for replacement urban response pumpers for the CFA or our rollout of 48 heavy tankers, which have seen local brigades right across the state benefit from these up-to-date firefighting tools as part of our \$126 million CFA capability package. We have seen these tankers rolled out in places such as Ballan, Creswick, Daylesford, Miners Rest and Wendouree as well as in Tatura, which I know Ms Symes as the local member was very excited about. One of the other local members, Ms Lovell, was apparently quite excited about this government's investment in these new tankers as well, because she was there to greet you, Minister Symes, I understand, which was very good. They are always there for a photo, which is fantastic, and indeed always there to support and cheer on the achievements of this government and the delivery of this government when it comes to our CFA, because we know that this is one of the most important areas that we can invest in, these wonderful community volunteers that do this work, that put themselves in danger fighting fires on behalf of Victorians. A big congratulations to the Tatura CFA as well.

Motion agreed to.

Motions

Ombudsman referral

Sarah MANSFIELD (Western Victoria) (10:22): I move:

That this house:

- (1) notes that:
 - (a) Kensington Banks is a recent development advertised as being above the flood risk zone and is not currently subject to a land subject to inundation overlay (LSIO);
 - (b) recent flood remodelling by Melbourne Water reclassified over 900 homes in Kensington Banks as a flood risk in 2024, resulting in financial burden and risk for residents who purchased homes in good faith, based on government advice about flood risk;
 - (c) the Rivervue retirement development in Avondale Heights was inundated during the 2022 floods and the LSIO was moved during the development process;
- (2) pursuant to section 16 of the Ombudsman Act 1973, refers the following matters to the Ombudsman for investigation and report:
 - (a) the development of Kensington Banks, including:

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- (i) the flood information relied on at the time of development;
 - (ii) whether promised flood mitigation measures were effectively undertaken at the time of development;
 - (iii) flood risk information provided to residents before they moved in;
 - (iv) losses incurred by residents as a result of changed flood modelling;
 - (v) the accuracy of historical and current Melbourne Water modelling and implications for residents;
- (b) the relocation of the LSIO at Rivervue;
 - (c) policy changes needed in the future;
 - (d) compensation, support and proposed measures and solutions for residents in the affected areas;
 - (e) any other related matters; and
- (3) requires the Ombudsman investigation to include at least one day of public hearings.

Kensington Banks, in the inner west of Melbourne, is a relatively new housing estate; homes are only between 10 and 25 years old. The area includes a thousand homes, and many people know it as the old stock route. Kensington Banks was developed as a joint venture between the state government, the City of Melbourne and the developer Urban Pacific. I understand the federal government was also involved in funding the development and associated flood mitigation works at the time.

At the time of development and right up until April of this year residents were told by government agencies that all their homes were above the flood zone. People moved into this area and bought their homes and took out big mortgages, reassured by this advice. Yet in April this year residents woke up to find out Melbourne Water had remodelled the flood zone and all their homes were now in the high-risk flood zone. Residents with huge mortgages are now facing skyrocketing insurance premiums and huge risks to their homes and are very uncertain and worried about their future.

Daniel is a teacher who lives in Kensington Banks. He has two young children who have just started primary school. He bought his home in January this year. He explicitly sought advice from Melbourne Water about flood risk – they told him his home was above the 1 per cent flood risk zone. Just three months later he was told that advice was essentially incorrect. Over 900 families are in a similar situation. These residents understand that things are changing because of climate change, but this modelling is a change to the current flood risk, not just the 2100 climate change flood risk – these 900 homes are deemed at risk from flooding now, not just in 2100. Essentially this is an admission that the government got the flood modelling wrong in the first place and provided incorrect advice to residents, who made huge financial and life decisions based on this information. Residents want to know what happens now. They have a lot of questions, and understandably so, but they are not being given a lot of answers.

The government simply say that they have to wait for further advice on what flood mitigation measures might be possible, yet Melbourne Water has told residents that any flood mitigation measures will take a very long time, probably 18 months to initially scope, then years to approve, then five to eight years or more to build. Residents will be waiting more than 10 years for action to protect them, if it even happens at all. That is 10 years of huge insurance price hikes. One resident has already had her insurance premium increase tenfold, from \$140 a month to \$1400 a month. That is over \$16,000 a year, which they cannot afford. Residents are being told that they should be flood ready and are given flyers about how they could replace their entire kitchens with more flood-resistant cabinets, which are tens of thousands of dollars – but they will have to pay for all of this themselves. They are even being told they have to pay over \$1000 each for surveying costs to determine the exact level of flooding in their own homes.

When they ask about the Flemington Racecourse flood wall, which protected the racing and gambling industries in 2022 but resulted in more homes flooding than if the wall was not built, residents are pretty much given radio silence from the state government. This is an untenable situation. Residents

deserve some answers and some action. This remodelling came to light just as the Parliament's inquiry into the 2022 flood event was coming to a close, so the community's questions were not able to be put to the relevant government agencies as much as we would have liked. We asked the government to extend the inquiry, but we understand that this is not possible.

Ryan Batchelor: You have not. That is a lie.

Sarah MANSFIELD: That is what I am told. We have spoken with other parties about the possibility of doing a separate parliamentary inquiry to look specifically at the case of Kensington Banks – how it was built, what modelling was relied on at the time, whether it was accurate and reasonable, whether Kensington Banks was built to the correct flood levels, whether proper mitigation works were actually done and what solutions could be implemented. However, other parties in this chamber have indicated to us they would not support another parliamentary inquiry, which is disappointing because we think the community deserve to have their questions asked and answered, and government agencies like Melbourne Water and those who made decisions at the time should be interrogated.

In the absence of a proper parliamentary inquiry, we are moving a referral to the Ombudsman pursuant to section 16 of the Ombudsman Act 1973. If this passes, the Ombudsman will be required to run an investigation looking into all of these matters, including the development of Kensington Banks estate, including (1) the flood-level information relied on at the time of development, (2) whether promised flood mitigation measures were effectively undertaken at the time of development, (3) flood-risk information provided to residents before they moved in, (4) losses incurred by residents as a result of change in flood modelling, (5) proposed solutions to support residents following the flood remodelling, (6) the removal of the land subject to inundation overlay at Rivervue estate and losses incurred by residents as a result, and proposed measures to support residents, (7) policy changes needed to avoid similar circumstances occurring in the future and (8) compensation or support for residents in the affected areas and of course any other matters that people would like to look at.

We have included the Rivervue retirement estate in this referral as well because it is one of the most egregious examples of poor planning that has resulted in huge implications for ordinary people's lives. This was an estate that had its flood overlay removed at the behest of property developers, yet in 2022 it flooded, leaving many residents in despair. They too were told their homes were above the flood zone. It seems that this was not actually the case and profit was put over people's lives and livelihoods. Kensington Banks and Rivervue are two examples of where ordinary people are being made to pay huge costs, including huge financial costs, for the poor decisions of previous governments. They deserve answers and action. Governments need to take some responsibility for the decisions that they made that have put ordinary people in a very precarious situation. We hope that with a referral to the Ombudsman we can get some of these answers for the community.

As climate change worsens and governments have also had to deal with the consequences of making planning decisions in isolation, without a thought to the whole catchment or a whole city, resulting in consequences such as increased flooding downstream, more and more examples like this are likely to come to light. Putting a spotlight on these examples now will mean we can properly look at how they can be managed and avoided in the future. I commend the motion to the house.

Sonja TERPSTRA (North-Eastern Metropolitan) (10:30): It is with pleasure that I rise to speak about this motion moved by Dr Mansfield in regard to the Kensington Banks estate and various other matters to do with flood-related matters. Notably what is at the heart of this motion is that the Greens are seeking a referral to the Ombudsman for investigation and report into the Kensington Banks estate and flood matters. There is a lot in this motion. I will not go through it, because Dr Mansfield has already read it into the record and made her contribution on it this morning.

But the thing that I want to talk about just in brief, and I have got some other points to make here, is that the last time that I bought a house – it was quite some time ago now – I got legal advice and I had

a solicitor or a conveyancer who acted for me. I have never heard of anyone who said you should not get advice about the house that you are purchasing, and I have never relied on a water authority to give me advice about the house I am purchasing. Usually a lawyer does that. A lawyer normally does all the relevant checks as part of that conveyance, and they provide all the relevant information and detail about that as part of the arrangements for the contract. As a lawyer myself, I am reasonably familiar with that. I guess the point is that if you purchased a house that you are now saying has issues that you were not aware of, then there are other avenues for people to pursue rather than the state government. It is quite outrageous and unreasonable, when we come into this place, to hear every single day the Greens speaking for other members of this Parliament in disparaging terms about things.

I heard in the earlier parts of Dr Mansfield's contribution an acknowledgement of the role climate change is playing in relation to flood and water. In fact by all predictions we are going to have less rain but more intense outbursts or downpours, which means that there might be higher flood levels at particular times, although it goes away, but less rain over a period of time. I know what our government is doing in terms of managing the risks of climate change. But even if people feel they need to have some kind of recourse, it is not right for the Greens political party to come in here and say every time there is a problem that government should pay. You get legal advice, and there are opportunities for people to go back through channels of legal advice they may have had at the time for recourse. It is not the water authority that gives legal advice to people who buy a house – that is just ridiculous. The disinformation we hear in these contributions just never ceases.

I have to say what is at the heart of this motion is another Ombudsman referral. Yet again we see political parties like the Greens coming in here and wanting to use our integrity agencies and bodies as their own personal playthings. There was a referral through this chamber to the Environment and Planning Committee, which I was the chair of and now Mr Batchelor is the chair of, and there has been a detailed inquiry, which I understand is still underway. I do not know what has happened to that inquiry because I am no longer involved in it, and it is interesting that members who are on that inquiry should not really be talking about those matters as a matter of parliamentary privilege. This raises very interesting questions as a result of your contribution, Dr Mansfield. This inquiry is still ongoing. It raises very, very interesting questions. When members in this place do not get what they want as a result of an inquiry through this chamber they seek to use up precious resources given to our integrity agencies to undertake important work to inquire into matters that are of public importance.

For communities who are affected by floods or any other natural disasters, it is absolutely unconscionable that the Greens political party and others come in here and continue to beat the drum around these matters, preventing those communities from moving forward and getting their lives back together so that they can move forward in their lives and rebuild their lives rather than continue to pick off the scabs of healing and recovery. It is quite disgraceful. I stood here in this chamber yesterday and made a speech about poor behaviour, yet all I am getting from down that end of the chamber is eye rolling. It is another example of poor and toxic culture, this behaviour – absolutely disgraceful. I can make a contribution responding to matters that were raised.

David Ettershank interjected.

Sonja TERPSTRA: I do not need comments from Legalise Cannabis down the front either. These are matters that are critically important because they affect people.

David Ettershank interjected.

Sonja TERPSTRA: You can laugh. Again, this is another example of toxic behaviour. The disrespect that I get from those down there is absolutely appalling. Because you have got nothing of merit or substance to say, all you resort to is toxic behaviour. I am calling it out, because I have been personally affected by toxic behaviour from the crossbench – absolutely. I welcome integrity measures in this Parliament. I am sick of being lectured at by the intelligentsia and by the Greens about what this government should do and what working people should do and how everybody should live their

lives because they know better. I am here to say that they do not know better. All they seek to do, as I said before, is use the Ombudsman and other important integrity agencies as their personal whipping post – they did not get the answer they wanted, and they want to keep going. That is unfair on communities. All they want to do is heal. It is absolutely a disgrace.

The business of water agencies and water authorities is that they do flood mapping. These are detailed exercises. They take a lot of time, they take a lot of resources and they take a lot of money. There are so many, many different factors that go into that. In fact in regard to the recent flooding event, with the two different flood scenarios of the Maribyrnong River flood model that were mapped – the current-day 2024 flood scenario and a forecasted 2100 flood scenario – both are based on a flood event that has a 1 per cent chance of occurring in any given year. This is known as the 1 per cent annual exceedance probability. Where the new 1 per cent AEP flood maps indicate an area that is subject to flooding, this does not necessarily mean that each building in this area will experience over-floor flooding during such a flood event. There is always risk when you are purchasing a property near water. For example, I live in Heidelberg. I live near the Yarra; I am actually on a hill, but I am in a flood zone. I knew that when I purchased that property. So what do I do when it rains? I take note of what the emergency services apps are telling me about flooding. That is what I do as somebody who purchased that property with a known risk. There are changes that happen over time, like climate change, but I take appropriate steps and actions to manage those risks.

Additional mapping has been provided by Melbourne Water to help illustrate the flood depth. The flood depth, as I said, is understood at an individual property level. The water authorities give the best estimates they can based on all the flooding, and as I have said, the impacts of climate change mean that there are going to be some variances. As I said, there is going to be less water over time but more intense downpours. Things change over time, and people have to look at that and accept that there are risks associated with that.

As I said, it is disappointing that this motion has come before the chamber before the parliamentary flood inquiry has even made its final report. The motion seems to pre-empt the potential findings and recommendations that could be made in relation to updated flood modelling. This is disappointing. We should allow the processes to run their course. We know Melbourne Water and members of the independent panel appeared before the committee in early May to answer questions on the updated flood modelling and provide further evidence to the committee for consideration. The flood inquiry spent more than a year considering considerable evidence in relation to the flooding around Victoria, and this motion does not give any consideration or respect to that evidence – not only to the community members who came and gave their evidence but also the experts and government witnesses who came in good faith to give their evidence and information to the committee.

I look forward to that final report, and I want to thank chair Ryan Batchelor for continuing on with the inquiry in advance of that, and for the hard work and the dedication to this important and very technical area. It has been quite traumatic and distressing, and I want to thank all those community members. We went around the state when I was chairing that. We went to regional areas – not only to Maribyrnong – which I am sure some of the crossbench have more interest in. This impacted regional areas. It impacted the entire state really in many ways. I want to pay tribute and thank those community members who turned up and gave us their heartfelt and emotional evidence about what they have experienced. They were looking to this parliamentary inquiry, which is not a government inquiry, to try and make sense of what happened to them. I want to thank those community members who turned out to give their evidence to the inquiry. This motion is ill conceived. The Ombudsman and finite resources should not be used as a personal whipping post for parliamentarians, and we should be voting against and defeating this motion.

Evan MULHOLLAND (Northern Metropolitan) (10:40): I rise to speak on motion 460 put forward by Dr Mansfield, and I thank her for doing so. This is a very significant issue for our community. It is a very significant issue for my electorate. Particularly I would like to thank Dr Mansfield for the collaborative approach she has taken in putting this motion forward. We know a

large number of residents at Kensington Banks had purchased properties in good faith and were relying on advertising and government advice around flood risk, and these locals and these families trusted the government to provide them with information. We have had MPs accusing other MPs of breaching parliamentary privilege, which I think is pretty extraordinary. Perhaps Ms Terpstra would like to move that in a substantive motion, but I am guessing that she will not.

The development was not considered to be in a flood-risk zone and it is still not land subject to an inundation overlay. However, recent flood remodelling by Melbourne Water reclassified over 900 homes in Kensington Banks as at flood risk. This remodelling is having a significant impact on locals – a very significant impact on locals who have contacted me, who I am sure have contacted government members and who I know have contacted crossbench members as well. It means that in a cost-of-living crisis insurance premiums are going up significantly, even more than they are for the majority of people at the moment. It means that the property values are going down significantly. Many have poured their life savings into buying a home in the area, and it is just devastating. I speak to a lot of families in that area, and a lot of families in general are dealing with a crisis in home valuations, the residential construction sector and insurance, and this seems to be no different – really heart-wrenching stories I have heard from people in Kensington about this. It means great angst for locals – how flooding would disrupt their lives if the revised modelling is correct.

My inbox has been flooded with emails and my office has been flooded with calls from concerned locals. I could stand here for the rest of my contribution and give you my point of view, but I would rather echo and amplify the voices of residents that have written to me and that I have spoken to. First of all, Jason wrote to me and said:

My family and I live in the Kensington Banks and have recently had our home reclassified as a property which could be subject to inundation during a 1% flood event.

The immediate effect of this has been our home and contents insurance going up in price from \$1500 a year to \$6000 a year, an amount that is completely unaffordable.

We have lived in the banks for 8 years, and bought our current home 5 years ago before the birth of our daughter. During the purchase I paid particular attention to the flood overlay, as the property was close to the river. The overlay, as well as the work that had been done to mitigate the flooding, gave us the confidence to purchase the property. No doubt you can understand how disappointed and angry we are now to find out that our property has been reclassified as flood prone.

In particular, we are ... disappointed in:

- The accuracy of the flood modelling that the 2003 overlay appears to have undergone a rushed and half done process, which ignored key aspects and changes that directly affect flood levels
- Melbourne water's excuse that flood levels have gone up due to upstream development is very disappointing – this comes across that our property and safety is less important than allowing other properties to be developed
- The floodwall around the racecourse, which Melbourne water appear to be giving different versions on its actual impact on the flooding that ... will occur

Based on what we have received from Melbourne water, we have lost confidence in this organisation's ability to manage the issues and question its impartiality and lack of accountability.

Rachel said:

I am a Kensington Banks resident who has had their property recently included in the Maribyrnong River Flood modelling. I fear that my property will be subject to flooding, that the value of my main asset has instantaneously decreased and that property insurance will now be unaffordable.

Shelley said:

I purchased my house in 2015 and made sure that the area was not subject to the Land Subject to Inundation Overlay (LSIO). I was also reassured that the estate had been planned as a joint venture with the government and that flood mitigation had been put in place. Thinking I had done my due diligence, I was very concerned watching flood waters near my home in 2022, and am now dismayed and angry that the response to this flood has been to rezone homes in our area, and a leaflet drop asking us to be "flood ready". There has been a

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significant policy failure and it is not acceptable that the financial and risk consequences are worn by local residents as a result of poor government decision-making in planning and urban development.

I have received countless – absolutely countless – stories like this from residents that did their best to act in a responsible and diligent manner, only to be let down by Labor. I have spoken to many residents on the phone who know the area quite well and who all agree that it is very, very unlikely to flood. It is incredibly disappointing thus far that Labor have refused to provide any detail about the planned or future flood mitigation works and are leaving residents in the dark. We need to get to the bottom of this issue, which is why this motion refers the matter to the Ombudsman.

On this side of the chamber we have a very clear position. We expect more to be done to support residents who have been impacted by flooding and rising premiums, compounded by the ongoing cost-of-living crisis. Labor must take action to ensure that remediation works are undertaken by Melbourne Water and the government reduces the flood risk to this community. Unlike this tired, old Labor government, we will not take Victorians for granted. We will take action and stand up for those that are paying the price now due to mismanagement on this issue.

I want to thank again Dr Mansfield and others that I have spoken to. I particularly want to thank the community in Kensington Banks for being so vocal about this. I am listening as your local member, and I think the only right thing to do after so many phone calls, so many emails and so much correspondence is on behalf of this community to back you in, on behalf of this community to support you and let you know that those of us on this side of the house, and hopefully on the crossbench as well, absolutely support you in this cruel, cruel event that has happened to you. We will stand with you and fight with you to do whatever it takes to resolve this horrible issue for you.

David ETTERSHANK (Western Metropolitan) (10:48): I rise to make a contribution on the motion before the house, and in doing so I would just like to say that I am aware of my obligation as a member of the Planning and Environment Committee to maintain confidentiality about the committee process. I just want to get that on the record and that I respect that, and of course that does limit the ability to make statements on this issue.

The Kensington Banks housing development was a joint venture between the state government's office of major projects, the City of Melbourne and Burbank Urban in partnership with Urban Pacific, which has subsequently gone, I believe, bankrupt. This development was sold to people – and not cheaply, I might add – as a safe and as a secure place to live. Those of us who watched this redevelopment of the old meatworks and the old munitions plant that were previously on the site should have perhaps realised at the time that there were some management issues associated with the site when we saw the government basically remove the top 2 metres of toxic soil across that whole 30-hectare site to replace it with clean fill. Unfortunately, that clean fill was largely excavated from the then Crown Casino construction site and it was equally toxic. You could say that the ground on which these people's homes were built was about as environmentally safe as it was safe from flooding.

People were informed that the site had been elevated to avoid flooding, and the recent Melbourne Water flood modelling did show that the houses on Hobsons Road – that is, on the riverside boundary of Kensington Banks – were indeed safe from the flooding, or the 1 per cent, 2024-modelled flooding. Unfortunately, the developers apparently did not see the need to elevate the remainder of the site adequately to protect the other dwellings from flooding. The recently revised flood modelling from Melbourne Water showing that around 800 houses would be subject to inundation has literally devastated the community, and this is a community in which I have lived for close to 30 years. Residents are now faced with increased insurance premiums, decreased property prices and a precarious, if not ruined, financial future, including negative equity in their own homes.

Contrary to Ms Terpstra's rather addled commentary, residents who bought into these sites and their lawyers in doing their due diligence could not have detected these changes. That due diligence would have shown that this was land that was not subject to an LSIO, a land subject to inundation overlay, so I have no idea where she was going with that, and I am certainly glad she is not my lawyer. The

cruelty of this situation is further exacerbated by Melbourne Water's claims that the adjoining Flemington Racecourse flood wall will reduce flood levels on the Kensington Banks estate in the event of a 1 per cent flood event. This frankly beggars belief. It fails the pub test, and it adds insult to injury. I know that people will say, 'Well, this is what's come from the hydrologists and this is what's come from the scientists, and you're just denying the modelling.' I get that. But the problem is that this was put before the committee after it had finished its deliberations and the committee had no way to interrogate this information. That is part of the reason why we are here today and why I commend the Greens for bringing forward this motion to try and get some clarity and some understanding.

Residents at Kensington Banks rightly have a lot of questions, and those questions need to be answered. They are deeply, deeply frustrated, not only by the sort of laissez faire, 'You bought the land, you cop the consequences' approach that Ms Terpstra was enunciating but also by the actions of Melbourne Water in terms of responding to people's deeply felt concerns – like, for example, telling everyone in the media: 'If you want to know how you're going to be affected, you can just ring us. Just ring Melbourne Water and we will tell you how you're going to be affected.' Well, what Melbourne Water will actually tell you is what the water is going to be like, sort of, in your area, but it will not tell you whether it is going to go above your floorboards. If you want that piece of information, you have the privilege of paying an extra \$1000. I mean, that is the sort of warmth and empathy that we all look for from our statutory authorities, isn't it?

Given that level of frustration, you can understand that there is a similar sense of frustration and powerlessness that is being experienced by the many residents in the Rivervue Retirement Village. Forty-seven of those units were inundated in the 2022 floods. The cohort has now grown to about 100 units based on the new flood modelling. Those units were only permitted to be constructed after a complex and confusing review process involving Moonee Valley council, Melbourne Water and VCAT which saw the land subject to inundation overlay actually drop – it was brought down. As the Pagone review into the 2022 flood event noted, the rationale behind this decision appears to have been lost in the sands of time. That is not exactly what you call comforting for those residents of the retirement village. Elderly, respected citizens who had often put their life savings into those units were told, 'Well, yeah, you're screwed. But you just have to cop it because we don't know how or why this happened.'

Let us face it, the committee did not have the resources or the ability to undertake a detailed forensic exercise of how the process came to be approved. The committee spoke – and this is all on the public record. Mr Batchelor is giving me a frown here; I hope I am not breaching anything. This is in the public domain – it was broadcast. We sought to find out how this could have happened, how this decision could have been made, and in the end it was this complex, long process involving the Moonee Valley council, Melbourne Water and VCAT hearings. It is appropriate that someone with more resources and more experience gets to the bottom of this question. Let us ask ourselves the question: what do these two developments have in common? I am glad you asked, because it is the central rationale for this motion: how were these catastrophic planning decisions made, and who is ultimately responsible for the lives and the security that have been destroyed?

Given the political underpinnings associated with the formal processes in both examples, it is entirely appropriate for an impartial and independent set of eyes to scrutinise these two cases. Let us take it out of this sphere, let us take it out of the red hell and let us actually let experts who can do this forensically explore these questions and let the Environment and Planning Committee move on. No doubt many of the threads that have underpinned this current inquiry into the 2022 floods will be collaboratively explored in the forthcoming inquiry into climate change resilience and adaptation. There are few keener eyes than those of our Victorian Ombudsman, and I hope that this will draw some comfort to the residents of Kensington Banks and the Rivervue retirement village. Accordingly, Legalise Cannabis Victoria will support this motion, and we commend it to the chamber.

Ryan BATCHELOR (Southern Metropolitan) (10:58): I rise to speak on Dr Mansfield's motion. As the chair of the Environment and Planning Committee, which is in the middle of an inquiry into

matters substantially covered by this motion, I think it falls upon me to reflect a little bit on the disappointment that we could not wait to hear the voices of those who contributed to that inquiry. The 880 submissions, the 13 days of public hearings, the site visits, the 58 witness sessions with 183 witnesses, the appearance by Melbourne Water twice, the appearance by the independent review panel and the independent engineers, hydrologists and planners that support their work and two ministers – we could have had the committee's processes over the last 17 months inform this chamber before this motion was moved, because we do not need to wait long. The committee is due to report by the end of June.

It is also I think an interesting reflection on those who suggest that they want more time for that committee that the place to grant that committee more time is this chamber. They could have brought a motion today to do that, but they did not. I think as a reflection on the committee process it is disappointing and a little bit disrespectful to that work to seek to undermine what the committee may find and report and that body of evidence and to pre-empt it with this motion to refer these matters to the Ombudsman. If we were drawing a Venn diagram of overlap between the issues that the committee is looking at – that the committee was asked to look at by this chamber 17 months ago – and the matters sought to be considered by the Ombudsman, there would be a considerable overlap in those two circles. I think it is beholden upon me as chair of that committee to just reflect on the disappointment and the frustration and to reflect on what that does to our faith in parliamentary processes. It is clearly a very frustrating issue for members of the community, who we have heard from repeatedly as part of this parliamentary committee process and more broadly. Obviously these are challenging issues. We have heard what they have to say both formally and informally and we continue to listen to them.

I want to make a couple of remarks. Obviously this is being generated by new modelling that was released by Melbourne Water. Dr Mansfield in her contribution said that this modelling is a change to the flood risk, but it is not. It is modelling. The flood risk is a product of our climate and our built environment. Modelling seeks to illuminate the community on that risk, the best evidence of that risk and the scientific evidence of that risk, so that individuals and governments, people and their elected representatives, can make decisions on what is appropriate based on the risk that they know.

We also know that risk is dynamic. The Melbourne we live in in 2024 is different to the Melbourne of the 1990s, when the planning for Kensington Banks was initiated. We have better scientific knowledge, we have a better understanding of hydrology and water flows and our climate has changed in the last 30 years. We do not deny that the climate has changed, and we do not deny that there are consequences of that climate change. But you cannot say that you believe in climate change and the risks that arise from it and then deny scientific evidence about those risks when they are laid before you. That is hypocrisy and that is opportunism built on people's absolute fear about what may confront them. We should be reassuring and proactively trying to help rather than questioning scientific evidence which has been independently reviewed and assessed as being of high quality by independent experts in evidence that we got at our parliamentary inquiry – that this is the best available, the best quality, the most advanced flood risk modelling that we have.

The other important point is that people should be made aware of the changes in risk. It would be wrong of government not to tell people that that risk has changed. It would be wrong for government not to say that the changing climate, the intensification of weather events and the changes to our built environment are changing the flood risk that you face. It is not the modelling that is going to cause these houses to flood. It will be rainfall; it will be run-off. It will be the interactions of those two things through the Maribyrnong River and down to Kensington Banks. We need to be open about the dynamic nature of that risk that exists in this catchment and in all of the other catchments across Melbourne which are going to be the recipients of new flood modelling as a result of decisions that have been taken by Melbourne Water to make sure that residents right across Melbourne are informed about the dynamic risk that they face.

And also, we are not just going to say that this is a point in time, because one of the big critiques I think of the position that has been put in this debate is that we made decisions based on information – my maths is bad – 30 years ago in the 1990s. Decisions on this started in the 1990s, before the modelling that was critiqued from 2003 – so not just the last iteration of modelling but the modelling before that. If we seek to junk this modelling and undermine it, we say nothing has changed in 30 years, and I do not think that is a credible position to be in, and it is not a responsible position to be in.

The other point that I just want to briefly make, given it was also mentioned by Dr Mansfield in her contribution, I think is important because again it goes to the question of, ‘Do we listen to what experts tell us, or do we seek to undermine experts?’ We all know where the undermining of expert evidence takes us in terms of the political debate and in terms of the community debate. Dr Mansfield said in her contribution about the Flemington flood wall that residents deserve answers, and they do. Hopefully the parliamentary committee will give them some. But the modelling that has been released, and the second addendum that is on the Melbourne Water website, is very clear. It says:

The wall appears to provide a ‘shielding’ effect through Kensington Banks.

It goes on to say it is about 50 to 55 millimetres of shielding in terms of flood depth. People may quibble with parts of that. I for one accept the scientific evidence when it is presented to us, particularly when we have got no basis – I am not a hydrologist – to make a different set of opinions. But I do think we need to use facts, and all of them, in the context of a debate where fear is being used to prey on people’s concerns.

The last point I want to make is about insurance. There will be consequences from the changes to the flooding overlay on people’s insurance bills; that is absolutely true. These matters are being thoroughly examined by a Commonwealth parliamentary inquiry into flood insurance, and I hope that that process delivers some results.

I have to leave my contribution here. We are not going to be opposing this referral. If people want further analysis and people want further answers, then this is a mechanism through which the chamber can seek to get them. But we did this 18 months ago when we set up the parliamentary inquiry. We are not listening to the scientific evidence that is being presented to it, and we are not even listening to its final report. I hope next time things are different.

David LIMBRICK (South-Eastern Metropolitan) (11:08): I also rise speak on this Ombudsman referral. Unfortunately, I think I agree with the government here in that I feel that this is all a bit premature in that we have a large inquiry that has been running for a very long time and has had lots of evidence presented from residents and from experts, and it is due to report in a few weeks. I would be very, very interested in seeing the findings and recommendations of that report, because I would hope that they would address many of the things that are in here. I do not know – I assume that the report is not finalised yet – but I would think that we would want to at least look at that and give that consideration before sending a referral to the Ombudsman. I do not know that it is necessary to do that, because the committee is perfectly capable of doing this type of investigation, I would think, themselves and coming up with findings and recommendations.

I note that this inquiry was pushed very hard and supported very hard by the Greens, and there is a Greens member on the committee. If they feel that there are recommendations that the government should act on, they have the opportunity within that committee to do so. If they do not agree with the majority view of the committee, they can put in a minority report and make that recommendation. So I feel that this is quite premature. Depending on what the findings of the committee actually are when the report is produced, I would be happy to reconsider based on that evidence, but at this point in time I am much more inclined to not support this referral and wait a few weeks and see what the committee comes up with. That is my view.

John BERGER (Southern Metropolitan) (11:10): Today I rise to contribute to the debate on my colleague opposite Dr Mansfield's motion on the Kensington Banks and Rivervue Ombudsman referral. The motion reads:

That this house:

- (1) notes that:
 - (a) Kensington Banks is a recent development advertised as being above the flood risk zone and is not currently subject to a land subject to inundation overlay (LSIO);
 - (b) recent flood remodelling by Melbourne Water reclassified over 900 homes in Kensington Banks as a flood risk in 2024, resulting in financial burden and risk for residents who purchased homes in good faith, based on government advice about flood risk;
 - (c) the Rivervue retirement development in Avondale Heights was inundated during the 2022 floods and the LSIO was moved during the development process ...

I want to pause here before I continue and acknowledge the many communities that were affected by the 2022 floods. I had the honour to participate in some of the regional hearings that investigated the 2022 flood events that affected so many, and their resilience and hard work was just incredible. Let us keep that front and centre today. Now back to the motion:

- (2) pursuant to section 16 of the Ombudsman Act 1973, refers the following matters to the Ombudsman for investigation and report:
 - (a) the development of Kensington Banks, including:
 - (i) the flood information relied on at the time of development;
 - (ii) whether promised flood mitigation measures were effectively undertaken at the time of development;
 - (iii) flood risk information provided to residents before they moved in;
 - (iv) losses incurred by residents as a result of changed flood modelling;
 - (v) the accuracy of historical and current Melbourne Water modelling and implications for residents;
 - (b) the relocation of the LSIO at Rivervue;
 - (c) policy changes needed in the future;
 - (d) compensation, support and proposed measures and solutions for residents in the affected areas;
 - (e) any other related matters; and
- (3) requires the Ombudsman investigation to include at least one day of public hearings.

It is critical that these houses are safe for Victorians to live in, with flood risk a crucial aspect of these standards, particularly in the context of this motion referring to metropolitan areas around the Maribyrnong River. We know both in our country and across the world we are seeing an increase in severe weather events, from floods to bushfires to storms, and they are creating increased distress and security concerns for all those located within more at-risk areas.

Climate change is a concern for people across the state, and our government is keenly aware of this. To ensure that Victorians not just in the Maribyrnong catchment but across the state are protected against increasing flood risks the Allan Labor government has invested \$10 million to ensure that councils have the support to undertake flood studies, allowing them to make informed planning decisions in accordance with data. It has also dedicated \$37 million in the Victorian state budget 2024–25 to give Victorian communities access to localised real-time information on flood and water movements.

The Victorian planning provisions and planning schemes more broadly are reviewed regularly to ensure that they are in line with the up-to-date requirements and information on flood mitigation management and climate change hazards and risks. Victorians want to know that their homes are protected against flood risks, and the Allan Labor government is committed to providing that assurance in congruence with the housing policy. This is what this motion from the Greens seems to refer to

today: our updated requirements on flood-risk classification regarding climate change and modernised modelling technology and the impacts this has on properties near flood plains.

We know that communities have valid concerns, and that is why this government is committed to listening. Under previous modelling techniques the measures put in place to mitigate flood risks allowed for these properties to be classified as land subject to inundation overlay. These were relevant at the time but are out of date today. We acknowledge the stress that reclassifying someone's home as a flood risk invariably causes, and we acknowledge the importance of scientific expertise when facing the reality of climate change. This is how we ensure the safety of our constituents in the changing climate landscape – and we know that it is. In reviewing the criteria impacting properties near flood plains we must be prepared for any potential flood risks, because the Allan Labor government has the responsibility to ensure the safety and wellbeing of all of our constituents. It is true that some areas that had been reclassified as higher risk were not impacted by the October 2022 flood event, but that was a one-in-50-year event. It had a devastating impact for so many Victorians, with around 1.16 million hectares of land impacted by flooding. Flood modelling is an estimation of potential risks, and a range of factors can influence whether a flood event occurs that we may not be able to predict. This is why we are developing our standards and modelling – to ensure resilience in our communities.

It is critical that we are truthful with Victorians when an area they reside in is at flood risk, so that we can prevent the harm. Climate change is undeniable, and it is going to have an impact on flood risk in many areas across Victoria. In expectation of increasing flood risk Melbourne Water will be updating flood modelling more regularly to ensure these high-risk communities are protected – every ten years with reviews every five. Rising sea levels impact the tidal lower ends of rivers like the Yarra and the Maribyrnong, and our flood modelling reflects this knowledge. This will impact places like Kensington Banks and Avondale Heights and also homes across the state.

To go back to the Maribyrnong, which Kensington Banks is situated directly across from, the new Maribyrnong River flood model released in April this year provides us with the most accurate modelling, with the most up-to-date data on rainfall and run-off and physical features of the flood plain and nearby areas. It has advanced capabilities to simulate water flow in multiple directions across the area, facilitating a more accurate model of how water flows in the region. Simply, we can more accurately predict flood patterns and their effects on the areas around the Maribyrnong River. This also accounts for the current climate change guidelines, which are in line with the latest standards and industry best practice set in the *Australian Rainfall and Runoff* guidelines of 2019. It has been tested against five historic flood events: October 2022, January 2011, September 1993, October 1983 and May 1974. Independently developed by experts in the field Jacobs and peer reviewed, it provides us with the most up-to-date predictive modelling of flood risk in the Maribyrnong River and surrounding areas.

Beyond the context of the Maribyrnong River, Melbourne Water will be updating modelling of all areas under their jurisdiction to include climate change projections up to 2100, and this will be completed by 2026. Accurate forecasting must be reflected in determining the flood areas at risk in Victoria, which is paramount, and modelling gives us the capacity to do just that. Melbourne Water has engaged in community consultation with areas affected, including Kensington, Maribyrnong, Ascot Vale, West Melbourne and Keilor, to ensure residents are aware of identified flood risks in their areas. Property-specific advice such as on floor height and building features that may impact property value should be sought by land surveyors.

Kensington Banks was constructed in the 1990s, designed with a levee and retarding basin that provided the best planning conditions based on the flood data of the day. With more accurate flood data provided by modern technologies and techniques in conjunction with the impacts of climate change in 2024, these conditions need to be reviewed. With all this in mind and the parliamentary flood inquiry yet to make its final report, it is somewhat absurd for this motion to be presented to the Council before any findings or recommendations are made that may or may not be relevant to the Kensington Banks context. Melbourne Water and its members of the independent panel appeared

before the committee in May to provide clarification on the updated modelling and provide evidence for consideration. It is, frankly, a bit disrespectful to be making assumptions on the modelling and forecasting before the report is even released, considering the exceptional and tireless work of those involved. At the time of the Kensington Banks development, planning decisions and approvals were made with consideration of the best available flood data in that timeframe. This was entirely appropriate with the planning standards at the time, and these reviews and reclassifications are in line with the planning standards of today.

Doing right by Victorians is providing transparency on how their properties are impacted by flood plains, even if the risks unfortunately change over time due to climate change and updated modelling. This all matters so that Victorians can have safe housing, which in this end is what really matters right now. Housing choice, housing affordability and security through working with industry and communities and increased supply of homes near services that matter to Victorians will ensure that every Victorian has a place to call home in an ever-changing society and landscape.

Eight hundred and sixty of 1400 planning permits for small second homes in properties stuck in the system have now been processed now that planning permits required for this have been removed. We have given priority to major residential developments that have at least 10 per cent affordable housing by granting them access to development facility programs pathways, cutting down time for assessment and approval. We are reforming our planning system, clearing backlogs and reducing decision-making, slashing assessment timeframes from significant development projects from 12 months to eight months under our – (*Time expired*)

Jeff BOURMAN (Eastern Victoria) (11:20): I am going to make a short contribution on this. I am not going to be supporting it – not because I do not actually believe in what it is about. I was listening to Mr Batchelor's contribution before, and there is an inquiry going on that has not yet handed down its report. This is a stunt. Why can't we wait for the report and get something done? Also, I was reading through the actual text of the motion. We are requiring the Ombudsman to do something – fair enough; but then we are asking for policy changes, compensation, support and proposed measures. My understanding of the Ombudsman is it is about corruption and poor behaviour, all this sort of stuff.

David Ettershank interjected.

Jeff BOURMAN: Yes, incompetence. Be that as it may, I do not believe it is in their remit to be giving anyone policy advice and dealing with areas of compensation. It also requires them to have at least one day of public hearings. I think the Ombudsman would probably have a lot to say about us requiring all these little details. I would not have a problem necessarily with this if it had come down after the handing down of the report and if it did not have all of this granular detail about what the Ombudsman should and should not do, which is most likely stuff that is not within their purview. I am going to leave it at that.

Jacinta ERMACORA (Western Victoria) (11:22): Worldwide we are seeing more severe floods, bushfires and storms. This is creating uncertainty, costs and distress for communities who live and work in vulnerable areas. Climate change is causing flood risks not just in the Maribyrnong catchment but right across Victoria and right across the globe. The Allan Labor government has invested \$10 million to assist councils who have not undertaken their own flood studies to complete this work. It is worth clarifying that there are different regulatory responsibilities between regional Victoria and metropolitan Victoria: local councils translate flood studies into their planning schemes and catchment management authorities in regional Victoria conduct the flood studies or contract the experts to do so. New updated data can inform local planning schemes and related approvals, but that happens only after the flood studies have been completed by the technical experts.

The Victorian budget 2024–25 includes \$37 million for communities to assess localised real-time information about flood events and water movement. We recognise that for residents whose homes were not previously considered flood prone, this news can be shocking and very distressing. There is

a responsibility to consider all options and assess all risks and data to make the best informed decisions with impacted communities. In relation to the Maribyrnong River, the October 2022 flood was a one-in-50-year event, which is why some areas which have been included in the 2024 modelling were not included in 2022.

We must also be realistic about the current modelling. Current modelling provides the best possible estimates but cannot predict exact flood behaviour, which is influenced by a range of factors. No two floods are the same. I go to the example of South Warrnambool, which is my own community, and over the years I have observed and been peripheral to multiple flood studies in the South Warrnambool area. Each one improves on the previous one both in detail of knowledge and in the technical expertise and the technical capability of testing the hydrology. I want to go into a number of the variables to kind of paint the picture of the number of variables that are in play when it comes to a flood study. A combination of a high rainfall day and an already saturated landscape or a high rainfall day and an absorbent landscape, perhaps after a drought or just after summer, can produce completely different flood or water flow behaviour. Then the impact of rainfall in areas where there are significant riparian zones is different to newly cleared land. Where there are well-developed riparian zones or remnant vegetation, that landscape is more absorbent, the water takes longer to flow down into the soil and less of it ends up in the rivers and streams. In 1947 governments were still providing incentives for landholders to clear land, and with the return of soldiers from the Second World War land was being allocated to soldiers in soldier settlement areas with the incentive of significant land clearing. There is one theory that the particular dynamic that contributed to the high levels of flooding in south-east Victoria at that time was the previous year's rate of land clearing.

A further variable is the timing of a flood event. Flood areas within estuarine and coastal environments are different again. For example, if a flood occurs at the same time as a high tide, the difference between high tide and low tide can mean the difference between being flooded or not, depending on the other previous variables. Then of course you have got the Easter tides, which are significantly higher tides than usual. If the landscape catchment is already saturated with high rainfall upstream and high rainfall downstream and you have got an Easter tide and you have also got another variable, storm surge, where the ocean in a storm environment pushes forward and comes up the beach or up the rivers, this dynamic can result in an incredibly difficult-to-model dynamic. Even modern technological advancements would struggle to estimate how often that exact scenario would occur in any particular environment.

A further variable to consider and attempt to measure in flood modelling is the level of development in a particular potential flood landscape. Flood risk in an undeveloped, more absorbent landscape may be lower than in a highly developed, less porous landscape. Some of the mitigation actions translated into a local government planning scheme in this scenario can include requirements for minimum porous land on each block: for example, you cannot concrete the whole block, or you must have 15, 20 or 50 per cent of your block of land able to absorb rainfall.

Then you have got another variable, which is the number of tanks that people have on their properties, and that too can have a retarding effect on a flooding scenario. But again, you have got to add all of those other scenarios into the picture before you can actually tell whether or not that is going to impact. I know that a water collection scheme in north-east Warrnambool, which is only a very small distance away from south Warrnambool, because Warrnambool is not that big, certainly has a retarding impact on the south Warrnambool flood study, which not just is good for flood prevention along Russell Creek and the Merri River but also is good for environmental outcomes for water.

The other scenario that I want to raise is the natural landscape, and in South Warrnambool you have a swamp called Kelly Swamp. I apologise for not knowing the Indigenous name to Kelly Swamp, and I will endeavour to find that out. Kelly Swamp acts as a natural retarding basin. All of these things are really worth measuring and finding out about when it comes to trying to estimate what is going to happen in any particular dynamic within a flood area. We do access – and this current study we are talking about on the Maribyrnong has definitely accessed – the best available science, including on

climate change, which is an additional variable. Melbourne Water certainly reports that this is the first flood study they have been involved with that has included estimates – best-case estimates or all-case scenario estimates – of climate change into that variable. Then you have got mitigation activities that can look at taking account of the baseline flood-risk scenarios that I just described and then attempt to estimate: if we put a flood wall in, if we did this, if we put backflow mechanisms in stormwater, if we prevented landfilling, would we be able to make the scenario better or worse?

All up, my consideration here is definitely about the complexity, and I think the work that has been done in the space is very good. It does disappoint me that this motion pre-empts the outcome of the flood inquiry. I am a member of that committee as of this year, so I do find this a little bit frustrating, and I share my colleagues' concerns about the logic behind this motion at this point in time.

Michael GALEA (South-Eastern Metropolitan) (11:32): I also rise today to make a contribution on notice of motion 460, which has been put before us by Dr Mansfield concerning a very important subject, and that is one that we are very sadly seeing far too much of, which is the impacts of climate change on our cities and our regions. As members may be aware, I grew up in the outer suburbs of Melbourne in a significantly fire-prone area. In January of 2009 the accepted practice was that when a bushfire hit you could leave but most people would stay and defend. You had your bushfire plan, and you would prepare yourself as much as you could to deal with whatever the fire would bring. Then in February of that year we had the Black Saturday bushfires, and everything changed. Very few people after that, certainly in my neighbourhood, would continue with their plans to stay and defend.

The impact of natural disasters such as fires and floods is having a significant effect on this country in particular. We have always been the land of droughts and flooding rains, but what we are seeing in this current generation is an unprecedented level of natural disasters, storms and freak weather events. We saw them again just this year with a freak storm that lashed through southern Victoria and in particular the south-east and South Gippsland causing, very sadly, one loss of life but also incredible amounts of damage – people without power and without phone reception for days and in some cases weeks on end – and this came just after other historic freak storms back in 2021. So too, with the flooding events, particularly in northern Victoria and also in the Kensington area and the Maribyrnong area, in those 2022 floods, we saw what was originally a once-in-100-year event now happening every few years.

The Environment and Planning Committee is doing a very important job at the moment, which is to look at this issue. Indeed different committees deal with all sorts of different work in this place. I note that it is a committee that I am not on. As with many other members in this place, I am on quite a number of committees. I am not personally on the Environment and Planning Committee, so I am one of the ones who is very much looking forward to seeing what that committee has to report on the 2022 floods when it releases its report in just a few weeks time. That committee has spent the best part of this term so far – in fact all of its time in this term so far – looking at this issue. It is important work that needs to be done. I read with interest the interim report, and I am particularly looking forward to seeing what the final report will say and also, critically, what findings and what recommendations it will make, because if we are to have faith in the parliamentary process, we need to entrust it to do the job that we set it up to do.

My colleague Mr Batchelor spoke of his disappointment as the current chair of that committee in terms of seeing the work that that committee is doing effectively undermined by this motion, which is seeking to shortcut the answers, shortcut the results and lead to another inquiry. Perhaps the Greens member who is on that committee – I am afraid I am not sure which member it is – is not satisfied with the outcome, but that is something we should see in a minority report, in the findings, in the recommendations or in the record of votes. I reiterate what my colleague Mr Batchelor said and indeed what others from the crossbench have said as well: we should allow this committee to do its job. If there is further work that needs to be done, then there is further work that needs to be done, and if those recommendations are not sufficiently adopted to the satisfaction of this chamber, then this chamber should look at further referrals, whether they be to the Ombudsman or indeed to another place. I

express my disappointment, adding it to Mr Batchelor's as well, but nevertheless I am very much looking forward to seeing what that committee has to report when it releases that report in just a few weeks.

I note that on the work plan for that committee there is another referral that was put through to that committee, with the support of the government, by the Greens. The next item of business is an inquiry into climate resilience, and that will be a very important inquiry. I spoke in favour of that inquiry in this place and for the reasons that we are discussing today – significant flooding issues happening in areas where floods did not used to happen and the fire risk that we are now seeing not just in the outer, outer outskirts in fact but even in places like Narre Warren, where we have seen fires happen. In those outer suburbs that are not even right on the edge we are seeing an increased fire risk – an increased risk of grassfires and of bushfires. It is a very concerning thing to see as a Victorian and as someone who represents that region in the south-east suburbs which is experiencing those risks. We have been fortunate not to have had extreme flooding in my region, although we did have, as I said, some significant storms, and we have that fire risk as well.

The climate is changing, and I think that goes to another point that has been made earlier as well: it is not the modelling that is changing as much as it is the climate that is changing. The models that we were using 30 years ago are in no way sufficient for what we need to be looking at today in terms of our climate risk. That has to change and that has to adapt. Again, like others in this place have said, I would prefer to follow that science and not undermine and not seek to undercut that scientific modelling. I am also not a hydrologist.

This is important work that needs to be done. In speaking on this motion today, whilst I am disappointed to see this circumvent the committee process and the parliamentary process that we already have in place, I do want to re-emphasise the point that this is something we should be taking very seriously as a chamber, which I believe we do, and as a government, which I believe we do as well. There is always more to be done, and there is always more to be learned. With the climate changing the way it is, we are having to change these models at a rapid rate.

My comments have to be somewhat restricted because I am very much waiting to see what this committee will come back and report to us with and what failings, if any, there are in the modelling that currently exists that that committee may seek to improve. It may say, 'This is a problem; we'll fix it,' and we will have a clear recommendation to government that there is something to be fixed. If that is the case, then I very much look forward to seeing that action take place. But shortcutting that process and referring the matter to the Ombudsman is missing a step. It is missing a step in due process to this Parliament, to this place, and it is missing a step with any recommendations that may be brought up by that committee. You do not serve this issue by doing that.

I note as well, as other speakers have done, that considerable investment has taken place by this government in response to the floods that happened in 2022 already. I will not seek to go through everything in great detail, but we of course have the *Victorian Floodplain Management Strategy*, which was initially released before the floods in 2016 – the third biannual report of that strategy's implementation was published in 2022. There is always more work to be done, and from what I see as an outsider in this space, that work is being done.

There have been numerous strategies and numerous flood studies, works and upgrades to levees across Victoria. We had the regional sitting in Echuca just a few weeks ago, and we were able to see and hear from that community. I realise that today is about Kensington, but all communities that are affected by floods deserve our attention, and it was really good to be up there to see and hear firsthand from people in Echuca. I have said in previous contributions that the value for me, and I believe many others in this place, was not so much being able to go there and show them about the Parliament, it was about hearing from them. I know that this parliamentary committee has heard from lots of people – from the experts, from academics, from Melbourne Water and from councils but also from the residents, the people affected by these floods in 2022, both in Northern Victoria and the inner north-west. I am very

much looking forward to hearing their perspectives, their views and their calls for action through the Environment and Planning Committee's report. I will leave my remarks there as I do not have much time left. Again, I note my anticipation of the EPC report and my slight disappointment that we are not waiting to receive it first.

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (11:42): I was not intending to speak to this particular motion, but I do think that it warrants a contribution, as much as anything, for the statewide, nationwide and global challenges that we are facing as a consequence of really unprecedented volatility in climate. As our populations grow we find ourselves moving to areas that were previously not understood to be of a risk profile but that, thanks to contemporary technology, much more intricate data modelling and a better understanding of the way in which land is used and the impact of infrastructure, are now understood to be statistically more vulnerable to flooding events in that situation of climatic volatility.

When we talk about the population growth to the west and the increased vulnerability to grassfire, when we talk about the growth of the populations across our regional centres – the rural centres adjacent to large tracts of land vulnerable to bushfires that start because of lightning strikes and often continue to burn and to cause destruction; in the Black Summer fires we saw 1.7 million hectares of land destroyed – we know that modelling needs to keep pace with the way in which our environment is changing and the impact of population growth and the expansion of the way in which we use our land. This is where modelling comes in as being necessary to understand the impact of climate change and, correspondingly, the opportunities that we have and the responsibilities that we have to mitigate and to manage that risk.

I look to the motion that is on the notice paper today. It reflects the large-scale grief and anger, frustration and despair of communities affected by the Kensington Banks modelling and indeed by the broader impact of the Maribyrnong flooding events. This is one example of the challenges that communities are facing. In Rochester, in Echuca, in Mildura, where we see encroachment, where we see populations growing and developing, we also know the uncertainty inherent in managing, without proper, accurate, contemporaneous data that takes advantage of technology, what the impact of large-scale inundation looks like. There is a lot to do around the way in which governments respond to these challenges: the work that we do to hold our insurers to account, to partner across all levels of government and to take action that not only considers and incorporates the facts and the data from this modelling into decision-making but also provides opportunities to mitigate and to manage into the future.

We know – and I am not a hydrologist; I get a lot of information, briefings and detail from people who are experts, global experts, in this field – that when you have infrastructure that is built and developed and you have inundation, water will behave differently as a consequence of the development of that infrastructure. Population growth has the same impact. We therefore know that it is incumbent upon us, it is our responsibility, to make sure that information continues to be updated over time. The Pagone review is one such review, undertaken by Melbourne Water, which has found that modelling needs to be reviewed every five years and updated every 10 years to provide the best possible reflection of changing environmental circumstances, of changing demographics and of the way in which we use our land.

We also need to understand that this is a statewide problem across a range of different impacts and the risk profile as it changes of natural disaster. Inquiries are important, and that is why we have had a flood inquiry that has been going for some time. There is the climate change adaptation inquiry. There are numerous inquiries into a range of responses to natural disasters.

The thing that I would put to people around this chamber is the work that we need to do is being informed by the Parliament's work, the interrogation of compliance with existing rules and regulations and the rights of communities and citizens to understand the impact upon them as further information is made available – what that looks like for underfloor and overfloor inundation. A reference to the

Ombudsman by reference to what has already happened here invites the conclusion that for every natural disaster that has been experienced or will be experienced over time there is an expectation that a similar inquiry will be the will of the Parliament. I am concerned by that, and I look forward to the inquiries, the public inquiries of Parliaments just like this one, being able to examine the impacts in a way that people – *(Time expired)*

Sarah MANSFIELD (Western Victoria) (11:48): I thank the members who have made contributions to this discussion. In particular I would like to thank Mr Mulholland for sharing many of the real-life experiences of residents, who this motion is actually about. I would also like to thank Mr Ettershank for his very measured contribution. I know he has been very closely involved with this issue and the residents in that area, and he was able to provide excellent context for why this referral is required.

We have heard a number of contributions from the government that are saying this is about climate and weather. This is not just about climate change making floods worse; people understand that things change with climate change. This is about a change to the 2024 modelling, which is essentially an admission that the government agencies got this wrong in the first place. But communities, ordinary families, are paying the cost for government mistakes and poor planning. That is what this is about. This is an estate that is only between 10 and 25 years old. We have got families who only bought their homes six months ago that were told that their homes were above the flood level. Now they are told they are not. Families and communities are being let down by these government decisions through no fault of their own. We think that is worthy of looking into.

I make reference to Mr Batchelor's comment that flood risk is a function of the climate and built environment. The built environment is a direct result of planning decisions that were made by government authorities. There were a lot of references made to the current 2022 floods inquiry. Our understanding is that inquiry is coming to a conclusion. Perhaps those on the committee know otherwise, but that is our understanding. There are issues that will continue to emerge that may be somehow linked to the issue of floods. This issue emerged very recently, too late for that flood inquiry to look at. Some issues that emerge at this stage or beyond will flow into other inquiries like the climate resilience one. Some will need forensic investigation like the one that we have before us today. This is a really significant matter for a huge number of community members. They are distressed, they want answers and they need support, and the concern is that there have been systemic failures here of government agencies.

This chamber is entitled to make a referral to the Ombudsman. These are genuine concerns about government policy failures and failures of government agencies. It is exactly the sort of issue that deserves investigation. It is well within the remit of this chamber to make a referral to an appropriate entity to undertake such an investigation. This chamber is not just here to do what the government wants. It is also exactly what we have an Ombudsman for. Transparency and oversight of government decisions is important for a healthy democracy, and it is disturbing that the government is so ferociously resisting this scrutiny. While I am sure the government might prefer that the Ombudsman had nothing to do, their job is actually to keep government and public organisations in check. That is from the Ombudsman's website. They do it independently, so to say we are weaponising integrity agencies for political purposes I think is absolutely absurd, as was one of the comments put forward.

If there is nothing to hide in this situation, if the government can stand by its decisions, if it stands by the decisions made by its agencies, then there is nothing to fear here. I think this is a very reasonable thing to do. Given what is occurring and what we are hearing from residents we believe further forensic investigation of this should be undertaken. There should be some comfort to the government that this will be done by an independent entity in the Ombudsman. In any case we hope that the chamber will support this referral so that residents can get the answers that they deserve and that we can restore some confidence in these sorts of processes for future residents not only of this estate but who may be affected by planning decisions made by government and government agencies going forward.

Council divided on motion:

Ayes (34): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Katherine Copsey, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Noes (3): Jeff Bourman, Moira Deeming, David Limbrick

Motion agreed to.**Business interrupted pursuant to sessional orders.***Members***Minister for Skills and TAFE***Absence*

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:00): Minister Tierney remains unwell. I will take questions on her behalf.

*Questions without notice and ministers statements***Housing**

Samantha RATNAM (Northern Metropolitan) (12:00): (565) My question is for the Minister for Housing. Last week the Yoorrook Justice Commission held social justice hearings. During these hearings on the housing crisis the deputy CEO of Homes Victoria said:

... land is the single most prohibitive cost for ... increasing social housing ... and this will be subject to what the outcome of treaty is. From a social housing increase perspective, that would be the opportunity for Aboriginal housing to grow ...

In the past four years 16 hectares of public land worth \$54 million has been sold off by this Labor government. A further 148 sites of public land, 2500 hectares, are currently being prepared for sale. This land could be used for Aboriginal housing and public housing, yet it is being sold off without First Nations consent. With a housing waitlist of over 120,000 people and your own department's admission that it is the biggest barrier to social housing, why is your government selling off so much land that could be used for public housing?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:01): Thank you, Dr Ratnam, for your question. At the outset I am not going to share with this place the information, the evidence or the detail of what I will be saying to the Yoorrook Justice Commission when I appear before it next week. To do so, in my view, would be fundamentally disrespectful to the terms that you have just outlined in your preamble around this question. Again, I just want to be really clear about that, because your question did start with the Yoorrook Justice Commission and did refer to materials that were put in the course of that panel discussion.

David Davis interjected.

Harriet SHING: Mr Davis, I will take up that interjection. Submissions have been sought by and received by the Yoorrook Justice Commission. The very point of the Yoorrook Justice Commission is that it is in a position to ask the questions that are directly relevant to the challenges, the dispossession, the disadvantage, the inequity and the history of violence experienced by First People in systems and in outcomes. I will give my responses to the Yoorrook Justice Commission on those matters when they ask me and not before.

On a separate matter, Dr Ratnam: again, you have not actually sought out a briefing on social housing. You do not have much time. I am really happy to provide you with one before you head off, if you do indeed change your mind. Across the state the investments that we are making in a capital program and in ongoing operational costs are unprecedented. We will deliver more than 18,000 new homes across the state as a result of state and federal funding and those partnerships. We will also unlock sites for the development of housing across the state, as contemplated by and set out very clearly in the housing statement. *Mana-na Woorn-tyeen Maar-takoort: Every Aboriginal Person Has a Home* also sets out a range of initiatives around long-term planning and decision-making to address and to identify this disadvantage. We have very clear targets around the delivery of housing for First Peoples. We have housing providers – Aboriginal Housing Victoria and Rumbalara – and indeed we have the entry points from Ngwala Willumbong and Wathaurong. This is ongoing work –

Samantha Ratnam: On a point of order, President, on relevance, there are 30 seconds to go. I asked a very specific question. The minister has not responded to the question that I have asked yet, and I would ask for her to be drawn back to the relevance of my question.

The PRESIDENT: I believe the minister was being relevant to the question asked in terms of what the government is doing in the area of your concern. There are 30 seconds left, and I will ask the minister to continue.

Harriet SHING: Thank you. Dr Ratnam, you cannot stand up here and ask a question that is about one specific cohort, broaden it and then, when I am doing my best to provide answers to the two components of that question, suddenly stand up and say that I am not being relevant, because that says that there is a disingenuous basis for your question. We are talking about more than \$6.3 billion in social housing. We are talking about \$197 million in homelessness supports plus the \$300 million that is already there. Rather than making up – *(Time expired)*

Samantha RATNAM (Northern Metropolitan) (12:05): Just to remind the chamber as well, my question was specifically on public land sales, and the minister did not refer to public land sales once in her 4-minute response. My supplementary is: connected to those Yoorrook hearings we also heard the Secretary of the Department of Families, Fairness and Housing talk about the public and community housing waitlist. She confirmed that those with priority access on the waitlist should have to wait 20 months on average to access a home. Those are people with priority access experiencing family violence and other significant vulnerabilities. But when asked by Justice North:

As of today, if I came along and I said, ‘I’m on the bottom of that list, how long do I have to wait?’

The reply from the secretary and deputy CEO was:

To be honest, I don’t think we could tell you.

Minister, given the scale of public land sales, and it being the biggest barrier to increasing the amount of public and community housing we have in this state, will you now commit to keeping public land in public hands to build at least 100,000 public homes over the next decade to get to the bottom of that waitlist?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:06): Dr Ratnam, here we are again. The biggest barrier to delivering homes in this place comes from opposing development, which is what you did when you voted against the Markham estate development and which is what you did when you teamed up with the Liberals to make sure that that development could not go ahead. You have a track record, and your councils have a track record, in blocking investment.

Members interjecting.

Renee Heath: On a point of order, President, the minister is debating, and I would ask you to bring her back to the question.

The PRESIDENT: I will bring the minister back to the question and remind members that you should not be pointing towards other members.

Harriet SHING: Allow me to use the open palm. The Greens voted against social housing development. The coalition voted against social housing development. We are determined, notwithstanding the ridiculous lowest common denominator political misinformation campaigns –

Samantha Ratnam: On a point of order, President, on relevance once again, I asked a specific question. I will not repeat it, given your direction previously. I can if anyone needs a reminder. I asked a specific question, and once again in the supplementary response not once has my question been referenced in response by the minister. I ask that the minister be drawn back to relevance in responding to my question.

The PRESIDENT: I will bring the minister back to the question.

Harriet SHING: Right. So while you and you continue to block developments for social housing, we will get on with that work. Why don't you, Dr Ratnam, direct these questions around land to the Minister for Planning, which you should do if you know anything about the portfolio? The offer of a briefing stands, Dr Ratnam.

Samantha Ratnam: On a point of order, President, I ask that I receive a written response to both my substantive and supplementary questions, given neither was referenced in the response by the minister.

The PRESIDENT: I will consider that and give a response, as I always do, at the end of question time.

Emergency services

Georgie CROZIER (Southern Metropolitan) (12:08): (566) My question is to the Minister for Emergency Services. Minister, during PAEC you were asked to provide a breakdown of how the \$1.729 billion budgeted for emergency services is being distributed between our emergency services. The breakdown you gave in response leaves \$375.6 million unaccounted for. Minister, where is the extra \$375.6 million being spent?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:09): I thank Ms Crozier for her question. Can I clarify: in terms of the material you are referring to, was that the material that was taken on notice and then returned back to PAEC, or are you referring to my evidence at PAEC?

Georgie Crozier: Your evidence at PAEC.

Jaclyn SYMES: I will have to review my evidence at PAEC. Also, I can provide to you the written responses to questions on notice that are in relation to the breakdown of expenditure, because from my recollection I offered to Mr O'Brien to take that on notice because I was not in a position to waste the time of the committee flicking through all of my folders and going through each agency. So the question that you are asking me directly relates to the question I took on notice, and I am prepared to provide that answer to you.

Georgie CROZIER (Southern Metropolitan) (12:10): Thanks, Minister, for that assurance. I think there was a response that you did provide. The response given to Parliament included the Victoria State Emergency Service, Fire Rescue Victoria, the CFA, Triple Zero and Life Saving Victoria. The breakdown did not include a budget for emergency services Victoria. Could you confirm whether emergency services Victoria has been allocated the entire \$375.6 million or if there are other allocations? You might need to come back on that as well.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:10): I appreciate the question; I am more than happy to answer it. There are a range of agencies that are in

the response, including the State Control Centre and the like. As my response to your substantive question, we have signed off the response to PAEC, which I think will go directly to your questions. If there is anything outstanding, I am more than happy to provide that. That is not a problem.

Ministers statements: child protection

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:11): Today I wish to acknowledge the coroner’s findings in the case of XY, who passed away in 2021. The death of any young person in any circumstance is tragic, and I express my condolences to family, friends and the communities that they belonged to and were connected to. As is appropriate, the Department of Families, Fairness and Housing cooperated with the coroner in their inquiry and will respond to their recommendations in line with the timeframe. I also take this opportunity to thank the coroner for their work and to acknowledge these findings across the more than 200-page report.

Last year at the Yoorrook Justice Commission I apologised formally and unreservedly for the harm caused by the historical removal of First Peoples children from their families, their communities and their country. I also acknowledged that there are real and lasting legacies in the form of unconscious bias and systemic racism that need to be identified and removed. On becoming minister I knew that there was significant work to do to address these harms. Last year, with the support of this house, we passed the statement of recognition bill, which changed the Children, Youth and Families Act 2005 to introduce a statement of recognition and recognition principles, legislate all five elements of the Aboriginal child placement principle and expand authorisations to the Aboriginal Children in Aboriginal Care program to include investigative functions and powers. This was in recognition that First Peoples are best placed to lead and inform responses for First Peoples children and families.

First Peoples self-determined policies and programs are and will continue to be a significant lever for destabilising structural inequality and systemic racism. That is why we made the single largest investment of \$140 million in the 2023–24 budget to support Aboriginal community controlled organisations to provide culturally safe child protection services and keep children living with their families and communities. In addition, as I have previously advised this house, we knew we had to do more to support children and young people in residential care, which is why we have invested a record \$548 million in the 2023–24 budget towards delivering improved outcomes for children in residential care. This included funding to ensure all children in resi care are supported to access therapeutic supports by 2025–26. I again acknowledge the coroner’s findings – *(Time expired)*

Duck hunting

Jeff BOURMAN (Eastern Victoria) (12:13): (567) My question is for the minister representing the Minister for Outdoor Recreation. Minister, the compliance data released by the GMA following the 2024 duck season shows that the rate of offending by anti-hunting activists increased markedly while hunter compliance remained exemplary. We have activity totals for a number of wetlands patrols: in 2023, 216; in 2024, 511. Game and firearms licences checked: 1212 in 2023; in 2024, 1572. Hunter bags checked: 981 in 2023, 1213 in 2024. Hunters who had overbagged: in 2023, two; in 2024, none. Banning notices issued: in 2023, two; in 2024, 22. Minister, what actions is the government taking to address what can only be clearly a culture of law-breaking amongst the extremist activist community?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:14): I will pass Mr Bourman’s question on to Minister Dimopoulos.

Jeff BOURMAN (Eastern Victoria) (12:14): I thank the Attorney-General for forwarding that on. The illegal behaviour by the extremist activist community includes harassing families in their camps and driving vehicles dangerously at authorised officers. We have seen overnight how dangerous this level of escalation in illegal protest can be. What actions will the government take to protect the safety of licensed, law-abiding duck hunters and authorised officers who are doing their jobs?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:15): I thank Mr Bourman for his question, for raising these important matters and for his concern for the safety of a cohort of Victorians, which is obviously a priority of the government as well. I am sure Mr Dimopoulos will be able to provide some information in relation to that, plus some cross-portfolio information perhaps.

North East Water

Wendy LOVELL (Northern Victoria) (12:15): (568) My question is for the minister for housing and water. Local governments, builders and developers in Victoria's north-east have all raised concerns about the lack of water infrastructure to support new housing in their communities. As many as 500 lots in the Kiewa–Tangambalanga area cannot be developed until the sewerage is upgraded and the water infrastructure improved to deliver water at a reasonable pressure. Rutherglen has five applications for development that are hamstrung by North East Water. One will only be partially connected to reticulated water and sewerage, leaving the remaining lots to rely on rainwater and septic tanks. Wodonga is equally stymied. As an example, an application for a 300-lot subdivision on the fringe of the city was limited to 100 lots by the water authority. Minister, what are you doing to ensure North East Water can fast-track the delivery of infrastructure to ensure new housing can be delivered to combat the housing crisis in north-east Victoria?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:16): Thank you, Ms Lovell, for that question and for your interest in the intersection I think between housing and water. You referred to that at the outset of your question, so I will try to attach my answer to both of those portfolios.

Wendy Lovell: No, just answer about the infrastructure in north-east Victoria.

Harriet SHING: Yes – through you, President – to deliver on the housing outcomes and the construction of housing. To assist you, Ms Lovell – and again I am really happy to provide you with any further information in your supplementary – I will approach this from two separate angles. We have got at the moment around \$1 billion in housing infrastructure from the Commonwealth that will be used to assist with trunk infrastructure. That includes those essential service connections as a consequence of those negotiations that were reached with the Commonwealth before the most recent federal budget was announced. In addition to that, we have a range of initiatives that are about trunk infrastructure. So whether that is the Ararat pilot or whether it is other work being undertaken –

Wendy Lovell: This is Wodonga, north-east Victoria.

Harriet SHING: Yes. Again, I am giving you examples of what is being done. Ms Lovell, what we do need essentially in the first instance around moving from sewerage into an integrated pipe network is the willingness and the buy-in from communities who will be transferring from one system to the other. This involves a range of fees associated with the delivery of that pipeline infrastructure, and it is also about making sure that we can align that work further with the objectives of expansion.

The north-east region is going to benefit from about \$391 million in new and upgraded water and wastewater infrastructure in that current price period of 2018 to 26. That is a really significant increase off the back of the initial investment of about \$141 million, when prices were in fact set. North East Water has indicated support for growth in Kiewa and Tangambalanga subject to funding. This was not originally included in the 2018 to 26 plan, but in this year's budget North East Water has also identified different infrastructure priorities that are more critical at this time. We are in a situation that is incredibly dynamic, particularly off the back of floods and large-scale inundations. The 'build back better' and 'no regrets' work that is happening, as you would well know, Ms Lovell, is a big part of that. The new proposed timing on deferred investment for stage 2 of Kiewa has been until 2026–27, and we are also making sure that that aligns with the first year of the next price submission, which will enable that engagement to occur with communities. I am really happy to make sure that you are part

of that work so that this is something which, again, communities have the relevant level of information about.

Wendy LOVELL (Northern Victoria) (12:19): Minister, this problem is largely seen as the result of a lack of action by North East Water and the Labor government over the past decade. Will you implement an audit of water infrastructure in the area covered by North East Water and fund any necessary upgrades it identifies to support delivering more housing?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:19): Again, Ms Lovell, we have come back to the intersection between water infrastructure and housing. I am really amenable to helping you through further –

Wendy Lovell interjected.

Harriet SHING: Again, Ms Lovell, you have asked me a question in relation to both. I am assisting you with information in relation to both. North East Water has indicated support for its growth projects in funding, and we do see that the budget process has increased that funding. It is \$391 million, and that is an increase from \$141 million.

Wendy Lovell interjected.

Harriet SHING: Ms Lovell, we are in the process of developing staged outcomes for water authorities and growing communities that meet needs within the envelopes that we have available and accommodating the challenges that have arisen because of infrastructure demands and pressure in response to a whole range of challenges that you see and know and experience full well because of your role in the community. The floods, for example, have had a significant impact on this work. I am looking forward, though, to continuing that work around long-term funding and assistance.

Ministers statements: mental health services

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:20): I rise to update the house on expanded mental health services that are now available across the Brimbank LGA. Recently I visited the Brimbank mental health and wellbeing local, one of 15 services already operating across the state, providing free, easy-to-access mental health and wellbeing support for people in their community and closer to their support networks. Since March 2023 Cohealth, in partnership with Clarity Health Care and the University of Melbourne, has delivered services for Brimbank and the surrounding communities through walk-ins, face-to-face appointments, telehealth and outreach. The Brimbank local is now offering treatment, care and support through telehealth on weekends as well, which means even more people in Brimbank can access mental health treatment, care and support where and when they need it.

The Brimbank local has also introduced assertive outreach workers and, in partnership with Jesuit Social Services, new alcohol and other drug dual-diagnosis workers who will work out in the community and connect with people who may be less likely or unable to attend the local. While I was there, I was fortunate to meet Angela and hear about her positive experiences at the Brimbank local since it first opened. Having expanded services will mean less barriers for people like Angela in the Brimbank area, who can get the support they need when they need it closer to their homes.

The Allan Labor government is ensuring all Victorians will receive the mental health support they need when they need it as we rebuild our mental health system from the ground up. Thank you to the whole team at Brimbank for the amazing work that they do every day supporting the broader community in the Brimbank LGA.

Change or Suppression (Conversion) Practices Prohibition Act 2021

David LIMBRICK (South-Eastern Metropolitan) (12:22): (569) My question is for the Attorney-General. Back in March I asked the Attorney about the pending review of the change or suppression act, and the Attorney replied at the time with an answer to the effect that she was giving it careful

consideration. I am wondering whether the Attorney has received any further advice or given further consideration to the timing of this statutory review, and would she be able to share the current plans with the house?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:23): I thank Mr Limbrick for his question and his interest in this matter. As was confirmed in my response to you in writing, and to a number of other members who raised these issues, there has been no change since that response to you.

David LIMBRICK (South-Eastern Metropolitan) (12:23): I thank the Attorney for her answer. One of the concerns about the potential review is that a number of groups and members of the public – I know that the Attorney has been contacted by a group called Parents of Adolescents with Gender Distress – would like to participate in this review. Has consideration been given to the possibility of various groups being able to participate in this review?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:23): Consideration, yes – finalisation of that review is underway.

Child protection

Georgie CROZIER (Southern Metropolitan) (12:24): (570) My question is for the Minister for Children. Minister, the Commission for Children and Young People’s report *Let Us Learn: Systemic Inquiry into the Educational Experiences of Children and Young People in Out-of-Home Care* found:

... disparities in educational outcomes that are as stark as they are shameful.

And that:

Across every measure, children in care are worse off.

Minister, what have you done to address this shameful record of ignoring the education of children in care?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:24): Thank you, Ms Crozier, for your question. It is indeed a pattern, but again I feel the need to reject the premise of your question, which is that we are ignoring the needs of children in care. From their health and wellbeing needs to their education needs, all needs of children in care are important, and in fact in many senses they are amplified by the fact that they are in our care system, because as we have talked about on many occasions in this chamber, children in care are amongst the most vulnerable children. They have missed out on many opportunities in various aspects of their lives along their journey. We consider it our absolute obligation to ensure that children in care receive the best possible care, and that includes the best possible education.

Every child in the care system has a care plan, and fundamental to their care plan is their education needs. I acknowledge the work of the commissioner for children and young people, and in fact I believe I am meeting with her again later this afternoon. I discuss these matters with her regularly, and her contribution through the *Let Us Learn* report is indeed important and has informed many of the considerations of both me and the Minister for Education. But we do have many ways in which, at a very tailored and individual level, we look at the needs of every child who is in care in relation to both their education and other aspects of their circumstances. The individual case of each child is different and the supports that they might need to achieve their education are different, and what is indeed an achievement and a milestone, as is the case for every child, is also different. The department and the community service organisations that partner with us in the delivery of care for children in the care system absolutely have first and foremost in their minds the health, wellbeing and education needs of every individual child in their care.

Georgie CROZIER (Southern Metropolitan) (12:27): Minister, thank you for that response. According to the commission’s report, only 25 per cent of children in care reach year 12 and they

receive substantially lower NAPLAN results across all year levels and domains. The question is: when will vulnerable children in the state's care receive an education they deserve and improve on those results?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:27): Thank you, Ms Crozier. At the risk of repeating myself – and I would not necessarily expect those opposite to have a full appreciation of this, sadly – achievement is measured in many different ways and is very much individualised for each and every child, whether they are in the care system or not. For each and every child in our education system, including those children in care, but particularly for children in care from the perspective of the Department of Families, Fairness and Housing and the perspective of our community service organisation partners that also make up the care teams for these children, how we measure the success for one child is different on each and every occasion. Their care plans take into consideration the support that each and every child needs to achieve their full potential, which is absolutely the goal for each and every child in care.

Ministers statements: housing

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:28): I rise today to talk about the progress in social housing and homelessness – Dr Ratnam, this may well interest you. At the end of June, Homes Victoria forecasts the total number of social housing dwellings across Victoria will be 89,545. That is a gross increase of 2813 homes – 2813 homes. That is progress. That is not to say that we are there yet, but it is 2813 homes that will be able to provide a more safe, secure and affordable place for people to live across our state. They are homes for people from all walks of life, from women and children victim-survivors of family violence to people who are struggling with mental health and complex needs, young people and older people, and in particular women, who are statistically over-represented in the risk of homelessness or rough sleeping and financial and other disadvantage and are the fastest growing cohort of people experiencing homelessness.

We also know from the statistics – and I have said this before in this place – that 30 per cent of people who are entering homelessness services for the first time are coming from the private rental market. That is why when we do the work across the entire housing system to deliver more housing it is not just about social and affordable housing, it is necessarily about the development that partners with every single part of our landscape to deliver. In May and June alone our government expects to complete or acquire over 700 new social housing homes. This is, again, about delivering social and affordable homes where people want to live, and our precincts work is of key importance to making sure that as our population grows we are in a position to be able to provide people with that amenity, that community, that accessibility and that opportunity for people to come into and to contribute to working, living and playing closer to the places that they want to be.

Victorians are moving into new homes every single week, and we are facing this global challenge head-on. We know that every other jurisdiction is experiencing these challenges. We know that internationally housing affordability and availability remains a top-tier challenge. Just last week I co-chaired the third ministerial homelessness reform advisory group meeting alongside Deb Di Natale, and that was really wonderful to welcome new participants, including people from the homelessness lived experience reference group. We are providing \$8.2 million funding on top of our \$196 million budget allocation to respond to that work on homelessness services.

Drug Courts

David ETTERSANK (Western Metropolitan) (12:31): (571) My question is to the Attorney-General. Drug Courts have proven effectiveness in supporting offenders to address the causes of their addiction and go on to live productive lives. They reduce recidivism and thus reduce demand on prison capacity and on treatment services, so they are also very cost effective. Legal services and AOD services in my electorate have long advocated for a specialist Drug Court in the west, where there is a dire need for one, and welcomed the government's announcement in 2021 that the new Wyndham law

courts would have funding for specialist therapeutic lists, including a Drug Court. Now that the Wyndham precinct will not open in 2025 as planned and given the government's commitment to funding a Drug Court in the west, will the government commit to funding a Drug Court list at the Werribee Magistrates' Court in the interim?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:32): I thank Mr Ettershank for his question. He has raised a number of matters that fall within my portfolio and services within the west. I might start with Drug Courts and point to the fact that this year's budget indeed includes investment in the continuation of the existing Drug Courts around the state, and further expansion of Drug Courts, and other therapeutic courts for that matter, will be informed by evaluations of the existing ones as well as by looking at financial considerations and consultation with communities and key stakeholders.

When it comes to the Wyndham law courts, anyone that has driven past that development will be under no illusion that it will be a transformational futureproofing project for that region. Construction is well underway. I attended a topping-out ceremony not that long ago and met with a lot of the people who are employed to construct that amazing facility. Stages of operationalisation – as it becomes operational, we will be working with Court Services Victoria. Obviously we need to complete the construction of that project first, and we also have existing consultation processes with members of the community and stakeholders and many of the people that I know Mr Ettershank is engaged with as well. We are also working hard to identify a number of services that will be provided in that facility, such as legal aid, interpreters, housing services et cetera. There are a lot of opportunities for that facility when it opens because Werribee will transfer over to there, but there are also opportunities for a number of other services. In the interim, as it is still under construction, we will continue to support the existing courts in the vicinity. You have got Werribee Magistrates' Court, you have got Melbourne and you have got Sunshine who have specialist courts, and they can continue to provide additional support for the growing demands of the Werribee catchment area in the interim before Wyndham opens.

David ETTERS HANK (Western Metropolitan) (12:34): I thank the Attorney for her response, and I guess you have sort of struck a part of my supplementary. Drug Courts and other specialist therapeutic courts rely on the provision of those wraparound services if they are to be effective. With the Wyndham court precinct unlikely to open before 2026 now, can I ask you perhaps to elaborate, if you would, Attorney, on what the government is doing in the interim to ensure that the new courts will have the access to the services needed to support the operation of their specialist therapeutic list, including accessible AOD services and public transport?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:35): Mr Ettershank, whilst I appreciate your question, you have touched on a number of portfolios. I am not the minister for public transport; nor am I the Minister for Mental Health, which takes in programs in relation to alcohol and drug programs. However, what I am excited about about the Wyndham project is its size, capacity for growth and the ability to connect with a number of services. Everyone in the room, I know, would understand and accept that when you have a legal issue it is very much usually not in isolation. There are underlying causes of offending behaviour, reasons that you have found yourself needing to access a court, and we want to make sure that as much as possible we are bringing in many of those services, whether it be co-location or nearby, making sure that they are accessible through a variety of transport options and the like. A number of ministers, including the local member, are very engaged in continued conversation about what this project can deliver when – timelines – and everyone is involved in that conversation.

Malmsbury Youth Justice Centre

Evan MULHOLLAND (Northern Metropolitan) (12:36): (572) My question is to the Minister for Corrections. Minister, in recent years tens of millions of taxpayer dollars were spent refurbishing the Malmsbury juvenile justice centre, which despite rising youth crime, has been shut down. The federal

government, local councils and other potential investors have toured the site as part of sounding out the market. Minister, what is the alternative plan for this expensive asset?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:36): I thank Mr Mulholland for his question and his interest in our Malmsbury facilities. I am proud to say that as a government we have invested in new infrastructure across our youth justice system and particularly our state-of-the-art Cherry Creek facility, which does take what works, evidence led. It was a key recommendation of the Armytage–Ogloff report to incorporate intensive treatment and care for young people, including medical supports and vocational and educational opportunities for young people in our custody and care. We take that very seriously. I want to thank the staff that work in our system at both our Parkville and Cherry Creek facilities and also thank the staff at Malmsbury, who did a fantastic job and worked very hard to keep us all safe but also to give these young people the best opportunity to turn around their lives, for over five decades. In relation to the use of that site, we have been very clear that there will be a community-led process. No decision has been made. In terms of the machinery of government, it has been transferred to Treasury in terms of the future planning for the site, so that question may be more appropriately answered by the Treasurer. The site has been handed over to Treasury, if that assists Mr Mulholland.

Evan MULHOLLAND (Northern Metropolitan) (12:38): I will note that the minister has spoken publicly in the media about options for this site, so it seems to be in his portfolio – at least he is commenting on it. The shutdown of the Malmsbury juvenile justice centre saw many local jobs lost. How will you ensure this taxpayer-funded asset is not left to rot?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:38): Thank you, Mr Mulholland, for the supplementary question. What I will say is I did make an announcement at the time. I said that there will be a community-led process, and Treasury is looking at those options. I know the local members are fighting very hard to put it to the best use possible, because that is what responsible governments do and responsible members of Parliament do. I look forward to that process. But as it stands now it is a site that was part of our youth justice system. It no longer is part of our youth justice system. Treasury is now in charge of that site, so I would request that future questions be directed to the Treasurer.

Ministers statements: Country Fire Authority funding

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:39): I would like to update the house today, Wednesday, on how the Allan Labor government continues to deliver for our firefighters, and today's information is in particular relating to the CFA. I have made two significant announcements in the last couple of weeks. Firstly, I was in Ballarat with the amazingly hardworking member for Wendouree to announce that local business SEM Fire and Rescue will build 25 new CFA pumpers that will begin rolling off the assembly line next year. This significant upgrade received \$18.6 million of funding in the budget along with another almost \$10 million from CFA's base capital funding allocation. The pumpers can seat five crew members and can pump 4000 litres of water every minute. The brigades that will receive the first 10 pumpers – which will be of interest to members in the chamber because they cover a variety of locations across Victoria – are Wendouree, Sebastopol, Kangaroo Flat, Eaglehawk, Narre Warren, Rochester, Emerald, Benalla, Bairnsdale and Lorne.

Last week I also had the pleasure of joining local members Mr Galea and Mr Tarlamis at the CFA State Logistics Centre in Scoresby, along with Upper Beaconsfield brigade captain –

Nick McGowan interjected.

Jaclyn SYMES: I am a big fan of Mr Wells, and I am sure he is very proud of the CFA State Logistics Centre, which is in his electorate. The local Beaconsfield brigade captain Ian Pinney joined me, along with third lieutenant Clint Patzack, to announce that every ultralight tanker in the fleet or

similar vehicle will be retrofitted or replaced to ensure that they have crew protection to provide shelter in the event of a burnover.

This represents upgrades to 246 existing vehicles and 33 new ones. I cannot understate the significance of this investment. It is so important for safety. I saw firsthand the incredible cutting-edge technology – it is minimal water, foam solution – that is deployed in the event of a burnover situation, saving lives. I want to commend the CFA – (*Time expired*)

Written responses

The PRESIDENT (12:41): Minister Symes is going to get Mr Bourman answers to both his substantive and supplementary questions from the Minister for Outdoor Recreation. Also for Minister Symes, in relation to both the questions to her from Ms Crozier and Dr Ratnam’s point of order around Minister Shing’s answers to her regarding housing, I am going to review that and I will get back to the house on those answers, hopefully soon after the luncheon break.

Constituency questions

South-Eastern Metropolitan Region

Michael GALEA (South-Eastern Metropolitan) (12:42): (930) My constituency question today is for Minister Blandthorn in her capacity as Minister for Children. This round of the Building Blocks program delivers funding to upgrade and improve early learning spaces across more than 1200 kindergartens across Victoria. Applicants for this round of funding who were successful include numerous kindergartens in my region of the south-east, including Beaconsfield Kindergarten, Berwick Kindergarten, Selandra Kindergarten, Orana Kindergarten in Clyde North and the Rowville 3 Year Old Kindergarten. This \$28 million round of funding builds on the more than \$200 million delivered by the Building Blocks program since 2020. This Allan Labor government is helping to create better spaces for kids to learn and grow. Minister, how will kindergartens in the South-Eastern Metropolitan Region benefit from the recently announced Building Blocks grants?

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (12:43): (931) Being able to read and write proficiently gives children the very best start at life. In my very first week in this Parliament I called for a structured phonics approach to be mandated in this state to combat the horrific literacy rates that have put a whole generation at risk, particularly in some areas of Gippsland in my region where one in two children do not reach proficiency standards. Last week I was delighted to hear Mr Carroll’s announcement to do just that. The changes mean that prep to grade 2 students will receive a minimum of 25 minutes a day of explicit teaching in phonics. However, since then the unions have cracked it and plan to go rogue. So my question for the Minister for Education is: what is the minister’s plan to ensure that the unions do not overrule the government’s mandate to teach Victorian children to read using a structured phonics-based approach?

Southern Metropolitan Region

Katherine COPSEY (Southern Metropolitan) (12:45): (932) My constituency question is to the Minister for Public and Active Transport. In 2022 the City of Boroondara released their 10-year bicycle strategy, which is sensible, achievable and will contribute to better community health as well as reduced emissions from transport. New research from Climateworks shows that shifting trips to active transport like cycling will be necessary to meet our climate commitments. Seventy-eight per cent of Boroondara residents are interested in cycling more but are concerned about potential safety risks. Overwhelmingly, current cyclists, potential cyclists and pedestrians identify that infrastructure for separated cycle lanes and walking paths is safer, creates less conflict and would encourage more people to cycle and walk more regularly. Minister, how committed are you to seeing the *Boroondara Bicycle Strategy* implemented in full, and how much funding has the government allocated for safer cycling to benefit people in Boroondara in my electorate?

Northern Metropolitan Region

Sheena WATT (Northern Metropolitan) (12:45): (933) Today my question is for the Minister for Environment in the other place. As I mentioned in my members statement, I had the opportunity to attend Brunswick Kindergarten's 100-year birthday celebration, where I got asked some really hard-hitting questions by some of our youngest Victorians. Among them was a little girl whose family collect their bottles and cans in an old washing basket in the backyard to take down to their local container deposit scheme. She told me that it is their favourite thing to do every Sunday afternoon – to go down to the reverse vending machine, tip out the cans and bottles and get her mum to hand them up to her while she stands on that upturned laundry basket depositing them for a little bit of extra pocket money. How good is that? It is little heroes like her that contribute to saving the environment and building a thriving circular economy while making a bit of pocket money in the process. My question today is for the Minister for Environment and courtesy of the parents of Brunswick Kindergarten: how many bottles and cans have been put through CDS in Brunswick LGA?

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (12:46): (934) For some time now locals in my electorate, in Ringwood, have been campaigning, rightly, for an improvement to an intersection – that is, the intersection at Eastfield Road where it intersects with Railway Avenue. So it was somewhat surprising, although welcome, to see a number of my colleagues in this place make an announcement with the state minister. Sadly, I must have missed the invitation to that little event that morning. But nonetheless I am very proud and enthusiastic for those who were present, just disappointed I was not there to share in the joy. I could see the joy in the photographs posted all over social media. Obviously it was a cold morning, but nonetheless it was a proud moment. I am very curious and keen to understand from the Minister for Roads and Road Safety how much the state government contributed to this particular black spot funding program – I do not know why they continue to call it that, but they do – and, more importantly perhaps for the local people and for the children who have to cross the road, for the car users and for all the road users, when that project will actually see fruition, because we need it sooner rather than later.

Western Metropolitan Region

Moira DEEMING (Western Metropolitan) (12:47): (935) My constituency question today was written by Mehar, a local school student in my region, and it is for the Minister for Education. Victorian schools are expected to face a shortage of more than 5000 teachers by the end of 2028, exacerbated by a dramatic decline in applications for teaching positions, from 14.7 per vacancy in 2021 to just 5.3 per vacancy now. The teachers that are left are burning out and teaching outside their subject areas, and that means that students are not getting the choice of subjects or the quality of teaching that they need. What action is the Minister for Education taking to address the teacher shortage in Victoria?

The PRESIDENT: I would imagine your concern is the teacher shortage in your region?

Moira DEEMING: Yes.

The PRESIDENT: Very good.

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (12:48): (936) My constituency matter is for the Minister for the Suburban Rail Loop. Over the last two weeks nearly a thousand people in my electorate have signed and joined with me in saying yes to parkland and no to overdevelopment in Box Hill. Another petition by the brickworks parkland association has attracted almost 2000 signatures. For the thousands of locals who have signed, turning the Box Hill brickworks into a thriving public park is one of their top priorities. Open space in Box Hill will fall from 36 square metres per person to just 6 during the SRL property development project. It is with deep concern that I was informed by an SRL official that the Suburban Rail Loop Authority is in discussions with the

owner regarding the development of the site and a road through it. Will the minister respond to calls from community members to commit to no new housing development on the Box Hill brickworks site and convert it into much-needed, vibrant public parkland for the benefit of the local community?

Northern Victoria Region

Georgie PURCELL (Northern Victoria) (12:49): (937) My constituency question is for the Minister for Agriculture. One of my wonderful constituents recently rescued two orphaned lambs, naming them Binky and Daisy. They are just two of the countless lambs currently being born into the freezing temperatures of the Macedon Ranges. Like many newborn lambs, Binky arrived unwell with early stages of pneumonia. With round-the-clock care he is now thriving, spending most of his time sleeping as close as he possibly can to the indoor fire. Every year during Australia's lambing season as many as 15 million newborn lambs die in the first 48 hours of their lives due to hypothermia, starvation, exposure and neglect. These are harrowing statistics that the wool and meat industries have made clear they will just accept as part of business. What is the minister doing to reduce lamb mortality rates in Northern Victoria?

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (12:51): (938) My question is to the Minister for Multicultural Affairs. Obviously there is a very significant Jewish community in the Southern Metropolitan Region, who have expressed their concern to me about recent antisemitic attacks. What is the government doing to combat antisemitism? I just want to spend a couple of minutes to acknowledge the pretty violent and despicable attack on the office of Josh Burns, the federal member for Macnamara – a friend – and his staff, who woke up this morning to the sight of a break-in and an attempted arson attack and what can only be described as antisemitic graffiti spray-painted across the front of his office. The fire that was attempted to be lit would have also put in danger the lives of the residents who live in the apartment above his office. These are very, very concerning developments. I think everyone across the Parliament should express their concern about the escalation that this demonstrates and do what we can to de-escalate this sort of behaviour.

Western Victoria Region

Bev McARTHUR (Western Victoria) (12:52): (939) My constituency question for the Minister for Emergency Services concerns strike action proposed by local CFA brigades in Western Victoria Region over what they describe, quite rightly, as the Victorian government's reckless renewables expansion. These brigade volunteers come from communities which will bear the brunt of the government's rushed, incompetent efforts to implement its 95 per cent renewables target by 2035 and of its inexplicable attachment to the Victoria to New South Wales interconnector, which the Australian Energy Market Operator's own figures show will cause Victoria to become dependent on importing power from New South Wales. Rightly, brigades will still respond to threats to life, but my question to the minister is: will you simply acknowledge, as the brigades demand, that high-voltage lines are potentially lethal in wildfire scenarios, that they jeopardise firefighter and community safety and that powering down 500 kilovolt transmission lines during wildfire events is not a realistic protection mechanism?

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (12:53): (940) My question is for the Minister for Roads and Road Safety. For many years constituents who travel the Rushworth-Tatura Road have been faced with the dangers of a one-lane bridge that crosses over the Waranga Basin western channel. The crossing sits atop the outflow gates for the basin and has been in desperate need of replacement since the days of the Kirner government. So far the best solution the government has is to lower the speed to 30 kilometres per hour. This lower speed limit has unfortunately resulted in a number of near misses and collisions, and sadly, the bridge was the location of a fatal motorcycle collision in 2023. The dangerous conditions of this crossing are often exacerbated by the heavy rain, fog and sometimes

even smoke in the event of grassfires in the area. This crossing carries everything from cars to trucks, school buses and pushbikes from one side to the other multiple times a day. The pavement is uneven and broken, and the guardrails are flimsy. The question that my constituents want to ask is: will the minister commit to consulting with the local community on how this crossing can be improved for the safety of all road users?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (12:55): (941) My constituency question is to the Minister for Education, and it is on behalf of parents of Oatlands Primary School in Narre Warren North but also applies to other schools and parents. Will the minister please stop forcing the downsizing of popular successful schools with excellent student outcomes and instead learn from locals and school leaders why some schools are successful, large, highly respected and sought after by the local residents? As a parent, former teacher and school leader I recently observed the behaviour of the children at Oatlands Primary School, and I noted the enormous respect for teachers and the children's attentiveness to their learning. I also observed the skilled students at work and how the core values of respect, kindness, effort, resilience and creativity were reinforced in this school. Students learn one of two languages for seven years. They have safe designated play areas for specific year levels. They have resiliency learning and teaching, including cooking classes for all students using the school's herb and vegetable gardens. Is it typical for this government to reduce the size of successful schools to force parents to select schools they do not want for their children?

Northern Metropolitan Region

Samantha RATNAM (Northern Metropolitan) (12:56): (942) My question is for the Minister for Roads and Road Safety. I ask that she invest in making Bell Street bridge in Coburg safer for pedestrians and cyclists. The community campaign to make this road safer has been going on for years. The Bell Street bridge is a busy thoroughfare used by almost 500 school students from Coburg High every day. It is well known for being dangerous, with its high speed limits, mountable kerbs and lack of pedestrian barriers. The Department of Transport and Planning have already done the hard work and identified how to make it safer, including by reducing the speed limit to 40 kilometres per hour. This change is low-hanging fruit; there are really no excuses for further delay. Other opportunities for safety include widening the footpaths, refreshing the road treatments and installing physical barriers to protect pedestrians and cyclists. The community fears that the government's unresponsiveness can only result in tragedy. Minister, will you now commit to fund the Bell Street upgrades in Coburg as a matter of urgency?

Western Victoria Region

Joe McCracken (Western Victoria) (12:57): (943) My question is to the Minister for Small Business. It relates very specifically to a small business in my electorate, in Mitchell Park in Ballarat, called Regina Glass. Regina Glass are manufacturers of glass products. They sell internationally – or they used to. Recently they closed down because of escalating costs. WorkCover premiums were up 60 per cent, gas was up and electricity was up. What normally would be \$300 a day for electricity, when the blackouts were on in the state, rose to over \$6000 in one day. This means that 14 people have lost their jobs and another manufacturer has gone out of business and left Ballarat. This state used to be known as a state where things were manufactured – not anymore. Now I have got 14 people in Ballarat that do not have jobs because of escalating costs. It is a shame.

Northern Victoria Region

Wendy Lovell (Northern Victoria) (12:58): (944) My question is for the Minister for Housing. When will the promised social housing announced for Macedon Ranges in 2020 as part of the four-year Big Housing Build be fully completed? In 2020 the government promised to spend a minimum of \$30 million in Macedon Ranges as part of its four-year Big Housing Build program. Four years later we are in the middle of a housing crisis, yet Labor is not even halfway to fulfilling its promise.

The big build website reveals only \$12.5 million, less than half of the promised \$30 million, has actually been allocated, to four social housing projects that will supposedly deliver 25 homes. It also shows a mere six of those homes have been completed and claims that 19 homes are under construction. However, I have been informed that one project, which is supposed to deliver 12 homes in Lancefield, has not even commenced. Completing just six homes in four years is a disgraceful effort on the part of this government. Many of my constituents in Macedon Ranges are desperate for housing, but this Labor government has let them down again with another broken promise.

Bills

Local Government Amendment (Governance and Integrity) Bill 2024

Council's amendments

The PRESIDENT (12:59): I have a message from the Assembly:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Local Government Act 2020** in relation to governance and integrity matters and to make other miscellaneous amendments, to amend the **Local Government Act 1989** to reflect machinery of government changes and for other purposes' the amendments made by the Council have been agreed to.

Business of the house

Notices of motion

Samantha RATNAM (Northern Metropolitan) (13:00): I move:

That the consideration of notice of motion, general business, 462, be postponed until later this day.

Motion agreed to.

Sitting suspended 1:00 pm until 2:02 pm.

Committees

Select committee

Establishment

David DAVIS (Southern Metropolitan) (14:02): I am pleased to rise, and I move:

That:

- (1) a select committee of six members be appointed to inquire into, consider and report, by 30 June 2025, on trade union intimidation, including but not limited to:
 - (a) recent examples of union intimidation and threats, including the recent comments by John Setka, secretary of the CFMEU, and similar comments by other trade unions regarding the Australian Football League head of umpires Steven McBurney and other examples of union intimidation, threats and extortion;
 - (b) whether the criminal law, including the law as it relates to extortion, is sufficient and adequate to deal with Mr Setka's threats and intimidation;
 - (c) the involvement of, and comment by, Luke Hilakari, Victorian Trades Hall Council secretary, and the apparent involvement of other Victorian unions;
 - (d) the impact on the construction industry, including construction costs, of similar threats and intimidation directed towards construction industry participants;
 - (e) whether union behaviour and culture has contributed to project cost blowouts and time delays in project completion, noting the massive cost blowouts on Victorian government construction projects and the significant time delays, including on the Big Build;
 - (f) whether the abolition of the Australian Building and Construction Commission on 6 February 2023 by the Albanese Labor government has had a negative impact on construction costs;
 - (g) whether the abolition of the code compliance unit on 18 January 2015 by the Andrews–Allan Labor governments has had a negative impact on construction costs;

COMMITTEES

- (2) the committee will consist of two members from the government nominated by the Leader of the Government in the Council, two members from the opposition nominated by the Leader of the Opposition in the Council and two members from among the remaining members in the Council;
- (3) the members will be appointed by lodgement of the names with the President within seven calendar days of the Council agreeing to this resolution;
- (4) the chair of the committee will be a non-government member;
- (5) a member of the committee may appoint a substitute to act in their place for nominated meetings or for a defined period of time by that member, or the leader of that member's party, writing to the chair advising of the member who will act as their substitute;
- (6) a member who has been substituted off the committee must not participate in any proceedings of the committee for the nominated meetings or defined period of time that they have been substituted off for;
- (7) substitute members will have all the rights of a member of the committee and shall be taken to be a member of the committee for the purpose of forming a quorum;
- (8) the first meeting of the committee will be held within one week of members' names being lodged with the President; and
- (9) the committee may proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.

I will leave the rest of those points there, which are essentially machinery points establishing an inquiry committee and seeing the establishment through the appointment of MPs and the rules for their engagement, which are standard rules for such a select committee. This is a very serious matter. I think many Victorians who are fair-minded are not pro or anti union. They are ambivalent. They think that unions have got a significant role, a significant place, in our community. Nonetheless we were shocked in recent days and recent weeks when we heard the series of extraordinary comments made by John Setka. The CFMEU is a rough and tumble union. Its history goes back to the days of the BLF and the decisions made in this Parliament, in this chamber, to deregister the BLF. That is the history. I am not going to step through all of that, but I think there are some lessons from the past where weak governments, spineless governments, like the Allan Labor government here in Victoria, allowed industrial thuggery to survive and thrive and then it had a significant impact. Eventually people – including Labor people, I might add, and I pay tribute to those who did take the proper stance – realised that in fact this was not tolerable. What we are seeing today is a reversion to the old days – not just to the Palaeolithic era but back to ancient history, back to the days when the dinosaurs roamed the earth. We have got thuggish people roaming around in a way that is completely unacceptable in a modern economy.

I think we have just got to go to some of the words that were said here. Let us be clear what is going on here. John Setka is very unhappy with the way Stephen McBurney, the new AFL head of umpires, acted when he was the head of the Australian Building and Construction Commission in a previous time. The ABCC was abolished in January 2023, and Mr McBurney has gone on and is now doing a different job. It is an entirely different scene and it is a different job. And yet we hear from John Setka. He has confirmed to Tom Elliot that he will target the AFL head of umpires Stephen McBurney due to historical industrial relations grievances. Setka has demanded Mr McBurney be sacked in any job he has in the future:

... after what he has done, us as a union will pursue these people.

...

We will tell everyone what he did, who he is and what his history is.

This is a vendetta, it is thuggish. As I said, this is a dinosaur-like individual and a thuggish attempt to intimidate and to pressure. It was just extraordinary to see some of the things that came out as this went forward.

Premier Jacinta Allan refused, according to the reports in the *Herald Sun* and other outlets, to condemn the powerful union boss Mr Setka, who vowed to halt or slow construction projects linked to the AFL and make those jobs an 'effing misery' for the league. This is just extraordinary stuff, isn't it, really?

Then we have got the CFMEU sharing a ‘Wanted: dead or alive’ poster of Stephen McBurney on social media. I mean, let us be clear: this is an attempt to intimidate, pure and simple. It is an attempt to thug the way forward, to make the AFL scared and worried about its projects.

The CFMEU secretary demanded the AFL sack its head of umpiring. He went on and on and on. He made a series of comments that I think most Victorians would be completely shocked by. He said they would follow McBurney ‘to the end of the earth’ for what he has done. This is the sort of commentary that is just beyond the pale when you look at what should be the situation in modern economies. Mr Setka conceded it would be fair to describe his position as a result of a ‘grudge’ against Mr McBurney but said it was not a threat to the AFL. He said:

“I don’t want to make any threats. I’m only talking about exposing people” ...

“People like McBurney can’t attack workers and their conditions and be so undemocratic they make ... North Korea look like a democracy, and then just ride off into the sunset like nothing’s ever happened.”

“The consequences –

he said –

will be that we are going to point him out to everyone, we’re going to let everyone know who he is, what he did, what he’d done to workers.”

He said:

“We’re not going to stop or put bans on stadiums being built ...

But he then said that he is going to go on a go-slow. He will not allow overtime or any other further steps that would be a normal part of activities in these sorts of construction sites.

I mean, even Tony Burke cautioned Mr Setka:

The laws about unlawful industrial action have not changed, they have not changed, they are very specific and have been in Australia ...

He went on about:

... the limitations of industrial action being assigned to specific bargaining periods, not because you don’t like someone who’s running umpires ...

He said:

Anyone making any threat to Australian sport, it’s not the way to win over the Australian people.

He said – this is a federal workplace relations minister:

I find the whole thing very odd.

And I think most Australians and Victorians would find it very odd too.

The AFL came out swinging, and they said, ‘We’re going to defend Mr McBurney.’ They said he has umpired 401 games, including four AFL grand finals, and:

... has been a long-time mentor to umpires at every level and has done an outstanding job since returning to the AFL to take up the role of Head of Officiating ...

They said:

All projects the AFL contributes to are designed to provide better training venues for AFL and AFLW players, gender-friendly facilities ...

It goes on to talk about the role in welcoming footy environments for families:

We are hopeful any intended action does not impact players, supporters or the wider community ...

But what is clear is that Setka knows what he is doing. He is not a silly person, he is actually a very sharp person. He knows exactly what he is doing. He is targeting McBurney, making the AFL pay a price, financially and potentially much more of a price, because they have employed someone.

This is bullying. It is thuggish behaviour. It is intimidation. These are threats, pure and simple. I think there is actually a whole series of matters in the old Crimes Act 1958 that this would fall foul of. I invite people to go and read the long list of offences at the back of the Crimes Act 1958. I am not a lawyer, but I reckon on a bush-law look at the Crimes Act a number of those points would fall very quickly into the mode of things that Mr Setka has fallen foul of here. He said he had:

... an "obligation to pursue anti-union, anti-worker f---ers like him, and we will until the end of the Earth".

Until the end of the earth.

"They will regret the day they ever employed him ...

said Mr Setka. I mean, these words should ring in the ears of Victorians. This is a shocking thing. You look to 'work to rule':

"... Things are going to drag out forever," he said.

This is an industrial threat, simply.

"We get our blokes to work ... rostered days off ... sometimes on long weekends ...

They say:

"Look, the job's behind, they need to deliver this ...

Mr Setka said the union would pursue the now-head of umpiring "until the ends of the earth".

I mean, I just shake my head at this. I shake my head at this. How can anyone believe that this is acceptable behaviour? How can anyone? And he went further. A day later Mr Setka of the Victorian CFMEU was reported by a digital reporter for Sky News to have:

... unleashed a new onslaught against the AFL, branding it a "little private school boys club" following CEO Andrew Dillon's pledge to back ... umpire Stephen McBurney.

...

"This is going to cost the AFL a lot of f**king money –

said Mr Setka –

I hope it's worth it. Projects without our full cooperation are going to be a f**king misery for them ... They will regret the day they ever employed him."

That is what he said. The article says:

Mr Setka stood firm on threats following the AFL boss' comments, declaring the AFL would get "no favours" from the CFMEU.

"We haven't changed our position one bit, we're still doing the same thing ...

he said.

"It's just a waiting game ... We're patient people. We didn't get to where we were doing stupid moves.

"Don't worry, the AFL are going to reap the rewards of their actions ... I can guarantee you. That little private school boy's club. I just hope they've got deep pockets."

Again, I think these comments, these extraordinary interventions, are completely unacceptable. One of the things that worried me tremendously was to see Luke Hilakari, the head of the union movement, also intervene on this, and he has basically made it very clear that in fact a number of other unions – the plumbers and others – are likely to be backing these moves. I mean, Mr Hilakari of the Trades Hall Council is a Victorian, and he should be working across the unions in Victoria for more modern approaches, for more sensible approaches, for more balanced approaches and for less thuggish

approaches and outlawing bullying and intimidation and extortion – all of those sorts of things that certain parts of the union movement were once associated with. I hope few are now, but I am sorry, we are getting a very, very negative view of that with the comments that are coming out of some of the union officials now.

It is interesting in the *Australian Financial Review* article that the workplace reporter Marin-Guzman quoted Seyfarth Shaw partner Chris Gardner, who represented Patrick's in one of the few successful cases against a covert union go-slow in 2014, and he said the Fair Work Ombudsman:

... would need to marshal a significant amount of resources to monitor and gather evidence in a type of case that is not easy to run or prosecute ...

Marin-Guzman wrote:

Other lawyers have told *AFR Weekend* that Mr Setka's threats and planned action ... amount to unlawful adverse action ...

And I actually think that is right. I think this is a very clear case of adverse action. I mean, it is clearly an attempt to intimidate, to threaten, to bully.

Regardless of the legal route, Mr Gardner said the CFMEU–AFL dispute was “a very public demonstration of what those in construction deal with regularly”.

And that is, I think, one of the key points here, isn't it? Mr Gardner said:

“The tactics that we see on project ... sites are bogus safety disputes, go-slows, restrictive work practices dressed up as ‘work to rule’ and can extend to sabotage of work ...

Master Builders Australia chief executive Denita Wawn said “welcome to our world”.

“The behaviour we have seen over the last few days is something our industry has to deal with day in, day out, and it's only getting worse since the industry watchdog was abolished.”

We notice that some of the other Labor leaders in WA and in New South Wales have been very clear. They have said, ‘We're not having any of this. That's nonsense. Get away. Go away, John Setka. We're not interested in this sort of behaviour.’ But we have seen a very different outcome in Victoria. We have seen almost support by the Deputy Premier of Mr Setka – very, very close. I think his weakness in standing up is a problem, but I think also the Premier's weakness – I mean, this is spineless, jellyback stuff. The Premier is compromised, with the links and donations that come from the unions. The jellyback response – the weak, sloppy response – by Jacinta Allan I think is bad news, and it would not stand up to the approach that was taken in the 1980s with the BLF, where the recognition was very, very clear.

I notice the federal plan to split the union, and this entirely makes sense. I was always personally very suspicious about these huge super unions, bringing together massive unions, forcing together groups that are not naturally part of one conglomerate. What you see in the comments by Michael O'Connor in recent days I think is very sensible:

He said the manufacturing division did not condone any type of threatening behaviour; did not use “members' money to fund personal revenge campaigns”; and did not “attempt to hold public projects to ransom to settle personal grudges”.

“The behaviour of the construction division undermines the reputation of the whole trade union movement,” he said.

And I could not agree more.

“This is just the latest episode of Setka and the CFMEU construction division putting their personal agenda first – spending members' money to settle a grudge and failing to act in the collective interests of members and the union movement.”

He is quite right.

Roger Cook in WA said:

“I don’t endorse these sorts of tactics. It’s not what we do today ... It’s not part of the modern industrial relations landscape. This won’t impact on Western Australia, and I don’t want to give it any more oxygen than it deserves ...

I do not blame him for wanting to close it down, because it is very damaging for the Labor Party and very damaging for the union movement. Of course many unionists are not like this; most unionists are not like that. Most want a decent day’s work for a decent day’s pay, and they want sensible arrangements in the workplace. That is what some of those code-compliance units and the ABCC were seeking to achieve. What we have seen here are threats and bullying. Basically Setka said, ‘You should go to North Korea’ to McBurney. This again is just absolutely unacceptable.

We have got a weak and hopeless Premier in Victoria and a Deputy Premier who I do not think has done himself any good on this matter, who could have actually stood up and stood up indeed to Jacinta Allan and said, ‘Actually, this is wrong.’ Everyone knows it is wrong. Anyone who is half-intelligent knows that this behaviour is wrong and totally and utterly unacceptable in a modern industrial landscape.

That is why this motion is here today. The motion is here to put on the record some of these points and to establish a way forward – to make sure that there are six members appointed who can take evidence, develop ways forward and come back with sensible and rational views on the way forward to deal with these sorts of people, like John Setka. Victorians should not have to put up with the thuggish behaviour of John Setka. The weakness of Jacinta Allan, the weakness of the Deputy Premier and the weakness of the Labor government in Victoria is a case study in how not to handle these things. Albo is weak as dishwater as well on this. I was going to use another word, but he is as weak as dishwasher, and I have to say he should have stood up and been clear on this as well. The truth is that this is totally and utterly unacceptable. I urge the chamber to support this motion, which is a sensible and balanced way forward.

Tom McINTOSH (Eastern Victoria) (14:23): Yet again Mr Davis and the Liberal Party have wasted the time of Victorians and the time of this Parliament on another stunt. He stood over there and spoke for the last 20 minutes, reeling off quotes out of newspapers and using bland rhetoric that meant absolutely nothing, which reflects what the Liberals stand for – absolutely nothing. They have no plan for this state and they have no policy informing their values, because there is nothing there. I do think on this of all days the shadow energy spokesperson for the Liberal Party in this state should be getting across his brief when we have got nuclear power being called for across the country by Peter Dutton and we have got clear divisions between the opposition spokesperson and the leader. There were a lot of articles referred to over there. We have got Steve Price in the *Herald Sun* saying:

Pressure on Victorian Opposition Leader –

David Davis: On a point of order, Acting President, this is about industrial relations behaviour, it is about the Setka issue. It is about a way forward there. It is not an energy debate. Much as I would like to be doing an energy debate and would relish the chance, it is not this debate.

The ACTING PRESIDENT (John Berger): I bring Mr McIntosh back to the motion.

Tom McINTOSH: Thanks, Mr Davis, for proving my point. It is your slot. You have an opportunity to debate something here in the Parliament of Victoria, yet you go on with a stunt. I will not discuss the division and the leaking and the reference to your name and the opposition leader’s name, but let us get back to this stunt you are on.

On this side we are very clear and proud to stand for better living conditions day in and day out for Victorians, ensuring that they have jobs, that there are quality jobs in this state where people are well paid, where they can support their families and where that money can flow into the community. We know that side do not believe in that form of economics, and I will come back to that later on. We believe in education, training and skills so that we can develop our workforce and we can ensure that

there is a pipeline of workers able to deliver what this economy needs. We have seen it from the Liberals whenever they are in power, whether it was under Kennett when they cut the SEC and cut that generation of workers or whether it was under Baillieu and Napthine – or Dolittle and Nap Time – when nothing happened in this economy for four years. There was no infrastructure investment and they cut the guts out of TAFE, and that is what they do every single time. We believe in ensuring –

David Davis: On a point of order, Acting President, again this is an opportunity to debate the motion to establish a select committee about the behaviour of certain unions and Mr Setka. It is not for a general rant about the opposition and so forth.

Tom McINTOSH: Mr Davis, I can assure you that I am going to come to unions. I assure you I am going to come to working people. But we on this side have values. We on this side have values that, as I have said, underpin our policies and our plan for this state, unlike you lot, who come up with absolute stunts like this one. As I was saying, we ensure that these families with well-paid jobs can get the training and get into homes to support their families, that the health systems and infrastructure are there for them to commute around our state and that our state's economy and environment are sustainable and there for future generations to come. This side works alongside Victorians. We have worked amongst Victorians in coming into this place. Those who have come from the union movement have represented and fought for workers.

I think part of the problem in this debate is that the majority of the Liberals have probably been to university, spent most of their time in the Liberal club, then gone on to work for a think tank where they are told how to think, and then they go out and prosecute arguments with no basis to what they are talking about. They come into this place with Reaganism or Thatcherism or ideas of trickle-down economics. Let us be quite clear: the values of this side are about workers being well paid and that being there to support families and go into the community.

Members interjecting.

Tom McINTOSH: Your position is to suppress workers' wages. That is the starting point that you have. That is your economic policy, to suppress workers' wages. Mr Davis, you touched on history going back to 1958. I will give the chamber a brief bit of history of Kennett: you cut trains, you cut schools, you cut hospitals, you cut services. Mr Davis, if it was good enough for you, it is good enough for me.

David Davis: On a point of order, Acting President, I quoted an act of Parliament that actually deals with crimes. I did not quote something, as it were, about 1958 – I quoted the amended act that has been amended 47,000 times since then.

The ACTING PRESIDENT (John Berger): Mr Davis, you are debating the issue.

Michael Galea: On the point of order, Acting President, I do not think Mr Davis actually has a point of order, and I ask that Mr McIntosh be allowed to continue.

David Davis: On the point of order, Acting President, the point of order is very simple. He has strayed well outside the bounds of the motion, and it is not –

The ACTING PRESIDENT (John Berger): Further to the point of order, Mr Galea.

Michael Galea: Further on the point of order, Acting President, as is the custom of this place, the first speaker from any given party is generally given somewhat more leeway, and I believe that Mr McIntosh was speaking in line with that.

The ACTING PRESIDENT (John Berger): I will uphold the point of order. There is some leeway that has been introduced, and I will ask Mr McIntosh to continue.

Tom McINTOSH: Whilst in their last term of government nothing happened – no major transporting structure; nothing, zilch. This government has invested \$208 billion, which is underway. Metro, North East Link –

David Davis: On a point of order, Acting President, again on a point of relevance, he is deviating well beyond the terms of reference of this inquiry and the motion. He is now heading back into previous times just as a simplistic attack on the opposition, and that is not his task.

The ACTING PRESIDENT (John Berger): I will uphold the point of order and ask Mr McIntosh to come back to the debate, please.

Tom McINTOSH: We have invested in metro, in the North East Link, in the West Gate Tunnel, in 80 dangerous level crossing removals, in the Suburban Rail Loop and many, many more metro and regional road and rail projects. That is why our economy is growing faster than that of any other state. That is why there are more jobs being created in this state. There is more business investment in this state than around the country. 17,000 jobs have been created directly through the Big Build, with another 33,000 indirect, and within that we have ensured diversity of employment, whether it is – if Mr Davis wants to talk about culture on construction sites – getting women on construction sites, First Nations people and people with a disability. We have ensured that the apprenticeships and traineeships are there, because we know you lot could not give a damn about future generations of workers (a) getting a start and (b) being trained to understand their job, to do it safely and to go into the future. I have commented on the SEC before because it is a great example of how an entire generation of workers were wiped out. For you lot it is hands off the wheel. It is an easy ethos – just leave it, walk away, do not worry about supporting Victorians, supporting Victorian workers, ensuring there are quality, skilled workers in our system.

You bring these stunts into the Parliament – Kennett referred almost all of Victoria's industrial relations powers to the Commonwealth. If you have got accusations, go and put them and have them heard rather than wasting time in this Parliament carrying on with your stunts.

David Davis interjected.

Tom McINTOSH: You did not support us when we took on wage theft in this place. You did not support us when we fought for portable long service leave. You did not support us when we took on dodgy labour-hire companies or workplace manslaughter. We have stood up on silica, and the union, the CFMEU, have stood up on silica, fighting for workers rights, ensuring that workers are safe.

In the last seven years 89 workers have died on construction sites. These are people's lives we are talking about. We are talking about getting people home to their families, home to their children, home to their communities. Every death, every amputation, has an economic impact and a massive impact on our communities. Between April 2023 and March 2024, just to name a few, a 49-year-old man died from disease following exposure to silica – there are many, many asbestos cases in here as well, but I am not going to get time to go through those – another worker was crushed while loading a skid, a 25-year-old man died after being crushed between a steel beam and the cage of a boom lift, a 58-year-old traffic management supervisor died when his ute was struck by a car –

Members interjecting.

Tom McINTOSH: Those opposite may roll their eyes and say, 'All right, all right,' but these are people's lives. A 60-year-old electrician fell from the ladder three storeys to his death at a residential construction site in Greenvale, and the list goes on.

This is a stunt. It is a waste of people's time. If you have accusations, make them in the proper place and stop wasting the Parliament of Victoria's time.

Georgie CROZIER (Southern Metropolitan) (14:33): I am pleased to rise on Mr Davis's motion 461 relating to a select committee to be established to inquire into, consider and report by

30 June 2025 on trade union intimidation. Mr Davis has gone through his motion in full, but I want to make some points around paragraph (a):

recent examples of union intimidation and threats, including the recent comments by John Setka, secretary of the CFMEU, and similar comments by other trade unions regarding the Australian Football League head of umpires Steven McBurney and other examples of union intimidation, threats and extortion ...

This is a very simple motion in relation to what this would do: establish that select committee to look into that. There have been comments by Mr Setka over a long period of time that are, quite frankly, completely unacceptable. His personal issues and the issues with his former wife and the domestic violence claims and other abhorrent actions that he has taken are well reported; I will not go into those. What we are talking about is what he has said about Mr McBurney in his former role and how he is now applying that into his current workplace, and the threats, the intimidation, the bullying, around projects that are largely funded by taxpayers. It is incumbent on every member in this house to support this motion so that we can have greater transparency and an ability to stamp out the disgraceful behaviour that we have witnessed over the last few days by Mr Setka. Even Labor premiers in other states do not find this acceptable. Premier of Western Australia Roger Cook said:

I don't endorse those sorts of tactics; it's not what we do today ... It's not part of the modern industrial relations landscape.

The South Australian Premier said that it was not in the interests of the broader labour movement. I think those two men are right. But what have we got here with Jacinta Allan? She is absolutely pathetic and hopeless on this very issue. When she was asked about this issue, she fobbed it off and said:

That matter is a matter for the AFL and the CFMEU.

No, it is not, Premier. It is in the interests of every single Victorian that we understand exactly what has gone on. I go to point (d) of Mr Davis's motion, which talks about:

the impact on the construction industry, including construction costs, of similar threats and intimidation directed towards construction industry participants ...

and then point (e):

whether union behaviour and culture has contributed to project cost blowouts and time delays in project completion, noting the massive cost blowouts on Victorian government construction projects and the significant time delays, including on the Big Build ...

As we know, there is at least \$40 billion of wasted taxpayers money in those project blowouts. I am somewhat curious to understand. The Premier herself has been briefed on CFMEU coercion, and she was briefed prior to the last election. If you look at various reports around this – they make for fascinating reading actually – they are quite telling, and I would urge anyone, if they really want to have a look into this issue, to read them. But that is why the select committee is so important – so we can stamp out this ongoing behaviour. But it is very evident that the Premier is close to John Setka. She does not hide from that.

Sonja Terpstra interjected.

Georgie CROZIER: Well, you might groan, Ms Terpstra, but this is taxpayers money we are talking about – \$40 billion in cost project blowouts. It is. And you fob it off like that. A man that has somebody's sign up with '(Not) wanted: dead or alive' – what does that say? And you are meant to be the champions of family violence prevention. You have just put in place somebody on male change programs, Mr Richardson – what is he doing about this?

But to get back to the Premier, the Premier is very close to this man, and it is well documented and well understood. As the Victorian minister for infrastructure – as she was at the time these briefs occurred – she knew. I am quoting from an article:

As the Victorian minister for infrastructure at the time, she had overseen a huge power grab by the CFMEU in the Victorian construction industry.

And that is the problem here – the Premier is too close to John Setka. She is. And that is the power and the hold and the intimidation, the bullying tactics, and why she is so pathetic and so weak in not calling out this man. He is appalling and he is a disgrace. Anyone else who did what he did to Mr McBurney would quite rightly be hauled over the coals. He is getting away with blue murder. It is extraordinary.

Sonja Terpstra: Oh, murder now?

Georgie CROZIER: Well, it is a saying. The Premier has been absolutely flippant. What we have seen in the past weeks is a leader of a union make some comments about someone they do not like. Really? She is the first one to call out if somebody says, ‘Have a respectful relationship.’ This is not somebody that Mr Setka likes. He has threatened projects.

A member interjected.

Georgie CROZIER: Chase him to ‘the end of the earth’. It was an extraordinary outburst by John Setka, but it is even more extraordinary that the Premier is so weak – and she is weak because she is tied up and up to her neck in the CFMEU. As I said, she has been briefed on CFMEU coercion. The infrastructure portfolios that she has been responsible for are tied in with the CFMEU. It is no secret and no surprise that she is forging ahead with the Suburban Rail Loop at the expense of every other Victorian. Because they are not going to get the benefits of that.

A member interjected.

Georgie CROZIER: Well, the Deputy Premier does not agree with what you are saying over there on the back bench, and you know it is a dud project. \$200 billion –

Members interjecting.

The ACTING PRESIDENT (John Berger): Order!

Georgie CROZIER: In the lead-up to the last election we know that the deals were done. There they were, Ms Allan and the Treasurer, having a secret little lunch with John Setka in that hotel in Carlton. I will quote from that article again, from the *Australian Financial Review*:

The industry had been abuzz in 2022 with claims that the Andrews government had effectively given the go-ahead for the militant construction union – traditionally involved in commercial building sites – to take charge of civil construction.

It goes on:

It also opened up a sector of the industry to a union the courts had deemed the “greatest recidivist offender in Australia’s corporate history”, one that repeatedly sought to place itself above the law when it came to coercion, intimidation and other industrial offences.

This is why we need this select committee. This is what this Parliament is here for – for us as elected members to be able to oversee these actions.

I know that the Labor Party – I can hear them sighing over there; Ms Terpstra is sighing. She does not want this select committee to go ahead because of what it will uncover. I implore the crossbenchers to do the right thing – to vote for this, because we need to get to the bottom of it. You cannot have these standover tactics, this intimidation and bullying, by this union that is holding Victorian taxpayers to ransom like it is. The project overruns are just extraordinary – the waste and mismanagement. It is the Premier, who is the former infrastructure minister and now Premier in charge, that is letting this go. I say again: her remarks have been so flippant, so weak, because she is –

David Davis: Jellyback.

Georgie CROZIER: Well, more than a jellyback, Mr Davis. She is actually in an agreement with John Setka. She is very close to him. It is all reported.

Michael Galea: Where has she said that she agrees with that?

Georgie CROZIER: Look at her public comments, Mr Galea. They are weak and pathetic.

Michael Galea interjected.

Georgie CROZIER: ‘That matter is a matter for the AFL and the CFMEU.’

Sonja Terpstra: On a point of order, Acting President, Ms Crozier should make sure she addresses her comments through the Chair and stop addressing people across the chamber.

The ACTING PRESIDENT (John Berger): I uphold the point of order.

Georgie CROZIER: I beg your pardon, Acting President. Through the Chair, I will say to Mr Galea that the Premier is very close to John Setka and extremely close to the CFMEU. Everybody knows that. It is reported. She and Mr Pallas were in that Carlton pub, restaurant or whatever it is – prior to the 2022 election. It came out. There were deals done. That was clear. She was briefed on the CFMEU coercion. Victorians have a right to understand what the Premier knows. Victorians have a right to get to the bottom of this, and that is why every member of this chamber should be supporting this important motion.

Sonja TERPSTRA (North-Eastern Metropolitan) (14:43): I rise to also make a contribution on this motion in Mr Davis’s name calling for a select committee to be established of six members to inquire into, consider and report by 30 June 2025 on trade union intimidation, including but not limited to – there is a whole bunch of stuff there, which I will not repeat. But essentially it revolves around the comments that were reported in the media made by the secretary of the CFMEU construction division, John Setka.

I had the benefit of listening to the debate before, both Mr Davis’s and Ms Crozier’s contributions, and I just want to preface my remarks by saying the trade union movement has a long history in this state of standing up for workers and protecting workers. In fact the construction unions and the building unions, who are a group of unions, do some very important work in ensuring that workers who go and work in the construction sector actually get to come home to their families each and every day, because the construction sector is a notoriously dangerous place to work. There are lots of big and heavy pieces of equipment and machinery, and accidents do happen. Unfortunately, sometimes when those accidents happen they can be quite catastrophic. The union movement has a long, proud and important history of standing up for working people.

In regard to the comments that have been made by Mr Setka, clearly Mr Setka has issues with Mr McBurney and his former role at the Australian Building and Construction Commission. I am pretty sure that the opposition sees this as an opportunity and a stalking horse to kind of reinstate a discussion around ‘Let’s get the ABCC back up and rolling.’ Because one of the first things that the Labor Party did when they came to office was to abolish that organisation as a disgraceful entity that did nothing but stalk good trade unions and try and bring them down and destroy them. That is why that entity is no longer operating.

This motion is misguided. I was doing a bit of research before I got up to speak on this and also listening to the comments. The comments that Mr Setka made referenced some projects that do not exist in this state. They were in regard to a Tasmanian stadium, and I will just read this little bit of information that the AFL were quoted as saying in the media. I am not sure which daily Rupert it was; there are a few of them. But in any event the AFL has said of the threats that were made – and this is in regard to the AFL and Mr McBurney’s role in the AFL – that for the projects that Mr Setka spoke of, the main financiers were the federal government. Let me just read this for the record:

In the case of the proposed Tasmanian stadium, the state government is expected to fund it by \$375 million, with \$240 million from the federal government and only \$15 million from the AFL. Another \$85 million will come from other state government borrowings.

The AFL also noted that the AFL is run as a not-for-profit entity and distributes most of its operating surplus to its constituent clubs, meaning that basically it is not for profit – it does not have money in its pockets. Again, this is important context. I do not even know why we have got this motion before us, because these projects are not in Victoria. This has got nothing to do with us. But nevertheless, do not let that stand in the way of trying to get another good strawman stalking horse going for the CFMEU.

I might say that despite the constant rhetoric and rubbish and false equivalence and ridiculous connections that those opposite try to draw, I must note that the Fair Work Ombudsman has indicated that she has commenced an investigation in relation to the comments attributed to the CFMEU Victorian state secretary John Setka. She has indicated that it would be inappropriate for her to comment further at this stage, because obviously they are investigating. Why would we as a Parliament have a motion in here today to have a joint select committee tie up important time and resources of the Parliament in looking at something that an appropriate statutory body is looking at? Why would we do that? That seems stupid.

David Davis interjected.

Sonja TERPSTRA: You cannot have it both ways, Mr Davis. Are you saying that the Parliament –

David Davis interjected.

Sonja TERPSTRA: Your motion is politically motivated.

David Davis interjected.

Sonja TERPSTRA: Your politically motivated motion would be a more appropriate place to look at these sorts of things. Because I tell you what, we could have a joint select committee into looking into how Kennett shut the SEC. Let us have a joint select committee into all of the things that Liberal governments have done in the past to attack working people and trade unions. How about we have a joint select committee into all of that?

David Davis interjected.

Sonja TERPSTRA: Acting President, I cannot hear myself talk for the constant yelling and interjection by Mr Davis, and I ask that I be allowed to be heard in silence.

The ACTING PRESIDENT (John Berger): Mr Davis, if we could keep the level of noise down, that would be appreciated.

Sonja TERPSTRA: I just make the point that, as I said, there is an appropriate entity who has indicated that they are going to investigate these comments. What we will see come out of that investigation is actually a fact-based investigation that goes to look at what comments were made and who they were directed at, rather than the coalition – those opposite – using this as an opportunity to try and link up the CFMEU and John Setka with our Premier and all this kind of rubbish. It is just a waste of this Parliament's time and resources. I notice that the motion broadens out into trying to attack the secretary of the Victorian Trades Hall Council –

David Davis interjected.

Sonja TERPSTRA: The Acting President has ruled that I be allowed to continue in silence. Are you disrespecting the ruling of the Chair?

David Davis interjected.

Sonja TERPSTRA: Well, pipe down.

Renee Heath: On a point of order, Acting President, the member is not speaking through the Chair, so that in fact is unparliamentary.

The ACTING PRESIDENT (Jacinta Ermacora): I ask the member to continue on.

Sonja TERPSTRA: On a point of order, Acting President, Mr Davis disregarded the earlier ruling from the Chair that I be allowed to continue in silence. That is the point of order that I was raising, and when I was raising that point of order Mr Davis still continued to talk over me. I ask that I be allowed to continue in silence.

The ACTING PRESIDENT (Jacinta Ermacora): I take note of that and support the previous ruling that the member be heard in silence.

Sonja TERPSTRA: Again, this is a ridiculous notion of those opposite to try and tie in comments by union leaders who actually do a fantastic job in standing up for working people and in protecting workers rights. Like I said, let us have a joint select committee into those opposite and all the terrible attacks they have made on working people and on conditions of employment. We can go on and talk about how we have had decades of award stripping. We had decades of stagnant wages brought to you by the Morrison government and nobbling of the Fair Work Commission and all those sorts of things. We could make sure that we could talk about all of those sorts of things, but you only wheel these sorts of things out when you want to continue to attack the union movement. Everyone on the government benches over here knows what an ill-conceived, pathetic stunt this really is.

It is important to note the facts around this. As I said, the comments were made by Mr Setka in regard to projects that are going to take place in Tasmania – nothing to do with Victoria. There is no indication that any of the comments that were made were going to affect any projects in Victoria. Again, it is only because those opposite have no plan, no policy and nothing to do other than make stuff up – just making things up – to try and smear our government and smear our Premier. No-one is listening to you. You are so pathetic over there. You have got absolutely nothing. This is a ridiculous motion. Fancy tying up members of Parliament in this place for a long period of time with the finite and precious resources that we should be devoting to much more important projects and inquiries – many, many more important things that Victorians actually care about. The bottom line is that many Victorians actually benefit from the jobs that this government is supporting. Many projects in our Big Build program are supporting many Victorians into work in the construction sector, and they are well-paid, safe jobs brought to you by the union movement and this government because we have worked together in ensuring that we have appropriate enterprise agreements and industrial relations that make sure that these projects will get delivered on time. And we make sure that Victorians who work on these projects get to go to work and also get to come home to their families safely. Safety is a very important thing, and the union movement does an incredibly important job of ensuring that people get to go to work and come home safely.

This is a ridiculous motion. Nobody in this chamber should be entertaining such garbage and drivel, and I will take great delight in trying to vote this down.

Evan MULHOLLAND (Northern Metropolitan) (14:53): I rise today to speak on Mr Davis's very important motion on trade union intimidation. Pretty much everyone in the country and in our state was absolutely appalled by the actions of John Setka and his threats to Stephen McBurney, so I think it is a worthwhile motion. I just want to touch on Ms Terpstra's comments about the Australian Building and Construction Commission, that it is a disgusting organisation – so disgusting that it resulted in the CFMEU being fined by courts to the tune of \$15 million for 1600 law breaches. What a disgusting organisation, that it sought justice for 1600 law breaches. Ms Terpstra might think it is okay to break the law without punishment, putting up costs for all Victorians and adding to the cost of construction for all Victorian taxpayers and Australian taxpayers, but this side of the chamber does not. This side of the chamber does not put up with that behaviour. This side of the chamber does not make excuses for that kind of behaviour.

The building watchdog played an important role. We have even seen Labor sources lately acknowledge the important role that the construction watchdog played and acknowledge that things

have got pretty out of hand since the abolition of the ABCC. Union disputes, up; intimidation, up; bullying tactics, up; costs, up. That is what happens when you have Labor governments at a state and a federal level that are tied to the CFMEU, that are tied to a militant union that is increasing costs for all Victorians and for all Australians.

It is important to support Mr Davis's motion. Threatening a private individual, a private worker in a private organisation, is not on. You can imagine the screeches on that side of the chamber had it been a big business trying to extort a private individual from getting work elsewhere. You could imagine the screeches on that side of the chamber, yet we hear nothing when it is John Setka. We hear nothing when it is Luke Hilakari, who decides all their preselections. We hear absolutely nothing in regard to Stephen McBurney, who from all reports is doing a superb job. From all reports he is a great head of umpiring. Kangaroos fans might not think so. But everyone in the industry says that he is a very reputable manager who is doing an absolutely fantastic job, and I would believe that. It is extortion. It is absolutely not on.

Going back to the ABCC, it is important because there is a bit of history to go through here. Former Prime Minister Kevin Rudd had some sense and did not proceed with the abolition of the ABCC. For that he was labelled an 'effing dog' by John Setka. In 2022 Anthony Albanese promised what Rudd did not – that he would abolish the ABCC. Construction industry insiders say while the ABCC was by no means perfect, it had restrained the union due to its ability to dish out huge fines. Since the abolition of the ABCC the CFMEU has taken over the Big Build in Victoria through intimidation and coercion and is now able to dictate which suppliers get work on publicly funded projects. Some ALP figures question whether the union is now biting off more than it can chew but say there is little chance of much changing in the short term. There you go. They are acknowledging that things have changed. They are basically acknowledging that it is adding to cost, and you wonder why we get things like a \$10 billion blowout on the North East Link. How does the government shrug its shoulders to that? I thought tearing up \$1.1 billion on the east–west link was pretty bad, but \$10 billion, seriously? Someone has got to be accountable for that. This government just shrugs its shoulders – 'It's a union; can't do anything about that.'

But this government has a history of folding over on the bullying tactics and intimidation that are clearly going on in our worksites. We know what is going on in our worksites, and I want to point out one particular example in my own electorate, the Mickleham Road project, which is now the most expensive road duplication in the history of our state – a 1.6-kilometre duplication for \$222 million. The government duplicated Plenty Road for 6.6 kilometres in 2019–20 for \$145 million. Make that make sense. You cannot, because it is a CFMEU-run project where there has been bullying, intimidation and coercion – the kicking off of Indigenous firms from their worksite, replaced with shell companies attached to Mick Gatto, supposedly. We see concern from Kinaway, an Indigenous procurement firm. Ms Watt has boasted in this place about the government using Kinaway on government projects for Indigenous procurement, and I think that is a good thing. They are very concerned about the actions of the CFMEU kicking them off CFMEU sites because they do not have a job ticket with the CFMEU and replacing them with supposed Indigenous-only firms that have no affiliation with Indigenous communities in the area. How is that normal? How can you just shrug your shoulders to that? You boast on that side about how great Kinaway is, an Indigenous procurement firm, and then you have got the militant CFMEU kicking them off worksites in my electorate. You just shrug your shoulders – 'Nothing to see here.'

We see bullying and intimidation over and over again on our worksites. We saw recently there will be an over 20 per cent pay increase for CFMEU workers across the country, and I think our nurses, our teachers and our ambos were pretty shocked to see union delegates bragging about buying Ford Raptors for apprentices and expensive Range Rovers and other vehicles and utes, because nurses are not getting that, teachers are not getting that and ambos are not getting that. While the government is penny pinching our frontline positions, stop–go sign holders are getting paid over \$200 000 a year. How is that fair?

The government say it has got nothing to do with them. I reckon it does, because it is increasing costs for every taxpayer, it is increasing costs for every project. It means we cannot build bridges, build roads and build train lines at cost – because Labor cannot manage money and it cannot stand up to the CFMEU bosses. I mean, who is running this state really, Jacinta Allan or John Setka? He seems to get his way on absolutely everything. The government does not seem to care about projects costing billions more. Twenty per cent of costs, half of all residential construction projects, is on labour, the workforce. So overnight there has been a 10 per cent increase on every big project. Good luck meeting your phony housing statement when there is a 10 per cent increase on every project across the state.

Every residential apartment that you want to smash through our middle suburbs is going to be more expensive to build. As I have spoken about to many industry figures, they have now become uneconomical, because in addition to government taxes they will cost 10 per cent more. The government needs to have a view on this. Does it support getting young people into homes or doesn't it? Does it support getting costs down on government projects or doesn't it? We have got a situation where a 6-kilometre duplication of Craigieburn Road is costing almost \$100 million more than a 7-kilometre duplication on Sunbury Road, where there is an AWU workforce, and they even built a bridge. Somehow the Craigieburn Road duplication is costing hundreds of millions of dollars more. It has already blown out. The Sunbury Road project has not. You have got to ask: where have the days gone when the AWU was civil and the CFMEU was the rest of construction? They have taken over every industry – and now they are coming after local government and now they are coming after garbage collection. There is going to be more cost shifting and more costs borne by local government. It is adding to the cost-of-living crisis. This government does not care about the cost-of-living crisis. This government does not care about getting young people into homes. It only cares about bowing down to the CFMEU bosses.

David ETTERS HANK (Western Metropolitan) (15:03): I rise to speak to the proposal to establish a select committee to investigate part or perhaps all of the trade union movement. I have been I suppose over the last 40 years on the periphery of a couple of royal commissions and multiple inquiries into union behaviour, and they have all had two things in common: firstly, they have been fishing exercises that have basically been looking to discredit the union movement; and secondly, they have always been moved by conservative parties who know that there is little or no veracity to their inquiries but are keen to disparage and besmirch their Labor Party rivals through their association with and – let us face it – their origins in the trade union movement.

In my humble opinion this is again just such an exercise. It seeks to cast a wide net to besmirch the union movement as a whole as well as particular unions and particular individuals. This is, for want of a better term, a political hamburger with the lot based on a traditional recipe. Let us ask ourselves the question: how does that recipe go? Firstly, you start with an attack on the construction unions, a favourite whipping horse bursting with conservative flavour. I would posit that this is because those unions have been unbowed despite the huge resources thrown at them by successive coalition governments. Alternately, perhaps it is the huge resources thrown at the Liberal Party by donors from the property and construction industries. Next, in the assembly of our burger –

Members interjecting.

David ETTERS HANK: Thank you. Next, and sticking with the flavoursome construction sector, tie in the abolition of the notorious Australian Building and Construction Commission, an organisation established solely to play the role of union buster. The ABCC was an organisation that history will record as not only an abject failure at reducing union influence but also a serial pest litigator, a Liberal attack dog and one that did more to undermine health and safety in the building industry than asbestos.

At this point, to make a big real burger statement – and I should apologise to Mr Berger here; there is no reference to Mr Berger. I am talking about a metaphorical burger that I am working on. At this point, to make a real burger statement and to add some much-needed colour and crispness, you need to throw in a few allegations of extortion and intimidation, suggesting that the broad scope of the

criminal and civil code is probably inadequate to encompass the sheer villainy of those evil union officials that you refer to. Finally, finish your burger with lashings of the not-so-secret spicy sauce in the form of blaming unions for the skyrocketing costs of construction for all Australians and, because you know you want more, throw in those major state government infrastructure project costs. And there you have it – the all-singing, all-dancing, union-bashing burger with the lot. The trouble is this burger fails the taste test. To stick with my overly tortured hamburger metaphor, this burger is stale, it lacks substance. It is like one of those burgers that just has too much beetroot in it.

To go to something a little more serious, industrial relations is not for the faint-hearted. It is for the committed, and in many sectors if you do not get a bit antsy and you do not take action, employers simply assume that you are not seriously pursuing a claim. That is the nature of the sector. It would be nice if that was not the case, but the fact is that it is the reality. This is the industrial culture, and if you cannot work within that culture, you are in the wrong business. It is just how industrial relations all too often works. It is a cultural thing.

It is also worth noting that successive conservative governments have reduced the ability of unions to access the conciliation and arbitration system to undermine union influence but at the same time they have made the intensity of those conflicts greater. The old ‘get in early, get into mediation, get resolution’ has been carved away by conservative governments. At the same time those same conservative governments have created animals like the Australian Building and Construction Commission to attack and erode the legitimate role of the union movement, perversely only serving to increase conflict.

We recognise and accept absolutely the right of the opposition to propose such a select committee, but Legalise Cannabis Victoria is of a view that this proposal is basically a hit job on the construction unions, the Victorian Trades Hall Council and any other unions that might come within the crosshairs of such an inquiry. Accordingly, we will not be supporting the motion.

John BERGER (Southern Metropolitan) (15:09): I rise to speak on the motion of Mr Davis, and I note that he seemed to have a particular weird sense of glee on his face when he read this motion out in this place yesterday. What a shame, considering the thousands of members that are constituents of ours in Southern Metro. The first part of his motion requests that a select committee of six members be appointed to inquire, consider and report by 30 June 2025 on trade union intimidation, and it goes on. It goes on a lot. The second part of the motion talks about who will be on this committee that Mr Davis is so keen to see. But let us skip the third part of the motion to go to the fourth part of this motion. The fourth part reads that the chair of the committee will be a non-government member.

I am not going to bother with this motion, which is designed as an attack against the government, but what is worse, a motion that is an attack against working men and women of this state, and I assume that this chamber will agree. Unions built Victoria. Unions built the middle class, and Victoria is a union state. In 1856 Victoria became one of the first places in the world to introduce an 8-hour workday. As many of us know in this chamber, workers organising went on a strike when building what is known as the old quad at the University of Melbourne, stonemasons protesting against long unfair hours. They marched here to Parliament House, marking the birth of the union movement in Victoria and what began a more than 150-year legacy of fighting for the rights of working people.

Many workers in this building are union members, and I am sure the Department of Parliamentary Services has the Community and Public Sector Union, also known as the CPSU, fighting for the rights and entitlements every day. In this building, members and their delegates fight for them as well, because we know you must fight to win. In a poll in 2020 conducted by Essential Polling more than 74 per cent of workers found unions to be an essential part of workplace safety, 74 per cent agreed that unions are essential for proper pay and 74 per cent agreed that they were essential to providing a voice for them at work. Over two-thirds of respondents believe unions are crucial to pushing back against power imbalances in the workplace, and twice as many believe that they would be far better off with stronger unions in Australia. Unions play an integral role in industrial matters, and their role is just as

relevant in 2024 as it was in 1856. They are essential in protecting workers rights, fighting for better pay and conditions and defending workers when they are unfairly treated.

This is never more evident than in some of Australia's deadliest industries. The road transport sector is one of the most dangerous industries in this country, and after 38 years as a member and then leader of the union that represents them I am deeply passionate about ensuring every person gets home safe to their loved ones. Unions have a strong record of supporting workers. Most publicly, the Transport Workers Union led the charge against Qantas in the Federal Court, standing up for 1700 workers sacked by disgraced CEO Alan Joyce and the board. The TWU fought Qantas on every appeal and escalated it into the courts, and I am pleased to say the High Court found that Qantas had unlawfully sacked workers in a dodgy bid to avoid industrial action. Without a union these workers would not have had a voice, and that is what those opposite want.

Similarly, Qantas was found guilty of an illegal standing-down of health and safety representative Theo Seremetidis after he sought to protect workers on the job from COVID-19, with Qantas being forced to pay a fine of \$250,000. At Virgin Airlines just last year, workers were pointing out concerns of fatigue from a reduction in breaks available on tiresome back-to-back shifts and sought industrial action to rectify this. It is only through the collective action of the TWU that workers at Virgin Airlines who did it tough through the pandemic saw compensation, and that took the form of universal two-year 6.5 per cent increases in wages as well as an 8 to 20 per cent increase for those most affected. The TWU has fought for better deals for members, and that is what unions will always do.

The Shop, Distributive and Allied Employees Association, or 'shoppies' as we know them, is another great example. It is something I know my colleague Mr Galea knows all about. At Bunnings the SDA secured a 10 per cent increase over three years and added 4.5 per cent in the first year for workers along with a bump to annual leave, helping to secure award rates of pay, and we have seen that with their work with Aldi. This is something that we have had to fight, with Mr Galea – fighting their race to the bottom, to fight for a boost in the number of hours and part-timers, increased retail wages, more parental leave, annual leave and stronger rights for casuals. I have stood at many picket lines with my comrades at the mighty Rail, Tram, and Bus Union, who consistently deliver strong results for their workers. ABS data shows that union workers have better wages, earning 25 per cent more than non-union workers, and wage growth benefits all of us. It powers economic growth across every area of society, and its unions are fighting to make it better.

The Australian Building and Construction Commission (ABCC) has been abolished, and good riddance to it. It was set up to discredit and dismantle unions. It was an ideological hit piece of the Abbott–Turnbull–Morrison era, the same mob that brought you the 2014 federal budget that cut, cut and cut – because that is all they want to do. Those opposite just have no idea how to build anything. They have never built anything, just like they sold out Victoria during the Abbott–Turnbull–Morrison era, cheering on their Liberal mates as our funding got defunded. They were selling out Victorians. Even to this day we have seen scenes over the last few weeks where they have been cheering on the other states' tourism sectors, encouraging people to go interstate. I say shame on you.

When they were last in Parliament they wasted four years. They sat back and did nothing while our transport sector was neglected, something I remember too well. They told us they could not remove any level crossings. Well, how is that going for you? They love to stand up here and pretend they care about growing the diverse western suburbs, but what do they know about delivering the West Gate Tunnel? They have not even got a single member in the other place that represents our west, so give me a break. What do you know about delivering in the north-east? Instead of building stuff, the member for Warrandyte in the other place makes cringey videos talking about slabs and tea while sledging the hardworking men and women out building the project that is going to benefit their community. It is disgraceful. They claim they want to build things, yet they go out and support organisations that are designed from the get-go to treat construction workers differently from other workers, to treat those at building sites differently. The ABCC did nothing to improve OH&S or fight

exploitative wages and conditions in the industry, and it did nothing to increase productivity, despite what their cringey videos claim.

These people cannot decide what they are on about. When this mob was last in government, they failed to deliver a single major project. But what did they do instead? You went to war on the nurses, you went to war on the fires and you went to war on everybody else – even the teachers. When the last Liberal government in Victoria lasted more than a hot minute, they delivered pain and suffering and Jeff's Shed. We all know what you think of unions. Kennett brought in contracts that outlawed penalty rates and leave loading and picket lines. He handed the state awards up to the feds. That is what you get in Victoria when you vote for the Liberals – hardline industrial relations policy. That is not what this place wants or the people of Victoria want. That is what you have been sitting there doing for a decade. I thank the house.

Michael GALEA (South-Eastern Metropolitan) (15:17): I also rise to speak on this ridiculous, transparent motion that has been put forward by Mr Davis today, and I have to say at the outset, with a lot of my remarks Mr Ettershank probably expressed my views in a much more succinct and much more delightfully illustrative manner than I am probably intending to. But yes, the burger that we are being presented here by Mr Davis today does indeed have no substance at all.

It is indeed, as Mr Davis himself actually repeatedly exclaimed whilst interjecting during Ms Terpstra's contribution, a broad motion. It certainly is. Point (1) of this motion says the select committee is 'including but not limited to'. Again, Mr Ettershank highlighted this point most presciently – that is, we know that this is another Liberal attack on the union movement, which always means another Liberal attack on the working people of this state. Just as with every other time, whether it is federal or state, however they try to frame it, whether it is an inquiry or a royal commission or whatever else they try to put up, it is always the same result: an attack on unions is an attack on working people. It is an attack on nurses. It is an attack on truck drivers, on retail workers and on all frontline health workers. It is an absolute attack, and it is what we are used to from that side.

Normally we like to hear from those opposite that the motions they are putting up are very precise, very deliberate and very narrow. But by Mr Davis's own admission in his interjections this is an extremely broad motion. It goes to not just one particular union; it goes to the entire Trades Hall Council and indeed to the union movement more broadly. It is absolutely as transparent as it is shameless, what we see from this Liberal Party, once again coming in doing everything they can to trample on the working people of this state. It is the sort of thing that you would only do if you hated workers. We have a long and proud history, as Mr Berger outlined, of democratic unions in this state and in this nation. We have a strong system and a strong network of legitimate, democratically elected unions. They play an incredibly powerful role, whether it is at the local level representing their members in their times of need or distress or whether it is at the union-wide level bargaining on collective bargaining agreements such as the ones that Mr Berger outlined, such as with Bunnings and other recent examples of hard-fought union wins for members, and it is at the broader movement-wide level as well through organisations such as the Victorian Trades Hall Council and the Australian Council of Trade Unions.

It is unions, each and every year, who are usually the sole voice putting forward at the Fair Work Commission's annual wage review. The unions are usually the sole voice advocating for a wage increase. We know what the Liberals think about that, because when they were in government federally year after year after year they were advocating for no increase at all for working people – a slide back in real terms, which is an absolute disgrace. It is all the more disgraceful in light of the fact that it was during that last federal government that they completely lost control of the national economy and we saw the inflation genie spurt out of that bottle, and it is only finally now coming under control under the much better stewardship of the Albanese government with Jim Chalmers as Treasurer. Only now are those things coming through, and it is especially important right now for working people to get their fair share in wages, because they did not cause this inflation but they are certainly paying the price for it. The union movement is there standing by its members day in and day

out, and they are doing that work. Those opposite do not care about that. They do not want unions to do that, and that is why we see what is not in fact a very specific motion but a very broadbrush motion attacking unions and attacking the working people of this state.

I mentioned before that unions are indeed democratically elected. They have a number of accountability functions already, and many of these are indeed enforced through the Fair Work Commission – and previously the Registered Organisations Commission, which has now been rolled into the Fair Work Commission. Unions have a number of important obligations such as reporting their finances and other important details to their members. Unions have to be registered with the Fair Work Commission, and in fact having worked at a union myself, though not in an office-bearing capacity, I can tell you of the very, very onerous requirements for reporting, as is appropriate. It is appropriate because they are democratically elected to use members' resources to advance the interests of their members. Unions overwhelmingly do that, and it is appropriate that we have those accounting and reporting mechanisms so that members can see that their union is doing what they expect it to do. That is why it is important that legitimate unions are indeed supported and that we work productively, where relevant and where possible, with them and do not seek to undermine them – because to undermine them is to do exactly what the Liberals really want, and that is to undermine the working conditions and the pay of Victorian workers.

There were indeed, as interjections from those opposite touched upon and I think even Mr Mulholland's speech touched upon, other federal bodies, such as the very, very political Australian Building and Construction Commission. It is interesting that the Liberals would actually put these organisations forward, given that this is a motion that we are debating in the state upper house here in Victoria. In their view the accountability here lies with the federal system, so it is quite curious indeed to see they want to see a state inquiry when I presume that they know all too well that, as I have just outlined, unions are actually regulated under the Fair Work Act 2009 – not a Victorian state act, but a federal act. So it is all the more curious as to why you wish to see a state-level inquiry into unions, if it is a sincere thing that you are looking to do, as opposed to the blatantly politically exercise that we see here before us today. As we know, that is what the Liberals do.

But we know what the unions do, and indeed I have given many examples. They have also contributed to us having superannuation. They have done an incredible amount of work in terms of workplace health and safety. There are many, many very hazardous workplaces that we have still in this country. I had the privilege of working for a trade union for 11 years. The space that I worked in is not generally considered to be hazardous, although it certainly does have its fair share of occupational health and safety risks, whether it is through physical strain in warehousing and repetitive movements, freak incidents, assaults from customers – which I have also talked about in this space and which the union movement has been very, very active on as well – right through to mental and psychological distress too. But of course we then go into other sectors such as transport, where those risks become a lot more life-and-death as well, and that is why having a strong union movement – especially in the field of health and safety, whether it is health and safety reps or the other various mechanisms by which unions support their members – why that function, why that role, is so important.

I also think back to some of the smaller issues as well, which in the broad scheme of things may seem trivial to some but to the working people themselves are actually critically important, such as representing a working mum with a roster change when she could not afford to work her new shift; she had different childcare arrangements that the company was not being reasonable over. That was an example of where the sort of work that I would get to do was to ensure that she had a voice and she had a way to work through that and to actually get a better outcome for herself, to ensure that she was not having to make the choice between her family and having enough money to keep their roof over their heads. These sorts of things are why I am so proud to have spent the first 10 years of my career working in the trade union movement, whether it was examples such as that to representing a teenage girl who was being sexually harassed by an older colleague and who was terrified of going into work and being completely fobbed off by her particular company's management and HR – being that voice

for her and getting that issue actually sorted out. That can have a profound impact on someone's life and is something that I did.

I am very, very humbled to have had the chance and the privilege to be able to represent working people in different parts of this great state in that capacity. And it is why when I come here and see such blatantly and obviously anti-worker motions such as what we have here today put by Mr Davis, it saddens me in fact, and it saddens me because what we are seeing is yet another continued, sustained attack on working people in Victoria. We are dealing with cost-of-living challenges, and this government is addressing them in a number of ways as well, but they are going through a very difficult situation right now with the cost of living. The unions are there behind them. The unions are there fighting for their wage reviews and increases each and every year, and I am proud to stand with the working people of this state.

David DAVIS (Southern Metropolitan) (15:27): I am pleased to respond to the comments made by many throughout this debate and in doing so urge people to support motion 461 and its aim to establish a select committee to deal with union intimidation. I think it is actually unbelievable that not one Labor member, nor Mr Ettershank for that matter, condemned the behaviour of John Setka. Not one condemned the behaviour – the thuggish, extraordinary behaviour – of John Setka. They all think it is okay. They all think the bullying, the thuggishness and the threats are okay. That is the point here. We are beginning to understand what the labour movement is really like here. They are wholly-controlled subsidiaries; they are like little dolls having their strings pulled by these unions down at Trades Hall. That is the truth of the matter.

The fact is the threats and the bullying that came out of Mr Setka the other day were completely unacceptable on a modern worksite. The Premier would not stand up against it, the Deputy Premier would not stand up against it and indeed Trades Hall would not stand up against it, and nor would many of the unions. They are all tacitly cheering Mr Setka on. They think it is okay to threaten someone's job – for somebody to threaten their job and to chase them to the ends of the earth. They think the bullying, the intimidation and the threat to the AFL are okay. Well, I do not. People who are reasonable people in a modern economy do not think the bullying, the threats and the intimidation are okay. They do not think targeting people in a new job in an entirely different industry is okay – of course it is not okay. They do not think threatening the AFL with increased costs in their construction is okay. But these people, these Labor people on that side of the chamber over there, think it is okay. They think it is fine to have the threats, the bullying, the intimidation.

Higher costs for construction absolutely is where we are headed. The blowouts on the Big Build, higher housing construction costs – you wonder why housing is difficult for people to afford. You have got massive state government taxes on it, but you have also got a huge union push on these things. The thuggish bullying behaviour that came out of John Setka the other day is typical of the nasty underbelly of unions. Most unions and most unionists do not agree with that, but these people over here, the government members, would not even condemn John Setka. That is extraordinary. It is a shocking reflection on the Labor Party – the modern Labor Party – that they would tolerate the frank and out-there threats, the bullying and the intimidation that came out of Setka's mouth the other day. Why should we tolerate that? Why is that acceptable in a modern workplace? Well, these people think it is. Not one of them spoke up against it, and that is exactly –

John Berger: On a point of order, Acting President, could you ask Mr Davis to stop pointing at us.

The ACTING PRESIDENT (Jacinta Ermacora): Yes. I think your hand motions could be a bit more neutral.

David DAVIS: The Labor side of the chamber are all apologists for John Setka, just like the jellyback Premier, the weak Deputy Premier and the Trades Hall people, who actually should have stood up. That side of the chamber – the Labor side of the chamber – supports the bullying, supports the intimidation, supports the unreasonable activities, and I say this should be dealt with. We should

actually have a proper inquiry. There should be a proper inquiry. Who thinks that is satisfactory? No-one outside on Bourke Street thinks it is acceptable to see somebody threatened and have their job threatened by a thuggish union bully. And yet the Labor side of the house is happy to support this thuggish, bullying, extortionate behaviour. I say support the motion, support the establishment of an inquiry. We can actually get to the bottom of this. We can actually reintroduce the code. We can reintroduce the ABCC. All of that would make sure that there is a lower cost of construction in this state and would outlaw the bullying and threats that Setka typifies.

Council divided on motion:

Ayes (13): Melina Bath, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (21): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Sheena Watt

Motion negatived.

Motions

Ombudsman referral

Evan MULHOLLAND (Northern Metropolitan) (15:40): I move:

That this house:

- (1) notes:
 - (a) many aspirational Victorians have had their dreams of home ownership undermined by the unexpected insolvency of their builder;
 - (b) the Victorian Managed Insurance Authority (VMIA) has unreasonably refused, reduced, or prolonged domestic building insurance (DBI) claims without transparency;
 - (c) that as at April 2024, according to figures revealed under freedom-of-information requests, there were over 1600 outstanding claims with the VMIA in the construction, property and DBI categories;
 - (d) the VMIA has acknowledged there are 2158 claims currently unresolved, including 661 cases where an offer has been made but not yet accepted;
 - (e) a group of 30 families frustrated with the VMIA wrote to the Ombudsman in December asking for an investigation into how claims for DBI are handled;
- (2) further notes that the VMIA has allegedly engaged in unhelpful practices in relation to DBI claims, including:
 - (a) promising remedial action to claimants but either failing to follow through or undertaking other actions that may be detrimental to a just insurance outcome;
 - (b) ignoring just and fair requests for transparency;
 - (c) breaching good faith by providing building quotes consistently below reasonable market rates;
 - (d) the use of non-disparagement agreements in order to pressure Victorians to settle their claims; and
- (3) pursuant to section 16 of the Ombudsman Act 1973, requests that the Ombudsman investigate the VMIA's management of DBI claims.

I rise to speak on this motion. To be honest, this is probably the most important motion that I have brought to this place. I have spent hours, days, weeks and months sitting down with families across the state, talking through with families their situation in their darkest moments, their position of absolute anguish that we have seen them go through in regard to builder collapse and then in regard to their insurance process. My motion is on the Victorian Managed Insurance Authority (VMIA). It is a referral to the Ombudsman for a proper investigation.

Late last year a group of over 30 families wrote to the Ombudsman seeking an investigation into the VMIA and its unhelpful practices in regard to domestic building insurance (DBI) claims. That was followed up with support for that letter to the Ombudsman with a letter by me, opposition leader John Pesutto and the Shadow Minister for Finance Jess Wilson. The claims these families have made and want investigated are promising remedial action to claimants but either failing to follow through or undertaking other actions that may be detrimental to a just insurance outcome, ignoring just and fair requests for transparency and breaching good faith by providing building quotes consistently below reasonable market rates.

We have also seen in the last couple of days media reports about the use of non-disparagement agreements to silence young families into settling, when all these families want is a just outcome. All these families want is to ensure that the process that they have been through with the VMIA never happens to any other families. I have spoken to so many that are so selfless in their advocacy on this issue that they are wanting to ensure that the VMIA is reformed, that the VMIA is properly resourced, so that what has happened to them never happens again.

We are seeing that this is an authority that is on the financial brink. It is \$115 million in deficit. It has \$374 million in negative equity. It was revealed this week that there are over 2000 outstanding claims with the VMIA. This is really important. Of those 2000 outstanding claims with the VMIA, 700 are families who have been waiting over a year. Over a year they have been waiting for a just outcome. You have got to remember that many of these families are paying rent somewhere else. Many of these families are paying a mortgage on another property. For many of these families it is their first home, and while they wait a whole year for a just outcome they have had to go back to living with their parents. They have had to find another place to rent nearby. They have had to pick up extra shifts. Where is the just outcome in that?

It is clear that when Labor cannot manage money, authorities like the VMIA are forced to throw the burden onto young families in their darkest moments. They are exasperated. They are stressed. This issue is compounded by Labor's failure to ensure that dodgy builders have appropriate insurance to protect their customers, as we have seen with Porter Davis, Montego Homes, Chatham Homes and Apex Homes. For many families the great Australian dream has become the great Labor nightmare. Labor are dragging their feet on this. We need a proper investigation, which can only be done by the Ombudsman, to ensure and to scrutinise the management of DBI claims and some of the allegations that we have seen quite prominently in the media over the past few days.

I want to share a few stories, because it is all good for me to tell you why we need an Ombudsman investigation into the VMIA, but it is more important to talk about it. I want to talk about Sid, who wanted and endeavoured to build his first home in Richmond. He and his young wife Chetna commenced construction of their dream home in the inner north in December 2018. It was due to be completed in June 2020, but five years later there is no end in sight. Unfortunately the builder went into liquidation, leaving their unfinished home with substantial defects and in an incomplete state.

Despite the setback they were sure that the state-owned Victorian Managed Insurance Authority would have them covered. After all, the purpose of domestic building insurance from the VMIA was to cover people exactly in this situation – their builder having gone bust. They filed a claim with the VMIA in December 2020, and they were told by the VMIA that to have their claim approved they must sign a contract with the VMIA's preferred builder. They were also provided with references for the preferred builder from the VMIA. This was despite the VMIA's preferred builder's early red flags, such as their quote being \$250,000 lower than competing builders and, extraordinarily, lower than the original builder had remaining to complete the build. The builder only spent 30 minutes onsite making this assessment. Sid and Chetna again reached out to the VMIA for assistance when their project began running behind schedule because Ethos was asking for retrospective changes to deadlines and changes in terms favourable to the VMIA's preferred builder.

MOTIONS

Wednesday 19 June 2024

Legislative Council

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In September 2023 Ethos terminated the contract with Sid and Chetna and wanted more money in a new contract as further defects were uncovered. The remaining money was not enough for other builders to finish the project. So after the VMIA going with a lowball offer that was \$250,000 less than all other quotes and not seeing the original defects, which other builders had, they then exited and wanted more money. The VMIA is now demanding they sign a non-disparagement agreement to receive insurance – so after failing Sid and Chetna, failing again and failing again, they now want them to shut up about their story. That is no way to treat young families in my community who just want to start the great Australian dream in Richmond and get on with their lives.

I also want to talk about Suzi Ralph. Suzi Ralph is a mother with two kids and is a former Porter Davis customer. She has been battling ongoing issues with the VMIA and says they are unresolved, unjust and unfathomable. She thought when things were wrong her insurance would protect her but has instead found herself in a David-and-Goliath battle with the VMIA, which has access to a top-tier law firm to fight claims. The VMIA massively underquoted Suzi, saying it would only cost \$10,000 to finish her house when it would actually cost \$100,000. Extraordinarily, the VMIA's incomplete works quote even included pictures of another house. Get that right – the VMIA's incomplete works quote included photos from another house that was not Suzi's. Suzi became an owner-builder after her experience with Porter Davis, but the VMIA refused to pay her defect money after they had agreed to and instead wanted her to sign up with another builder. Suzi also reported a lack of transparency and poor communication with the VMIA, and often she would not hear from them for weeks, despite attempting to contact them through various means.

The only answer the government has to people like Suzi is to tell them to go to VCAT, which I have heard countless times from young families. Now, I want to make this clear: the cost for a young family in going to VCAT over a VMIA claim is actually more money. Mostly, in a large number of cases, the cost of going to VCAT is more than the fair and just compensation that they are looking to receive. You have got a case manager one day and another the next day. You have got a case manager one day, and then you have got a partner at a senior law firm sending them a letter in regard to their case saying, 'The only option you have is to go to VCAT.' These are people at their lowest of moments, at their lowest of lows, and this is the way they are treated by the VMIA. This is the way they are treated by this government.

I want to talk about Shontel and Jared Ford, another couple that faced a bad experience with the VMIA. They were forced by the VMIA to use a volume builder, because it was the cheapest quote. On the other hand, detailed quotes by non-preferred builders were \$150,000 more, because they actually covered all the defects in the house, which the VMIA offer did not.

There is one family I spent a lot of time with. I want to mention Alex Perotta, who is a constituent of mine. He and his wife bought a slice of the great Australian dream in Craigieburn, a great part of the world. He and his fiancée had just put a slab down when Porter Davis collapsed, but they could not get a payment from the government because they did not have a quote. They tried multiple times, but no builder was willing to build on a Porter Davis slab, because it was someone else's work that required demolition. They got the run-around from the VMIA on what their response would be, were given offers of false hope and then were refused again. They had to delay their wedding because of financial stress – they had to delay their own wedding. They had to move back in with their parents in Glenroy instead of building their dream home.

The VMIA then told them to go to VCAT. He was only seeking his deposit back in the end, and they did not even return a progress payment, so they had to get out of the property altogether, their dream of starting a new life in Craigieburn shattered because of the VMIA delays, go-arounds and stonewalling to say to go to VCAT. It is no way to treat young families. It is no way to treat young families in my electorate looking to just get a start in life, get married and settle down in a great part of the world. Now they cannot, and now they are out of pocket. They were paying a mortgage month after month as they waited over a year for the VMIA, paying \$2000 – or something in that range – a month on their mortgage while trying to save for a wedding or just trying to settle down.

I also want to speak about Cheryl and Wayne from Berwick, who were caught up by the Porter Davis collapse. They were looking forward to retirement, planning to build their final home. They chose to go with a smaller local builder who they thought was the best fit for them and was quite reputable in the area. The VMIA pushed back against this and would only give a percentage of what they were entitled to, because they chose a trusted local builder. The VMIA rejected defects claims as 'incomplete works' when they were quite clearly defects and a number of other builders told them that they were quite clearly defects, but for some reason the VMIA thought they were incomplete works.

The only response from the VMIA is to 'take it to VCAT', which would cost more than they are actually seeking. I spoke to Cheryl and Wayne extensively. I met them with them here in the Parliament. They are a great couple, and I know they were under significant stress, because at the same time as they were trying to get into their new house and finish their new house, their landlord was kicking them out as well, which is a really difficult situation to be in, particularly in as financially stressful a time as they are going through.

I want to talk about the Mishra family. They believe they had been given an underquote from a volume builder, and instead of working with the family to resolve the issue, the VMIA engaged in lawfare to make the family prove that the VMIA's preferred builder was underquoting. So the VMIA said, 'Here is our quote,' and they were saying, 'No, this is what all these other builders are saying.' And the VMIA were saying, 'Okay. Send us the evidence that the VMIA's builder is wrong.' It is just completely awful what these people have gone through.

I want to talk about Tash. The VMIA underquoted Tash when using a volume builder who did a desktop quote. After being awarded by the VMIA, the VMIA's preferred builder delayed Tash by 22 weeks and made claims for defect costs which were originally rejected by VMIA. It seems like VMIA provided their favourite builder with the second bite of the cherry, and Tash was left picking up the tab for more delays and costs from a dodgy VMIA quote.

We need to get to the bottom of this. We need a proper Ombudsman investigation into what is going on. We know that this is an agency on the financial brink. We know that this is an agency that has had to massively increase premiums recently – which will affect everyone across the state – by a massive 53 per cent, all because Labor cannot manage money and authorities like the VMIA are having to pass the burden on to young families.

As you can tell, there are some pretty heartbreaking stories from all across the state. I implore the government: you cannot ignore this anymore. You cannot just pretend that this is okay. Listen to these families. Sit down with these families as they have asked you to and do something about it. We should not have authorities like a public insurer stonewalling young families, threatening them, making false promises, giving false hope and then turning around and saying no or giving false hope and sending them to VCAT, where the cost of going to VCAT is more than the just compensation that they deserve.

I implore the government to come on board and admit there needs to be an Ombudsman investigation into the management of domestic building insurance claims, because I think everyone can agree the current process is not working. How anyone could think that it is working when you have got a case load of over 2000 outstanding and 700 people on that case load list have waited longer than a year to have their claim settled? Each one of those over 2000 people is a family. Each one of those is a story – a story of collapsed builders, a story of misfortune and heartbreak. They are families in distress, who deserve justice. They deserve justice. Alex from Craigieburn deserves justice. Suzi from Warranwood deserves justice. Sid and Chetna from Richmond deserve justice, because after what they have been through I do not know how they have gone on and continued to be so brave in speaking out. To those 31 families that wrote the letter to the Ombudsman – very brave in speaking out, not for themselves but for all the other families that are going through the same thing, who are voiceless, who are in financial stress and who do not have the capacity to speak for themselves – this is a really important motion. We deserve an Ombudsman investigation to look into the VMIA's management of DBI claims to get a just outcome for families across the state.

Jacinta ERMACORA (Western Victoria) (16:00): I rise to make a contribution and some remarks on the Victorian Managed Insurance Authority and Ombudsman referral motion this afternoon. The Ombudsman has already investigated all of these claims, including the ones that are referred to in the motion, and the Ombudsman has found that the VMIA has acted fairly and appropriately. I am not sure why we should use up the time and resources of the Ombudsman to go over already thoroughly investigated claims. It must be go-around day today, because we had a shot at doing the flood study all over again as well.

The Victorian Managed Insurance Authority provides the state with insurance and advises on risk. Through the VMIA customers undertaking building and construction works can obtain domestic building insurance – and from my lay perspective probably ‘domestic construction insurance’ is a better description of the actual role that it plays, because it sounds to me like it is insuring the actual buildings. Previously, private insurers provided this insurance. However, the government stepped in when they vacated the space in 2010. The VMIA now provides 70 per cent of domestic building insurance in Victoria, so this is a fairly clear example of market failure.

Last year we saw the collapse of Porter Davis. The collapse of Porter Davis had a significant impact on domestic building insurance payouts from the VMIA. Porter Davis were engaged in improper behaviour by not insuring their customers appropriately – and when I say customers I mean the young Victorians who perhaps had saved up for a deposit and purchased a block of land and then handed over their deposit to a selected builder in good faith, only to discover that their builder was not appropriately insured. The stress levels alone for just being a first home buyer are pretty high, with a lot of the legal and regulatory processes and steps along the way. I have sympathy for first home buyers, but it is the same for anybody buying a second or third. It is still pretty stressful. For first home buyers it can be quite a mystifying and I think fairly scary process, so in addition to the normal process, for people to have to deal with noncompliance in the insurance space is definitely really stressful. Often these families have saved every penny to come up with a deposit.

The conduct of Porter Davis and a number of other builders was one of the most serious instances of corporate misconduct seen in Victoria in a very long time. They took people’s deposits, took their savings, but did not take out the insurance required to support the activities that they were undertaking for their customers. Those customers should never have been caught up in this nightmare. I do not seem to recall hearing those opposite saying anything about the horrendous misconduct of Porter Davis and others. The Allan Labor government stepped in to assist in April 2023 to give compensation to those customers of Porter Davis who were left without insurance and lost their deposits through the misconduct of Porter Davis. This Allan Labor government has gone on to establish the liquidated builders customer support payment scheme to assist customers impacted by builder collapses between 1 July 2022 and 28 February 2024. It is important to note that the Victorian Building Authority has investigations open into a number of builders, including Porter Davis.

This motion refers to underquoting. Let me just reassure those opposite that the VMIA only obtains quotes from reputable builders with the experience to do the work required that are financially stable. If a home owner does not want to go with the VMIA builder, they are free to choose their own, providing the builder can complete the works in line with the agreements set out with the original builder. It should be noted that the VMIA are more often able to provide a quote lower than other builders due to their supply chain and volume-based discounts. It is misleading and incorrect to label these processes as underquoting merely because the VMIA have given a substantially better quote. These lower quotes do not equate to a reduction in build quality.

With the significant impacts felt by those customers of Porter Davis and other builders, the VMIA is doing everything possible to ensure claims are processed as quickly and as simply as possible. The domestic building insurance (DBI) claims assessment team has been significantly expanded to address the increase in claims. Being thorough in addressing these claims gives home owners the peace of mind that they will have a safe, quality-built home. A rigorous claims assessment is critical to ensuring that claimants receive all the entitlements and benefits they are afforded under the policy. Since July

2022 the VMIA have resolved over 4000 domestic building insurance claims and extended offers worth over \$218 million to consumers.

In the Allan Labor government's 2024–25 budget we are building on our already significant reforms, with \$63 million in a building reform package. The package will ensure increased access to DBI, delivering reforms to support modern construction methods and deliver new legislation. The package will strengthen the Victorian Building Authority as well as grow the number of VBA inspectors and auditors. This Allan Labor government is setting bold targets to build 800,000 new homes across the state over the next 10 years. That is 152,000 new homes in regional Victoria and 648,000 homes in metropolitan Melbourne. Already the backlog of housing approvals is over halfway cleared.

An expert panel has been convened to review the Victorian building system and has already provided advice to the Victorian government. The Victorian government is already taking up a number of recommendations. Last year the Allan Labor government passed the Building Legislation Amendment Act 2023, and the amendments made by it brought in stronger oversight of building approvals and established a building monitor. The panel has provided a further 14 recommendations that look to deliver greater accountability and greater insurance coverage and strengthen the compliance and enforcement frameworks. Work is being conducted to review the Domestic Building Contracts Act 1995, investigating legislative options to ensure that Victorians can build their homes with the knowledge and confidence that they are protected.

Those opposite want the Ombudsman to investigate complaints that have already been investigated, wasting the precious time and resources of the Ombudsman's office at a time when we should be getting on with addressing the egregious conduct of builders like Porter Davis. I can only interpret this motion as a bit of an effort to stir up controversy in a space that has already been significantly worked through, and in some cases continues to be worked through, when we should be pushing along with reviewing how best we can protect Victorian consumers.

Samantha RATNAM (Northern Metropolitan) (16:10): I rise in support of Mr Mulholland's motion today, and I thank him for bringing the matter to the attention of this chamber. This chamber and this Parliament need to respond to what is happening in the community, and this is a really good example of a good use of this chamber's time and the levers available to us to support people who are experiencing quite significant hardship and difficulty that, on the face of it, looks entirely preventable. We too share the concerns that have been raised in this debate so far about what is happening with the Victorian Managed Insurance Authority. We have heard from a number of people right across Victoria ever since there was more attention brought to this issue with the VMIA over the last few days. There seem to be far too many Victorians who have sought assistance from the Victorian Managed Insurance Authority who have been met with obfuscation and cheap quotes. Many people ended up at VCAT trying to get a fairer outcome, but that only added to the stress and heartache they experienced on top of the issues they experienced when their original builders collapsed.

We do support this referral to the Ombudsman, as any claims – and the volume of claims that we have now heard – of intimidation by the VMIA and of the alleged use of non-disparagement clauses warrant further investigation. When you have this many people repeating the same story, in dire straits, it is worth us taking a moment to consider what is going on here. It certainly feels like there is something systematic that is occurring here, and if there is not, let an investigation rule that out. Let the community, especially the people at the heart of these building and insurance claims, have confidence that the process is as fair and transparent as possible to them. If this behaviour is occurring at a systematic level, it is completely unacceptable, especially for a government authority which is supposed to support people. People are supposed to have confidence in these authorities, and they must be held accountable if there are issues that are preventable that are causing this grief for so many Victorians.

I think it is really important to note that the VMIA's alleged practices do not exist in a vacuum. There are issues that we have raised about the entire system of building and construction and development

for a number of years. These issues, and the reason we are encountering them more frequently, reflect an operating environment and context. The authority has been under financial strain since the collapse of Porter Davis followed by the insolvency of several other builders, reflecting something that is happening more broadly in the building and construction environment. Many of these issues have arisen in the context of deregulation of a system that provides something akin to an essential service, which is the construction of homes. Homes and the right to housing should be considered a right and therefore an essential service, yet when you deregulate the provision of these essentials for life what you get is less accountability, less transparency, more passing of the buck and ultimately more people falling through gaps that emerge in this highly deregulated system.

We also know that the VMIA and the system around it does not even actually cover a number of people. For example, we are talking here about the people who are eligible to access the system, but the other context that needs to be considered here is the numbers of people who are not even able to access this system in the first place. Customers can only submit a claim if the builder is insolvent, has disappeared or died or has had their building licence suspended. If the builder is just incompetent and there are defects within the building, you cannot make a claim – you cannot even make them investigate it. So that leaves people completely stranded when they encounter that circumstance.

As I mentioned, we see the problems of deregulation writ large in this latest example of the system breaking down, allowing people to fall through the gaps. Building companies have interpreted the push for more housing as permission to relax building standards, sometimes cutting corners on the building codes to meet turnaround times, and this approach means essential sector skills are being lost along the way. Design, project planning and building execution have become quite fragmented. We have raised the issues of surveyors and surveying in this Parliament on a number of occasions. We have had the issue of flammable cladding and why that problem was allowed to arise in the first place. And all that does point back to deregulation and the need for more intervention from the people who have responsibility to Victorians, who are our governments at both local government and state government level. When you have a system that allows an emphasis on profit at the cost of the outcomes for people and the wellbeing of people, these are the kinds of problems that result from it.

We also know that as the VMIA struggles to stay afloat it has announced it will again increase domestic building insurance premiums. This cost will be passed directly on to people building homes, making the housing market even more unaffordable. This increase seems to penalise and place at risk builders who are still operating and warrants a further investigation too.

As I mentioned, we have been contacted by a number of people – and I have been taken aback by the number of contacts that we have received just in the last couple of days alone, and I understand that would represent a whole number of people who have not contacted us yet who are struggling through this system that they feel completely disempowered by. There are some very similar, consistent themes that are emerging from the contact that we have had from people who have been stuck in this system for years on end with huge bills racking up around them. They talk about a lack of transparency, timeframes not being held to and no communication from the VMIA as they try to get their homes completed so that they have a roof over their heads. They have made accusations of underhanded dealings and insufficient compensation for defects. One person wrote to us to say that they were told they would be covered for two months rent. They have been out of their house – so they have not got a home – for 24 months. That is just costs that are racking up. And we know that rents are going through the roof, so we know what kind of stress and pressure these families are experiencing.

We have also had accusations of heavy-handed tactics resulting in Victorians having to use VCAT, and we know VCAT can be costly. When you add lawyers and other legal fees on top of that, you are starting to get mounting bills on top of the building bills that are now surrounding these people who through no fault of their own have been left with incomplete homes and huge and rising costs.

We also know of the delay in getting claims processed, and we are hearing of issues about people having to go back and forth with the VMIA, with poor communication transparency and no

justification for their decisions – remembering that every delay delays a person being able to get their occupancy certificate to be able to live in their home. Clearly the relationship between the VMIA and the people that need them the most has broken down. I do not think you would get this volume and consistency of complaint from a broad range of Victorians from all across the state if not for something more fundamentally wrong going on, which is why an Ombudsman referral and an investigation of this nature is warranted, even if it is to rule something out. If what the government is claiming is that there are no problems, there is nothing to see here, well, it would give people more confidence that something else might be going on. But I suspect that what we are going to find is that something has gone wrong and it needs to be fixed. And we have the power to fix it, because it is an agency managed by the government.

On that note I would just like to once again reiterate our support for this motion. I am really pleased this matter has been brought before this chamber with the urgency at which it has been brought. Hopefully it will provide some consolation. I know it is little consolation to the many Victorians really struggling right now. Just imagine being in this situation, where your builder has gone bust, you have been told there is some reprieve, you can go through the VMIA, only to be met with this kind of brick wall of no information, no transparency, on top of your stress wondering when you are ever going to be able to build your home. With mounting costs as inflation rises and interest rates rise, people are struggling to put food on the table. Just imagine how stressful this would be to experience month after month for years. We know that building a home takes more time than everyone anticipates as a starting point. Now add the crises that descend upon people when their builder collapses, when the agency and the government that promised they would provide some support are saying ‘You have to go through our process’ and when despite people saying that process is not fair, it is not transparent and it is really, really stressful they are being met with responses like, ‘It’s just the system, and it’s a system that we have to deal with.’

Something is clearly going wrong. We welcome an investigation to get to the bottom of it and to hopefully, ultimately, get some relief for so many Victorians who are doing it really tough right now, who just want to be able to move into their home.

Tom McINTOSH (Eastern Victoria) (16:20): Well, the greatest trick the devil ever played was convincing the world they did not exist, and that is exactly what the Liberal Party are trying to do here, trying to make out as though they care about standing up for consumer protections, because we know they do not. That is not in the Liberal Party’s DNA one bit. Some of the lines we are hearing have been interesting at best and dubious at worst. When we talk about consumer protection and when we talk about insurance, we talk about putting a small fee – and in this case I think it is 0.6 per cent or something – on the cost of a transaction to protect the broader base of consumers. This is something time and time again that the Liberal Party have stood against. Consistently we have seen over decades when businesses want to try to get away with practice and want to try to get away with operating their business in a way that lets consumers down, the Liberal Party have consistently been nowhere to be seen.

We have gone through basically a four-year period where, no matter what industry but particularly in construction, due to the pandemic and due to wars and conflict around the world we have seen inflation around prices of materials. We have seen a shortage of labour supply. We have seen increases in costs in construction. This has led to the situation we have found in recent years where we have had builders and companies become insolvent. Some of these have acted completely inappropriately by not ensuring that insurance has been provided for their customers, and it would be good for the Liberal Party to point out the cases where they have called that out, where they have called out their mates in the public domain for business not acting appropriately, for businesses not ensuring that their customers have the appropriate protections in place.

There are many instances where we have seen good consumer protections being put in place by the Labor Party, whether that is state or federally, to ensure consumer protections. If we go back to a simple philosophy, or a simple example, things like seatbelts, things like basic consumer protections –

you can talk about insurance or you can talk about things that actually keep people safe in their daily lives – time and time again the Liberal Party stand on the side of big business and do not want to see any minute or slightly bigger additional cost that would be there, even if it would protect consumers.

As I said, we have come through a period that has been like no other in living memory, a once-in-a-century pandemic, and that has impacted on costs. Yes, that has seen this heightening of demand, this heightening of costs, but it is being worked through. Referrals have been made to the Ombudsman and have been investigated.

I think it is very interesting that in this conversation we are talking about quality building outcomes for consumers yet we do not hear the other side talking about the assurance of a good pipeline of workers. We do not hear the assurances of ensuring that our workers who are working in our building industry have the best qualifications they can have and have the best skills they can have so that Victorian home builders – anyone looking to build, anyone looking to renovate – can get the best possible outcome for the hard-earned dollars that they are investing. We know that over subsequent years we have seen what the Liberals will do to TAFE when they have the opportunity; they will slash it. That does not enable the many, many forms of various trades coming through to have the appropriate skills and qualifications they need.

We know, and I mentioned it in my previous contribution, that when things like the SEC are dismantled we lose a whole generation and a whole pipeline of workers. Workers do not work for a company for a lifetime; they end up going from contract to contract. When you have that movement of the workforce you do not have that knowledge being passed on; you do not have that generational knowledge, and when people are moving around you are less likely to have that commitment and that quality outcome that is seen. I remember when I started my apprenticeship the tradies that were older than me and those still in overalls had spent 20, 30 years in one company. They were in their career for life, and they were with a company for life. They were very committed to the outcome of their work because it was a reflection upon them, the quality of work that they did for the company they worked for and also for the customers who were receiving that work. Again it just brings me back to this point of the philosophy of those opposite as to what they want to deliver for consumers, whether it is the quality of the work being done by those actually doing the work and delivering the work or whether it is to actually deliver the business component of it, the contracts, and ensure that that insurance is there.

The Victorian Managed Insurance Authority's financial position is sound. As I have said before, it is working through a backlog and has been working through that over recent times. That was obvious through the items that I commented on before, which led to the situations in the industry, and we have seen global inflation right around the world across the industries. The important thing is that – I have made comment on this before, and we have heard a lot of union bashing on the other side today – you can look, you can see and you can touch, feel and smell projects that are quality builds, and they stand the test of time. When we have quality products being built by trades that have quality training and skills and by companies that have the proper insurances and proper culture within them in the way that they operate as businesses, we get good outcomes for Victorians. We want to see homes that are built today lasting for generations, because it is not a good economic outcome for anybody to see a house with defects in only years to come or houses having to be torn down in decades to come.

We want to see houses built. We want to see houses that are built to a high quality – something again that those opposite stand against. They do not want to see houses that are well insulated, houses that are energy efficient or houses that are going to save consumers money year after year. They would rather cut corners up-front so that builders who are not as interested in consumer outcomes as they are in the bottom line can get a house up as quickly as possible and as cheaply as possible and flip it over and move on to the next one.

Ryan BATCHELOR (Southern Metropolitan) (16:30): I rise to speak on Mr Mulholland's motion on an incredibly important issue – that of ensuring that people who are seeking to build a home for

their family have a place that they can in fact call home and that provides them with the safety, the security, the comfort, hopefully, and the nurturing environment in which to house their family in a community that they choose to live in. I think we all want that for all Victorians and particularly understand and have heard on too many occasions the stories of individuals and families who have encountered difficulties in the building process. I have absolutely no doubt that those stories that we hear, the tales that are relayed to us, are real and genuine and distressing for those individuals concerned, and absolutely we need to do what we can as representatives and as governments, as members of the Parliament, to assist in what is the biggest contractual obligation, decision and discussion that an individual is likely to undertake in their life – that is, the decision to build a home or to undertake extensive renovations on a home. So we can understand the importance of these issues and absolutely understand how critical they are for many Victorians, and we take them exceptionally seriously.

There have obviously been, in the terms of the motion, issues with the way that the domestic building insurance claims process is handled and managed by the Victorian Managed Insurance Authority and the way that those claims are processed and assessed and the consequences of when decisions are taken in terms of remedial action in relation to houses – obtaining quotes for remedial work and the like. Clearly in any system that is building a lot of homes, as we are here in Victoria, there are going to be instances where not everything goes according to plan, and processes like this are important and put in place in an important way to make sure there are safeguards, that there is protection and that there is support for those individuals in one of the biggest financial decisions that many of them will make over the course of their life. We know from the terms of this motion that there have been concerns raised and families who are frustrated with the VMIA process and the length of time it has taken. Mr Mulholland's motion seeks to, legitimately, give voice to some of these concerns and then seeks an investigation by the Ombudsman to further look into the claims management processes of domestic building insurance by the Victorian Managed Insurance Authority.

What we do know is that the Ombudsman plays a very important role as part of the integrity and accountability framework here in the state of Victoria as an independent body who can receive complaints from members of the public, take action, commence investigations and make recommendations on particular issues with an extensive and broad set of powers. For 50 years we have had the office of the Ombudsman here in Victoria. We have had over that time some absolute champions of the rights of Victorians to receive fair process from the government, and I think it is inarguable that ombudsmen past and present have been willing to stand up and highlight problems where they see them existing. That is why the office of the Ombudsman exists. They play a very important role. The motion itself goes into this in a little bit of detail.

I should also say that the Ombudsman is obviously acutely aware of the importance of the building and facilities matters that come before it. The Ombudsman's office and the Ombudsman herself, as it still is, take great interest in these matters. In the last financial year, according to the Ombudsman's annual report, building and facilities was the number three issue complained about here in Victoria out of the top 10 complaints, so there is an expertise in the Ombudsman's office in dealing with these sorts of matters.

I raise this because it is clear from the terms of the motion that families reached out to the Ombudsman in December last year seeking the Ombudsman's assistance in further investigating the complaints that are before it about the practices of the VMIA. We do know, because we were advised by the VMIA that the Ombudsman took up these complaints and started looking into them – in fact looking into all of them – and requested further information from the VMIA, as it is supposed to in accordance with the law and the expectations of this Parliament; that is, that the Ombudsman will respond to complaints of people who complain to it, will ask questions of agencies, in this case of the VMIA, in respect to these 30 claims. And we are advised by the VMIA. I would be interested if Mr Mulholland has any further insights as to what those complainants have received by way of response from the Ombudsman since those complaints were lodged in December according to the terms of the motion. I

think it would illuminate the debate if we knew what response they have had from the Ombudsman to the complaints that they have made, because the information that we have received from the VMIA is that those complaints were the subject of further exploration.

Documents and materials, using the Ombudsman's powers, were requested from the VMIA, were received by the Ombudsman, and as we understand it, the decision was taken that no further investigation was required. We think it is interesting. Obviously this was taken in December, and we know that there was a change of Ombudsman earlier this year – Deborah Glass stood down in March and Marlo Baragwanath took over shortly thereafter. We know that the previous Ombudsman, who would have received these complaints, was exceptionally diligent in the receipt of complaints. I think it really beggars belief that any reasonable person could believe that that Ombudsman or the current Ombudsman would not be diligent in the exercise of their powers. I find it hard to believe that, which brings us to what this motion is requesting, which is that the Parliament ask them to go and do it all again – that the Parliament says, 'We know you've received complaints. We understand that you've taken a look at these complaints and requested information from the VMIA.' Again, if Mr Mulholland has any further evidence, if he can, I would be really interested to hear that, because it is an important feature of the system that the Ombudsman has powers to do this on her own motion in the receipt of complaints or when systematic and systemic issues have been illuminated.

There was a report just last year tabled in November into complaints around building permits, so this is not a topic that is foreign to the Ombudsman or her office. We do think that these are incredibly important issues. We do know that they are important for the individuals concerned. We expect that the VMIA does its job properly and it does its job with due care and it does its job with due consideration for both the policyholders and the system overall and makes sure that it supports under the terms of the insurance policies people who need help in the housing industry. We also expect that the Ombudsman is doing their job, and we expect that they are, and that is why we would welcome any further information that may exist about how investigations into this have occurred over the course of the time since December last year.

Michael GALEA (South-Eastern Metropolitan) (16:40): I rise to make some contributions on the motion put forward today by Mr Mulholland in relation to the Victorian Managed Insurance Authority, the VMIA. In doing so I would like to preface my remarks by noting that whilst we can get into the discussion – and I will go into a few points – at the outset I think it is really important to note that at the heart of these cases are people who have gone through difficult situations with their builders, unfortunately, in some cases, dodgy builders. We know that the vast majority of building practitioners are ethical and do the right thing, but where that does not happen, that is a gravely disappointing thing and it brings absolute shame onto those who would seek to exploit their customers, who would be putting their life savings – and indeed heavily mortgaging, in a lot of cases, quite a bit more than their life savings – into their long-term home. To be treated in such ways, to be let down by those builders where that does happen, is a deeply, deeply shameful thing, and I note indeed that one of the purposes of the VMIA is to support people through those difficult circumstances.

From the outset I do, as a principal point of view, welcome opportunities in which we can make that as robust as possible and ensure that the VMIA is doing its job. That unfortunately does lead me to my central point of concern with this motion, which, as Mr Batchelor was just outlining as well, is that the cases which we are discussing today have actually already been investigated by the Ombudsman, and they found no wrongdoing on the part of the VMIA. As I understand it, they have investigated each of those complaints. There have been numerous different, individual complaints to the VMIA from people who have gone through that most painful and difficult situation of dealing with defects or other issues as a result of dodgy practices on the part of their contractors and have had to go through this process.

Of the 739 complaints which have been open for more than 12 months, 229 have had an offer made that is waiting for customers to make a decision, and the bulk of the other open claims – I believe 288, based on the facts that I have – relate to defects on multi-unit claims, which are somewhat more

complicated due to their intrinsic nature and the role of the VMIA and the various groups of customers to navigate those complex defects like cladding or water issues that may be of concern. The VMIA needs to negotiate with the owners, various strata bodies and other body corporates as well as tenants to inspect and resolve those defects – indeed, in cases of expert technical advice on the claim, to make a liability decision; to inform the scope of works; to seek permission from, as may be the case, multiple home owners and indeed tenants to get access for the inspections that are required; and indeed as well to find suitable, qualified builders to perform those quotes and to perform those measurements and other works that are required to take place. Obviously those sorts of rectification works are a relatively specialised field in that space.

I will reiterate the question that my colleague Mr Batchelor asked, which was: what is the issue out of these complaints which have already being investigated by the Ombudsman? What is the defect in their existing answers that you are seeking to address here by putting this motion forward today? I do have faith that the Ombudsman has done its job, as it is statutorily engaged to do, and that the Ombudsman has actually properly considered these complaints as they have been made. Again, as Mr Batchelor said, we do not actually have any particular evidence to show that they have not done their job thoroughly and appropriately, as we would of course expect them to do.

In the time I have it might be worth outlining a little bit about what exactly domestic building insurance is. It is an insurance product that covers building customers when their builder is in some way incapacitated, whether they are subject to an unfortunate medical incident or an unfortunate financial incident – if they become insolvent – or otherwise make themselves unavailable. It can generally assist customers in three ways: firstly, if the building works have not yet begun, it can cover the entirety of the legally prescribed maximum deposit of 5 per cent; secondly, if the building works have commenced, it will cover the completion of the rest of the build up to a maximum of \$300,000; and if the home has been completed, in the third instance, it will cover defects for a period of six years.

The VMIA provides DBI – domestic building insurance – to over 70 per cent of the Victorian building market on the direction of the government. In 2010 nearly all private insurers left the Victorian market, requiring that the government step in to stop what has been a clear market failure – and that is something that this government takes very seriously, again, for the reasons I outlined at the commencement of my speech.

I am very privileged to represent across vast regions – as we all cover large numbers of people in this place – people in suburbs such as Clyde North, Cranbourne and areas around there where there is a significant amount of new housing build. Quite frequently I will be raising both the growing constraints that these areas have as well as the solutions that this government is delivering. Indeed this morning I was speaking about an intersection in the suburb of Clyde North at Soldiers Road and Thompsons Road that many, many locals have written to me and otherwise contacted me about to express their concerns over what is a small intersection that was fit for purpose when the area was surrounded by farms 20 years ago but is no longer fit for purpose with estates popping up all around. These are council roads, so I have been in discussion with Casey City Council and have appreciated their interest in driving this project forward. There is a proposal to extend the new Bells Road, which will considerably alleviate this issue, and as part of that too we will see significant improvements in travel time for people in those suburbs. I will not go into them now lest I stray too far from the topic at hand, but there are a number of other state government investments in that particular region as well, such as the new roads, bus routes, schools, health services and the like.

When it comes to areas like these we do have huge numbers of people, thousands of people, moving into the outer south-eastern suburbs, and for many, many families as they do so that process involves the building of a new home. It should be a very exciting thing, and by and large I know that it is a very exciting thing for people. It was certainly the case for many people I have spoken to. But too many people do get let down by their builders, and that is where something like domestic building insurance really comes into play. It is that added safety net. As I have said, despite the clear and apparent market failure that occurred in 2010, it is good to see, as part of many of the functions and many of the

responsibilities that are conferred onto the government of Victoria by this Parliament, that support for such people building their homes is provided for through domestic building insurance, and that is provided for through recurrent funding through the state government.

It is a very important thing for people to have that faith as we are well and truly on the mission towards building those 800,000 new homes over a 10-year period, as was announced in the housing statement last year. It is important – in fact it is imperative – that people building these homes can have the confidence that they rightly deserve that these homes will be built to a high standard, and that is part of what this system is designed to achieve, as well as the various other reforms that we have brought in in terms of minimum space requirements for apartments and other things and other discussions that we have had around granny flats and broader planning reform too as we shift to having more of that growth focused on existing parts of our capital city and indeed our other regional cities as well.

There are a lot more exciting things that I can talk about, but as I said, this particular matter is one that is very important to a number of people. However, I am concerned that the way in which the opposition have framed the motion today fails to actually reflect the reality and the history of what has already been undertaken by the Ombudsman.

Evan MULHOLLAND (Northern Metropolitan) (16:50): We have heard a wide range of contributions, but I want to thank all of my colleagues for contributing to this very important motion. Rather than take a whole lot of sledges, I thought I would use my contribution to echo and amplify the voices of young families that are being heard. I am grateful to Dr Ratnam for doing the same and amplifying voices of young families in both of our electorates and across the state that have faced really heartbreaking situations as a result of Victorian Managed Insurance Authority (VMIA) delays.

We heard Ms Ermacora say that it is all because of Porter Davis. It was not just because of Porter Davis that the VMIA is strained. When we pointed out earlier in the year that there were 1300 outstanding claims, the government acted like that was the peak of the claims. There are now over 2000 outstanding claims, 700 of which have waited over a year. We saw the story of Steve Yates, I think his name was, on the ABC, a fellow who waited three years for the VMIA. We have seen that there have been a number of investigations –

Harriet Shing: You don't remember the name of your talent, Mr Mulholland?

Evan MULHOLLAND: I have not spoken at a presser with him, no.

Harriet Shing interjected.

Evan MULHOLLAND: No, no. He wasn't.

They were saying that there have been a number of investigations. We are still waiting on Danny Pearson's audit of domestic building companies. That still has not arrived. Mr McIntosh was quite laughable in trying to suggest that the shortfall in labour around the state has been caused by the war in Ukraine. Explain that, when we know it is because of their mismanaged Big Build. Labour makes up the majority of the cost or half the cost of new housing, so when you have a mismanaged Big Build sucking in all the labour it means that it is harder to build a home and it adds cost to building a home. He spoke about the need to ensure a pipeline of workers, and the mismanaged Big Build has ruined that. Even the Treasurer has acknowledged that it is having an impact on domestic builds. Even the Treasurer acknowledged that that needs a supposed slow down.

I want to come to points that Mr Batchelor and Mr Galea made in regard to the Ombudsman and previous responses to families. The Ombudsman actually did not acknowledge the substance of the letter from over 30 families. They responded to one case, and to others that emailed the Ombudsman they gave a form response that they had to go to VCAT. Can I just point out that the reason the Ombudsman did not investigate is that you have to exhaust all options that are there in the dispute. The response to these families – this is an important point – was that it is not unreasonable to take proceedings to VCAT. For these families, it is completely unreasonable. To go to VCAT would cost

them more than the just compensation that they deserve that they are hoping to receive. It is completely unreasonable to say that that is an option for a young family to take, a young family like Alex from Craigieburn, who had to delay his wedding, who was paying \$2000 a month for a mortgage on land and a slab in Craigieburn that he could not even live in. It is completely unreasonable to go to VCAT. For many families this is absolutely not an option. To suggest that they have not exhausted all options – it is completely unreasonable for them to go to VCAT. That is not something that is left for these families to do. They are in their darkest moment and in financial distress, and we are meant to think that VCAT is an option for these families. This is what that side of the chamber thinks. Of course it is unreasonable to take the proceedings to VCAT. The VMIA is sending families to VCAT. The VMIA is stonewalling young families with partners in expensive law firms saying, ‘Your only option is to go to VCAT.’ It is not good enough. We need an Ombudsman investigation.

Motion agreed to.

Energy policy

David DAVIS (Southern Metropolitan) (16:56): I move:

That this house notes that:

- (1) the RedBridge EnergyShift tracking poll, conducted in May, shows 64 per cent of Victorians were supportive of the use of natural gas in the energy transition, significantly more than voters in any other state and compared with 56 and 54 per cent in Queensland and New South Wales respectively;
- (2) the poll also shows that:
 - (a) 71 per cent of Victorians believed blackouts were very or somewhat likely, compared with 67 per cent nationally;
 - (b) Victorians overwhelmingly prioritise cost and reliability in the shift to lower emissions energy generation;
- (3) Victorians know Labor’s energy policies are chaotic and ineffective and that Labor, by insufficiently firming inherently intermittent renewable energy generation with gas-fired generation capacity, has botched the transition to low-emissions energy;
- (4) the supply of natural gas from Bass Strait is likely to reduce over the next few years, yet the Victorian Labor government has not issued a single conventional onshore natural gas exploration permit in its almost 10 years in office;
- (5) the St Vincent de Paul and Alvis Consulting report titled ‘Observations from the Vinnies’ tariff-tracker project’ found the price of electricity to households had increased by 28 per cent in the year to January 2024 and the price of gas by 22 per cent;

and calls on the Premier, the Honourable Jacinta Allan MP, and the Minister for Energy and Resources, the Honourable Lily D’Ambrosio MP, to rethink their extreme ideological opposition to natural gas.

I want to begin by pointing to the hypocrisy of the state government’s gas position. It is clear from the tracking polling done by RedBridge and others that the state government is way away from the Victorian community on their attitude to gas, far from the Victorian community on their attitude to the energy transition and far from the Victorian community on the priorities that are put for reliability and security of supply but also, importantly, affordability. If we are going to move in a sensible transition, we need to have the community support that. The community will not support it if the costs jack up and jack up and jack up, and that is what has been happening under Labor. We have seen this year after year in recent years – up, up, up, up. A tiny little bit down on the default offer this year but still most Victorians are going to be paying far, far more than they were two years ago or four years ago. This government is a high-taxing government but it is also a very, very high energy cost government. The risk is that Victorian businesses are priced out and that Victorian households and consumers are absolutely clobbered and thumped by this government as they are unable to have the sort of energy supply that I think they all deserve.

Victorians deserve reliable energy. They deserve secure energy supplies. They deserve a fair and affordable price for energy. They do not deserve the high costs that this government is delivering. We

know that the government's plans are on renewable energy, and there is a very strong place for our renewable energy transition, but it has got to be done with community support and it has got to be done in a way that is going to deliver fair costs. We know that the state government is loading up cost after cost after cost into the energy that is transmitted. It already takes hundreds of millions of dollars a year in land tax.

Michael Galea interjected.

David DAVIS: You may not know that, Mr Galea, but hundreds of millions of dollars a year are scooped out of electricity bills and paid straight to the state government. They are not spent on energy in any form; they just go straight into the general consolidated revenue of the Treasury. The cost impositions by the Victorian state government on the energy sector are profound, and those costs are feeding all the way through the system.

But it is also, as I say, the reliability that is important. We saw an event earlier this year. It was a natural event, but it pointed to real failures in the system – failures of towers, failures of backup and failures of systems across the whole arrangement. The clear point here is that the state government has lost control of energy. It has lost control of the energy transition. I have to say nothing could highlight this further than the story in the *Australian* today, and this is by Rachel Baxendale:

The Victorian government is seeking tenders for gas supply to its own departments and agencies ...

The value of the two contracts it is replacing is \$85 million a year, but they are replacing those contracts. The likely cost is well in excess of \$100 million. That is the fact. So you have got the state government with its energy substitution road map wagging the fingers and pointing at businesses, pointing at families and saying, 'Families, we're going to close down your options of gas under the *Gas Substitution Roadmap*. No gas for you. You won't get any gas.'

We have stopped gas already on new estates – banned from 1 January – and we have stopped gas rebates on new appliances, so if you go and get a new gas appliance now, you cannot get a rebate. You can get one on electricity, but you cannot get one on gas. That of course hits the poorer people, those in financial trouble, hardest. If you have got a house and you want to replace the gas appliance, 'No rebate for you' – the wagging finger of Labor, the wagging finger of Lily D'Ambrosio, thumping and hitting and hurting poorer people. Those who are less well off in this state are struggling, and they are the ones that are being made to pay the price of Lily D'Ambrosio's wagging finger and choice to ban and stop you having access to gas and the choice that is required.

I have to say this is inconsistent with the federal government's gas strategy. The federal government's gas strategy makes it clear, and you can go and read it yourself. In principle 4 it lays out a requirement that choice remain for gas. That is what the federal Labor Party says but not what the Victorian Labor Party says. The Victorian Labor Party says, 'No, you will not have gas. Gas will be banned.' The state government is going through a regulatory impact statement now, and it is taking further steps to ban and crush the choice of Victorians to use gas for anything.

There is a little bit of a whisper that the minister might step back a bit from her hardline ideological position with respect to gas and the need for peaking power. We know that where there are intermittent renewables there will actually need to be some firming capacity, and gas is the obvious firming capacity that is going to be used. We still do not have clear statements from Minister D'Ambrosio about this, but we can detect that there is some movement. Certainly the word I hear inside Labor is she is toxic. Nobody wants to go near Lily D'Ambrosio because of the position she has adopted on gas.

Harriet Shing: On a point of order, President, Mr Davis has just used incendiary language about a minister from the other place. Perhaps something that is less personal and incendiary might be a way that he can rephrase.

The PRESIDENT: I will just call Mr Davis back to his motion.

David DAVIS: The truth of the matter is that the government's *Gas Substitution Roadmap*, which has been overseen by Lily D'Ambrosio, is a nasty attempt to hurt poorer people and make it difficult for those who are less well off. It is actually positioning the state very, very poorly. The truth is that the plan that Lily D'Ambrosio is oversighting has become toxic inside the Labor Party. Many inside Labor – and I hear it from your colleagues, I have to say, President –

Members interjecting.

David DAVIS: Well, no, some of them are, actually. You might find that interesting, but some of them are. That is the point. Let me just go further here to explain the tender that I started with today. \$85 million is the replacement cost. Nobody believes the new government gas tender will be less than \$100 million at the minimum. This tender has gone out for government gas, so the government wants gas for its facilities – its arrangements – and of course that should not surprise us, because obviously hospitals and government buildings often have gas brought to them, and that plays a significant role in some government activities. So we would not be surprised at that, but we would where the state government is banning gas for others. We have got this hypocrisy that is operating here. I noticed, when I read down the article today:

The government effectively outsources this to Victorians through their power bills, with the Victorian Renewable Energy Target scheme requiring retailers to purchase energy efficiency certificates to offset their emissions, and the cost of those certificates passed on to consumers.

Again, another clobber on customers, another clobber on price, another hit on affordability and another hit that strikes most sharply at the poorest people in our community, the ones who can least afford to pay. The ones who are getting the bonus for the electric cooktop – the snappy induction cooktop – are getting the rebate on that, but the rebate is being paid largely by poorer people who are less well off who are not able to get the rebate because they cannot afford that.

Gas Appliance Manufacturers' Association of Australia CEO Ross Jamieson said the government tender for gas supply was a "clear acknowledgment that gas will play a crucial role in Victoria's transition to clean energy, particularly in buildings where retrofitting is very expensive".

"However, it is rather peculiar this liberty is not being extended to small businesses, renters and home buyers in Victoria," Mr Jamieson said. "The government continues to roll out measures to force households and small businesses off mains gas and, in so doing, removing choice and competition, and potentially imposing high conversion costs on to those that can least afford them, while the government refuses to bear those high costs themselves.

"This hypocritical policy position is not surprising –

he said –

coming from a government that has refused to compromise when GAMAA presented a modest request for an additional two years to prepare before the ban of new gas connections.

He said:

Their ideological stance against gas has already resulted in hardworking Victorians in the manufacturing industry losing their jobs, and has put small family businesses in the firing line. There is clearly one set of rules for the Victorian government and another for everyone else.

A rule for the Victorian government and a rule for everyone else. I do not think we should be surprised at what is going on here. This is a hypocritical government. They have got one rule here for their own facilities and another one over there for families and small businesses who are being thumped. As much as you might not like it, and as much as some of the Labor people may not like to hear this, that is the truth of what is happening.

Members interjecting.

The PRESIDENT: Order!

David DAVIS: Thank you, President. I am trying not to respond to the interjections. I am trying to resist the provocations. I am trying very hard to make sure that I stay on the points here.

What I want to say here is that RedBridge in its poll, and we all understand the RedBridge Group and the background of the people in the RedBridge Group, but –

Members interjecting.

David DAVIS: This is a RedBridge poll – that is right. Sixty-four per cent of Victorians were supportive of the use of natural gas in the energy transition – much higher than New South Wales and Queensland, as I have said. The poll also pointed to the view that 71 per cent of Victorians believe blackouts are very or somewhat likely, compared with a lower percentage nationally. Importantly, Victorians know Labor’s energy policies are chaotic and we need to see a proper input of gas.

This government has not bothered to support exploration for gas. There has not been a single permit granted since 2013 for exploration for gas onshore – conventional gas – in Victoria. Why on earth we would not have onshore conventional gas exploration to bring forward the gas that is needed is beyond me, but this government has kept that position. It says it removed the formal ban in 2020 – well, that is a very long time that it kept the formal ban in place – and it says it has not opposed the exploration and that no requests have come forward. For the long period that there was a ban in place, there was simply no point, and the vibes that this government has put out on gas have been so negative, so punishing, that nobody really wanted to go to the effort of putting in an application where they felt it was going to be pre-emptively or quickly rejected. The truth is this government has not searched for gas and has not allowed gas to be hunted for or explored for in this state in a constructive way, because the government has blocked the applications and sent out –

Tom McIntosh interjected.

David DAVIS: Your government kept the moratorium all the way through. Our government gave permits – our government gave three permits in 2013. Yours has not given a single exploration permit since 2013. It is a long, long time ago – 11 years ago. Your government has done the damage by blocking the exploration all of that time. Your government has done the damage and made it very difficult now to bring on the gas supply that is needed. The reason it has done it is because Labor hates gas – Victorian Labor hates gas. They hate gas in all its iterations and all its uses, and they are punishing those who think that gas has got a future and a role. Labor is determined to punish Victorians who want to use gas in a constructive way. Gas of course has got a role in houses, it has got a role in industry and it has got a role in helping the energy transition with peaking power. It is the only immediately available fuel that can do the work to provide that.

We are obviously going to need to bring more gas into Victoria. I know from the conference I attended in WA with the Australian Energy Producers association, which saw important presentations on some of the gas fields that are there around the country, the progress that can be made on different fields and the timeline in which that can be made.

Business interrupted pursuant to sessional orders.

Statements on tabled papers and petitions

Victoria State Emergency Service

Report 2022–23

Sheena WATT (Northern Metropolitan) (17:15): I rise today to speak to the Victoria State Emergency Service annual report 2022–23, tabled in this place on 1 November 2023. I would like to start, as I often do, by thanking the members of the SES who put together this report, which provides an update on the continued hard work and resilience of volunteers and staff of the SES who gave up their time to provide disaster relief to our state in a time of crisis. But this time I would like to extend my thanks even further to not only the makers of this annual report but the 4869 volunteers and

222 staff members, the 150 units, the 15 permanently staffed offices and the 104 road rescue providers of the SES. I would like to thank their families, who go without their loved ones so that they can help those affected by disasters. These volunteers gave a whopping 287,373 hours of their time responding to 32,985 incidents, including the floods. That is an incredible amount of hours committed by volunteers – volunteers who are not being paid but are doing this for the betterment of their community. I for one extend my thanks to those volunteers who show up and make a difference time in and time out.

Devastating bushfires, floods and natural disasters have become more common, and our reliance on hardworking first responders, paid and volunteer alike, is so integral to the management of crises. We will only see this reliance continue to grow and be depended upon. During the summer just gone the Victoria SES responded to, as I understand it, over 10,000 requests for assistance. As we continue to confront the increasing intensity and rapidly changing weather conditions brought about by climate change, we remain committed not only to helping communities rebuild but to better preparing and responding to future natural disasters.

The Allan Labor government continues to support communities with \$302 million committed in the budget to help rebuild and of course for our recovery efforts, including repairs to critical infrastructure such as schools and roads. It also includes temporary accommodation, relief payments and health support for residents who need it. This government is also investing in our future emergency management response with more than \$50 million, including \$25 million to support the State Control Centre; \$9.5 million to ensure Victorians and emergency services organisations have the most up-to-date emergency information, advice and warnings; and \$9.1 million for Life Saving Victoria to continue its critical water safety program, including rescue helicopter, watercraft and some drone services. There you go. There is also \$6.9 million to our State Emergency Service, backing the work of our incredible volunteers.

I would like to close off by thanking the broad depth of our volunteers across the emergency services sector, including SES, lifesavers and our country fire brigades. They do really form a vital backbone through their hard work in giving up their time, time and time again, to help their fellow Victorians. We could not bounce back from disasters and be the state that we are without them, so I extend to them my thanks.

Pyrenees Highway

Petition

Wendy LOVELL (Northern Victoria) (17:18): I rise to speak on a petition that I presented to Parliament yesterday on behalf of 144 petitioners living in and around Castlemaine, in central Victoria. The petition draws to the attention of the Legislative Council the anger and frustration felt by a large number of local residents and users of the Pyrenees Highway between the Calder Freeway and Castlemaine because of a recent unexpected and unexplained reduction in the speed limit to 50 kilometres per hour for nearly 7 kilometres before Castlemaine, including a section of nearly 2 kilometres where the speed limit has been reduced from 80 kilometres per hour to 50 kilometres per hour. The petitioners request that the Legislative Council call on the government to immediately reinstate the speed limits in force before the change but also to introduce sensible safety measures for pedestrians in the short section of the highway leading into Castlemaine.

This parliamentary petition is the third one on the matter after a petition of nearly 300 signatures was presented by locals to the Mount Alexander Shire Council and a change.org petition received nearly 2000 signatures. So there is obviously significant community feeling around this issue, much more than is indicated by the 144 people who signed the official petition. There are two main concerns that the petitioners have. The first concern is around the problems caused by the new speed limit itself, where a long section of road has been reduced to 50 kilometres per hour, and the second concern is around the process that led to this speed reduction.

Let me first talk about the petitioners' concerns with the new speed limit itself. The Pyrenees Highway is an arterial road south of Bendigo that runs east to west from the Calder Freeway to Ararat. When you exit the Calder Freeway heading west you first pass through the small town of Chewton and then the larger township of Castlemaine. It is reasonable that in the commercial centres of these towns there is a lower speed limit of 50 kilometres per hour to make the roads safe for pedestrians, but the 50-kilometre-per-hour section has recently been extended further along the Pyrenees Highway and it is now almost 7 kilometres long, covering lengthy parts of the approach to Chewton and Castlemaine. Most of this section has bush and farmland on both sides of the road and very few driveways on the sides of the road. The road is used daily by many locals moving between towns as mums and dads ferry kids to school, tradies get a coffee to start the day, residents attend doctors' appointments, ambulances fetch patients and people travel to shop, eat and meet with their friends. With the new speed limit of 50 kilometres an hour locals say that their cars are bunching up, drivers are getting frustrated, there is frequent tailgating and aggressive driving and people are overtaking in dangerous places. We should be concerned about this developing situation.

Now I will come to the petitioners' second concern, and that is the process by which this decision was made to lower the speed limit from 80 kilometres to 50 kilometres per hour on a long section of the road. Twelve months ago I spoke in this Parliament about speed limits on this road, and I noted that the 80-kilometre section drops very quickly to 60 and then down to 50 over a very short stretch of road just before it reaches the town of Chewton. I asked the government to perform a traffic and safety audit, and I passed on the suggestion of locals that the 60-kilometre stretch be made a little bit longer so that the reduction in speed was more gradual, but that is not what happened.

Instead the Department of Transport and Planning made the drastic decision to reduce the whole section of road down to 50 kilometres per hour, which is a very significant alteration. I have been told that another member of Parliament, who also represents the area and apparently has more influence than I do, was involved in driving this change. What troubles local residents is that this change completely bypassed normal protocols. The department of transport's own speed zoning policy states that when a significant change is proposed to an arterial road the consultation needs to be expanded to include affected road users, businesses and others who may be impacted by the new speed limit, but this is not what happened. Consultation has not been done. Businesses in Chewton have not been asked about how they might be affected. Some are worried that people are going to other towns to eat and shop because they want to avoid this section of road that is unreasonably slow.

Further, long sections of this road do not actually meet the department's own requirements for a road speed limit of 50 kilometres an hour, because there are no retail developments, pedestrians or kerbside parking there. Who decided this road should be 50 kilometres an hour? The signatories to this petition have genuine concerns about the process behind the decision to make this whole section 50 kilometres an hour. They also have genuine concerns about the ongoing effects on local businesses.

Department of Energy, Environment and Climate Action

Victorian Renewable Energy Target 2022–23 Progress Report

Tom McINTOSH (Eastern Victoria) (17:23): I stand to give a statement on the *Victorian Renewable Energy Target 2022–23 Progress Report*, tabled during this term of government. It is quite fortuitous that I had planned to make this statement on energy and renewable energy in Victoria given what has been announced today in the nuclear space. I am very glad I have this opportunity to talk to this report, but I will also give some reflections on what has come out of today's media reports at a very low level.

Last year in Victoria 38 per cent of electricity came from renewable sources, which is something this side is incredibly proud of. We have consistently seen Victoria have the lowest wholesale rates of energy in Australia, and we are seeing tens of billions of dollars of investment coming to this state in renewables. This is generations of jobs. It is all here for Victorians, and we have a clear pathway over the next 11 years to get 95 per cent of electricity generation in this state from renewables. However,

today amid deep divisions between state Nationals and Liberals and deep divisions between state Liberals and federal Liberals we have seen a policy of nuclear to be rolled out across this country, and one of those nuclear reactors is to be in Gippsland. Hundreds have signed my petition to say no to nuclear reactors in our community, and I would like the opposition to explain what a nuclear reactor will do to agricultural land values in proximity to the nuclear reactor. If somebody owns pristine, critically important farmland and a nuclear reactor is built on or indeed flagged for that land and they want to sell that property, what will it do to their land value?

Farmers' water supply: in time of drought and low supply will the local water be prioritised to a nuclear power plant or will it be prioritised for local farmers who are there operating today? Taxpayers footing the bill: how much is this reactor in Gippsland going to cost? How much will it need to be subsidised by taxpayers? How much will it cost to store the waste? We know that in Fukushima the reactor melted down. If there is an accident, who is on the hook for the risk? I may be wrong, but I think it was something like \$500 billion, whatever it was. One of the biggest listed companies in Tokyo went broke overnight. What is the size of an exclusion zone in an accident, and what compensation will be paid to those in the vicinity? How will nuclear compete with cheap renewables?

I am very glad that the opposition shadow spokesperson for energy has stopped talking about baseload energy. I think he has figured out that baseload is fine, and he has now changed his language to 'firming', so he sounds like he absolutely knows what he talks about, but how will nuclear compete? In Ontario I think it is they have just had to install a battery beside a nuclear power plant because it cannot export its power for much of the day, much of the month and much of the year. Mr McCracken is sitting there looking bewildered. But that is how it is, Mr McCracken. How will the community be protected in the instance of fire, flood or earthquake? What will Peter Dutton and the Liberals and Pesutto and the Liberals here and indeed the Nationals do to ensure the community is protected in the instance of fire, flood or earthquake?

Tell me, what is the position on this policy of Mr Chester and Martin Cameron? Those members on the ground in touch with their local community – what is their position? How do they feel about nuclear reactors? Because I can tell you the people I am talking to, the people who are signing my petition, the people in the conversations I am having are telling me they do not want a nuclear reactor in their community, and Victorians across the board do not want a nuclear reactor in this state. When they want to drive down to the prom, they want to go down there free from the risks of a nuclear reactor. Farmers in South Gippsland do not want their pristine agricultural land near a reactor. Eastern Gippslanders driving to Sale or further on do not want to drive past a nuclear reactor. Whether it is our water, whether it is our land – no matter what it is – people do not want a nuclear reactor, and it would be great if you could get your heads together, stop leaking to the *Herald Sun* on your separate opinions, come up with a decent energy policy and bring it to the people of Victoria.

Department of Treasury and Finance

Budget papers 2024–25

Georgie CROZIER (Southern Metropolitan) (17:29): I rise to speak to the 2024–25 state budget, and what a horror budget it was. I do it in the context of the extraordinary blowouts that have occurred across health and hospital infrastructure. I note that the minister has written to CEOs and board chairs, and in the letter it says there is:

... a requirement for a renewed level of financial discipline and accountability.

That is really extraordinary given the shocking record that the Allan Labor government has for fiscal responsibility, lecturing to health services, many of which are actually working towards their budget. It is the government who is cutting the budget of rural and regional health services. They have not factored in wage cost increases, utility cost increases – I know we have just been having the energy debate; well, this government has seen a massive increase in energy prices – and then of course the consumable prices that have increased as well. The government is going back to pre-COVID times.

I want to highlight to the house – in the time I have – just some of the budget blowouts in health infrastructure. Frankston Hospital was promised \$562 million. There is a current blowout in the budget of \$558 million; the budget is now \$1.12 billion. For the Footscray Hospital, the 2021–22 budget was \$1.495 billion; the 2022–23 budget, \$1.998 billion. The current budget blowout is \$503 million. The Victorian Heart Hospital was promised \$150 million. The 2022–23 budget was \$577 million; the current budget blowout is \$427 million. Barwon women’s and children’s hospital was promised \$100 million. The 2024–25 budget is \$514.1 million, a current budget blowout of \$414.1 million.

Community hospitals – well, that was a big broken promise by the government. Ten community hospitals – they are not delivering those. The 2023–24 budget was \$675 million and the 2024–25 budget \$869.9 million – a current budget blowout of \$194.9 million, and they are not even delivering on those 10 community hospitals. The Ballarat Health Services expansion and redevelopment was promised \$461.6 million. In the 2022–23 budget there was \$541.6 million to provide energy supply to the hospital – again we are having that energy debate. Energy costs are skyrocketing, and those costs – WorkCover costs, wage costs, consumable costs – are all adding to costs for health services. In the 2024–25 budget there was \$650.4 million, a budget blowout of \$108.8 million. The Royal Victorian Eye and Ear Hospital redevelopment was promised \$201 million. The 2024–25 budget was \$319.8 million – a blowout of \$118.8 million. Alfred hospital urgent infrastructure, and I stress urgent infrastructure, has blown out for six years – hardly urgent. The 2023–24 budget was \$69.5 million and the 2024–25 budget \$174.5 million, so that is a blowout of \$105 million.

The emergency department expansion program – the 2023–24 budget was \$236.4 million and the current budget \$279.9 million, a blowout of \$43.5 million. For the Casey Hospital expansion \$106.3 million was promised, a budget blowout of \$33.5 million. The Royal Children’s Hospital expansion, with \$31 million in 2023–24 and \$56.4 million in 2024–25, was another blowout of \$25.4 million. For the Angliss Hospital expansion stage 2, the 2021–22 budget was \$103.4 million and the 2022–23 budget \$112 million, a blowout of \$8.6 million. The Monash Medical Centre expansion and upgrades were promised \$71 million. The budget was \$76.3 million, a blowout of \$5.3 million. Wangaratta health care was promised \$2.4 million. The latest 2022–23 budget promised \$7.5 million, a budget blowout of \$5.1 million.

That is hundreds of millions of dollars in budget blowouts because this government cannot manage money, cannot manage projects and cannot manage health. As a consequence it is rural and regional health services that are paying the price. Victorians in those communities are paying the price because of the Allan Labor government’s ongoing mismanagement of the Victorian budget. It is going to cost health services an enormous amount when they are amalgamated, and that will mean a loss of services to the area, a loss of jobs and a loss of a local voice. I urge the government to reconsider their issues, but I also say: how dare the minister lecture to health services and call for a renewed level of financial discipline and accountability when there is none under the Allan government and the budgets are blowing out like they are.

Petitions

Cannabis law reform

Rachel PAYNE (South-Eastern Metropolitan) (17:34): I move:

That the petition be taken into consideration.

It is with great pleasure that I rise to speak to Legalise Cannabis Victoria’s petition to allow for the consumption and possession of small quantities of cannabis in Victoria. Firstly, a huge thankyou to the 2785 Victorians who signed our petition – what a great effort, which only occurred over three days. Thanks to you, we can stand in this place and force the government to come to the table to talk about cannabis. We are here to let them know that it is time for change and the time for change is now. Our petition recognises the many failures of the criminalisation of cannabis. It has failed to reduce demand or supply in the illicit market. It has failed First Nations people, who are eight times more likely to be

arrested for the possession of cannabis than non-Indigenous people, and it has failed the budget bottom line by shovelling millions into law enforcement and preventing access to a regulated cannabis market.

The criminalisation of cannabis has caused so much harm. Last year we saw a tidal wave of MPs step forward and announce that at one time or another they had consumed cannabis. Silent in that discussion was the fact that there is an immense privilege that comes with being able to make such a disclosure, and as MPs we all share that privilege. For many members of the public, the criminalisation of cannabis has forced them into the judicial system and stamped them with criminal records. They have lost their freedoms, their money and their ability to chase their dreams. I recently met with Ben Vasiliou of Youth Projects and we got chatting about the young people that that organisation represents. Youth Projects assists young people predominately with housing and employment opportunities, but from the discussions I had with Ben it was evident that there are many young people who are falling through the gaps in accessing that service because they have a drug charge on their record, and the majority of them have a drug charge for simple cannabis possession. That impedes their ability to engage in employment because it is on their police record, and it impedes their ability for housing options, whether that be short-term emergency accommodation or something more permanent. That record impacts them, and these are the most vulnerable in our community. They are young people who have reached out to a service provider, which we know is hard enough to do as young person, and then that opportunity is shut down because the drug conviction on their record means that it is a lot harder to instigate any service provisions for that person. So when members of this government disclose their cannabis use and then fail to act on decriminalising cannabis, this is a real smack in the face to every Victorian who is not privileged enough to avoid the law. These people continue to suffer thanks to the government's inaction. Our petition therefore requests that the government change the laws so that Victorian adults can responsibly consume and possess small quantities of cannabis without fear of persecution.

The one in three Australians who have at one point accessed cannabis should not be classified as criminals. The almost 3000 people that signed our petition are not alone. The latest national drug strategy household survey has shown that 80 per cent of Australians believe that the possession of cannabis should not be a criminal offence. This means that there are over 4.5 million Victorians ready for change. This same report also investigated how decriminalisation in the ACT has impacted the community. In the previous 12 months in the ACT the use of cannabis remained unchanged – no change. Other reporting showed that there had been no increase in drug-driving offences, and simple cannabis offences had – would you believe it – dropped by 90 per cent. What we know from this is that it led to no change leading to more harm, change in other jurisdictions has not increased harm or use and the public is incredibly supportive of reform. This is why we call on the government to respond to this petition and provide us with a pathway to legalise the personal use of cannabis.

If memory serves me right, there was a great bill about the regulation of personal adult use of cannabis that would have done just that. It was presented to this very chamber. It is about time we have those discussions that you promised us last year about reducing harms, consulting with the community and speaking to the experts. Let us face it: if we want to reduce harms, particularly for young people, we need to stop arresting them. The best time to stop the criminalisation of cannabis in Victoria was the day the law was made; the second-best time is now. If the Allan Labor government wants to be remembered for progressive reform, here is its chance. Start supporting private members bills and start with our personal use bill.

Ryan BATCHELOR (Southern Metropolitan) (17:40): I rise to speak on Ms Payne's petition with respect to calling on the government to legalise cannabis. It is very clear from her contribution in this debate now but also her advocacy as well as Mr Ettershank's advocacy on the issue within the broader community that they care deeply about this issue, are very passionate about it and are exceptionally knowledgeable. It is great to see those sorts of contributions being made, ones that speak to both passion and knowledge, in our debate. Obviously the presence of signatures on the petition shows that there are others in the community who share those views.

I think it is clear, and I would just reiterate from the outset, that the government has no plans to change the law relating to personal and recreational use of cannabis. I am sure many in the house would understand that the crux of this petition, which is for decriminalisation or legalisation of cannabis for personal use, is a complex issue that needs to be considered in a thoughtful and balanced way. I think what you are seeing across the board from the government is an approach that demonstrates a commitment to harm reduction, that understands that we need to be working towards reducing the harm that people in the community can experience – a wide range of harms in many areas – from drug use at a personal level, and we have seen that in a range of fields. I will not in depth go through all of that in the contribution today, but certainly in the way that we have approached other matters, particularly with respect to injecting drug use, for example, and other issues – the pharmacotherapy trials and the like for those who are addicted to heroin – you can see that the government takes the issue of harm reduction seriously. As we move towards a statewide alcohol and other drug policy framework, that work will continue.

I think you can also see from the track record of this government, not just in the last months or years but in the last decade, that we have understood and recognised cannabis use and have taken a very considered and thoughtful approach that has been led by careful consideration and expert advice on the question of cannabis use in a range of fields, particularly the trailblazing, groundbreaking work, particularly in this country, that this government did with respect to medicinal cannabis. It was before the 2014 election – a decade ago – that Labor's then opposition leader acknowledged the benefits that access to medicinal cannabis would have to the Victorian community and made commitments to pass laws should Labor be elected. We passed legislation in 2015 that has resulted in the safe use of cannabis for medicinal purposes here in Victoria. There was extensive consideration of the legal framework that should surround that and references to the Victorian Law Reform Commission on how best to manage the legislative amendment and to provide advice on how to support the medicinal cannabis industry setting up here in Victoria, and we see through the take-up of medicinal cannabis here in Victoria that it is playing a very important part in providing treatment and support to thousands of Victorians.

There are other policy challenges that are associated with this that we are working our way through. There is the closed-circuit road trial. We have got our inquiry into workplace drug testing, which this Council is undertaking at the moment. There is work underway to support the hemp industry. This is a demonstration of the government's understanding and appreciation of the benefits that cannabis can bring in certain contexts. We are also alive to certain risks. Those risks are not zero, and we do need to consider all of those issues very carefully as we move forward.

Aiv PUGLIELLI (North-Eastern Metropolitan) (17:45): I rise to contribute to the debate on the petition before us today in effect drawing to the attention of the Legislative Council that the criminalisation of cannabis has failed to reduce demand or supply in the illicit market and that one in three Australians who have access to cannabis should not be classed as criminals, acknowledging that cannabis criminalisation harms the community. It wastes millions of dollars on law enforcement, it disproportionately impacts First Nations people and it prevents us from enjoying the economic and social benefits of a regulated cannabis market. So I rise today to support this petition. It is probably a surprise to no-one in this chamber. It has been a very longstanding Greens policy that cannabis should be decriminalised, legalised, and really this petition is testament to the community support for its personal recreational use.

It was plain to see earlier this year at the 420 Day festival celebration event, attended by several different political representatives from this place, a range of community groups and many members of the community who do partake – many who themselves have prescriptions for medicinal cannabis, for example – acknowledging that many in our community use cannabis and would like to see its use legalised. As the petition states, the current criminalisation of cannabis has failed. It has failed to reduce the demand, so it is time that we got on as legislators with creating smarter drug laws that focus on genuine harm reduction. Thousands of people smoke or use cannabis in Victoria every year. It was

acknowledged, as Mr Batchelor from the government has indicated, around a decade ago that, yes, it does in fact have medicinal qualities that have been consequently legislated by the Labor government. So now what we need, around a decade later, is to get on with the work of having our laws updated so that cannabis and its personal use are legal.

Prohibition – something that I have mentioned a few times on a range of different drug law reform issues in this place – has caused more harm than good. When it comes to cannabis, with a legal cannabis market we could have proper regulation. We could collect tax from this product. We could really, genuinely approach this conversation of harm reduction and address that, yes, the use of this drug is prevalent in the community. Let us actually have a frank conversation about it. The funds, for example, from taxing this product could then be reinvested to support health, to support education and to support drug harm reduction. I always remember hearing at a community event a former member of this place Fiona Patten speaking about, I believe, Colorado, where they effectively fund their tertiary education out of tax collected from the cannabis market. There is so much potential if we acknowledge what could actually be gained out of taking this issue seriously and really being progressive on this issue.

It is not such an outlandish proposal. Many countries around the world have legalised or decriminalised cannabis, from Canada to Mexico. In Victoria we too should be adopting an evidence-based, health-led approach to drug law reform, and that should see cannabis made legal for people in our state. The current laws, as I have indicated and as others have as well, disproportionately impact many members of the community, including First Nations people, often marginalised parts of the community. And it is not just, frankly, that vulnerable people are entering our criminal justice system due to the possession of cannabis for their own personal use. It is a plant – really, we should get over it and have laws that reflect that. The Greens would like to see cannabis legalised in Victoria and across this country, so we support this petition and the calls from the community. Let us get on with it.

David ETTERS HANK (Western Metropolitan) (17:49): I am pleased to speak on this petition bearing the signatures of over 2700 Victorians calling on the government to decriminalise cannabis. We were easily able to obtain these signatures over a couple of days. People were quite impatient to sign up, and I have never actually had people queueing to sign a petition before as we had on those days. When you think that some 700,000 Victorians consumed cannabis in the last 12 months, it is really quite a modest number. The fact is a majority of Victorians want to see cannabis decriminalised. If we look at the two most recent Australian Institute of Health and Welfare national drug strategy household surveys, we see the growing support for cannabis reform. In 2019 the percentage of people who consume cannabis regularly, not counting medicinal cannabis, was 11.6 per cent. In 2023 that figure was pretty much the same – 11.5 per cent. However, support for its decriminalisation – that is, for an adult to be able to consume and possess small quantities of cannabis – increased from 78 per cent to an all-time high of 80 per cent. That is around 4.5 million Victorians over the age of 18 who believe that cannabis consumption should no longer be a crime. This is extraordinary, given that most of those in support of reform are not actually consumers. What can account for such a demand for decriminalisation? I think the reality is that those people see the sense in allowing adults to be able to consume and possess a bit of cannabis; it is that simple.

There are other interesting, if perhaps somewhat more sobering, statistics in the survey as well. Those who believe that the continued prohibition of cannabis will protect our young people might be quite devastated to learn that cannabis is already being consumed by 14- to 17-year-olds. Indeed its use has increased by 20 per cent from 2019 to 2023. You see, real criminals do not actually care about protecting our young people. All of us are rightly concerned about the harms that illicit drugs can do to our children. They should not be able to access drugs. But no amount of hand-wringing or exhortation to think about the children will protect our children from the harms of contact with an illicit drug market.

The age group most likely to consume cannabis regularly is in the 18- to 24-year-old bracket. These people stand to lose a lot if they are busted for possession, from losing their licences to acquiring

criminal records to being jailed, events that will have a profoundly negative impact on the rest of their lives. Do we really want to inflict these harms on our young people just because they are smoking a bit of pot? And of course the negative impacts are disproportionately higher for our most marginalised young people, who we are criminalising in ever greater numbers.

Decriminalisation should be part of this state's harm reduction response, and it must be part of the forthcoming alcohol and other drugs strategy. The ACT decriminalised in 2020, and since then cannabis use has remained stable. In fact last year was lower than the rest of Australia, with no increase in cannabis-related hospital admissions and an actual decrease in youth consumption. This reality runs counter to the prevailing idea that decriminalisation of cannabis will increase usage and cause our young people to run amok.

It is really time to decriminalise personal use. It is something that the majority of Victorians want, and indeed the Labor Party's own members want. The 2024 ALP state conference resolved unanimously that:

Cannabis should be legalised, taxed and licenced and owned and/or regulated by the Victorian State government.

I do not have time to talk about the money we could save on enforcement costs, the potential revenue opportunities or the services that that revenue could fund instead of funding criminal gangs. I will say this is something we will have to deal with sooner or later, and it will take a courageous government to do the job. I would really, really like to hope that that courageous government is this one.

Motion agreed to.

Questions without notice and ministers statements

Written responses

The PRESIDENT (17:54): I did commit to Dr Ratnam to reviewing the answers to her questions from Minister Shing this question time. With the substantive question, I do not believe the minister completely answered the question, so I will ask her to give a written response under the standing orders. But I will say two days, considering the lateness today. I do believe that Dr Ratnam's supplementary question was fully answered by the minister.

Adjournment

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (17:54): I move:

That the house do now adjourn.

Family violence

Wendy LOVELL (Northern Victoria) (17:54): (967) My adjournment matter is for the Premier, and it concerns the prevention of family violence in Victoria. The action that I seek is that the Premier extend the recently announced saturation model family violence prevention program that will run in Ballarat to include areas in northern Victoria where the incidence of serious family violence is higher than in Ballarat.

The tragic loss of women's lives this year is a painful reminder of the urgent need for Victoria to do more to address family violence. On 31 May this year Premier Jacinta Allan announced that Ballarat would be home to a four-year saturation model program for preventing family violence that will draw on world-leading social research to strengthen referral pathways, boost support services, combat toxic attitudes and run initiatives to test new prevention approaches. This approach is being rolled out in Ballarat due to three recent high-profile and tragic deaths of women, and I hope that the pilot program can deliver insights that are ready to be applied across Victoria and Australia in combating the causes of family violence and providing help and support when the worst happens.

However, there are areas of Victoria missing out on this program where the rate of serious violence is much higher, and they deserve the same interventions and support as Ballarat. Tragic deaths that make the newspaper headlines bring us together in mourning and galvanise our will to take action against this epidemic, but behind the headlines is the invisible tragedy of families who suffer beatings and intense violence, which never makes the news.

If you look at the data on family violence that involves serious assaults, Crime Statistics Agency data for 2023 shows that the 26 local government areas with the highest rates of serious assaults are all rural and regional areas. Greater Shepparton sadly tops the list, with a rate of 379 serious assaults per hundred thousand people, followed by Swan Hill with a rate of 293. Half of the 26 LGAs with the highest rates of serious assault are in northern Victoria, and those 13 all recorded a higher rate of serious assault offences than Ballarat. Greater Shepparton's rate of 379 is more than three times that of Ballarat, which has a rate of 111 family violence serious assaults per hundred thousand people.

Extending the family violence prevention program to additional areas that have the highest serious assault rates would enable world-leading prevention initiatives to target those areas with the worst levels of violence and the greatest need for help. Regional cities and towns face a particular challenge in preventing family violence. They tend to have tight-knit communities and are more geographically isolated, while there are fewer support services to help victims of violence. There are also fewer police officers to respond to crisis situations, and some stations do not have 24-hour police attendance. Victims of family violence in these areas cannot wait four years for the pilot program to run in Ballarat. They need to be included in the program now.

Abortion services

Rachel PAYNE (South-Eastern Metropolitan) (17:58): (968) My adjournment matter is for the Minister for Health and relates to abortion access. Under Victoria's Abortion Law Reform Act 2008 a registered health practitioner is allowed to voice a conscientious objection to a pregnancy termination. In practice this means that people like doctors, nurses and pharmacists can refuse to offer you any assistance, but they are then legally required to refer you to another provider. However, recent reporting by the ABC details an insidious trend of noncompliance and an utter absence of any reporting or enforcement.

This is not a new issue. A University of Melbourne led study over five years ago showed that conscientious objectors in Victoria were breaking the law by not referring patients to another professional. They also found that this led to people having abortions much later than necessary or being forced to have an unwanted pregnancy. The decision to have an abortion is a personal one, not a political one. The continued existence of conscientious objector provisions in Victoria's abortion laws goes against everything that these laws stand for – a person's right to control their own body. Quite frankly, if you refuse to provide an abortion to someone, you are refusing to provide them an essential medical care. If you cannot do your job, maybe you should consider a different career.

The Premier stood in this place when the legislation for abortion access was debated in Victoria. She said that people should be able to:

... make a choice unencumbered by a stigma conferred by outdated and prejudicial legislation.

Well, I am here to tell you that this legislation is outdated, this legislation is prejudicial and this legislation needs to change. So the action I seek is that the Premier make it illegal for a health practitioner to raise a conscientious objection to a pregnancy termination or, in the alternative, require that every conscientious objector report the referral and their objection to the Department of Health or face penalties.

Literacy education

Bev McARTHUR (Western Victoria) (18:00): (969) My adjournment matter is for the Minister for Education and concerns his recent announcement that prep to grade 2 student reading programs in

Victoria will now use the synthetic phonics approach. I was pleased to hear Mr Galea's support for this move last night and Mr Batchelor's too and Dr Heath's this morning. They gave numerous examples, personal anecdotes as well as international experience, and I thoroughly endorse their excellent conclusions. What alarmed me, however, is that this much-needed, evidence-based, teacher-supported example of progress was condemned so rapidly by the education union. What on earth is wrong with these people? Clearly they put ideology and factional dislike above evidence and above the life chances of children. And who do they think they are not just to disagree with the Labor minister, the Deputy Leader of the Government, but to demand that explicit teaching and phonics be ignored by teachers? Who do they think they are? Members were advised not to take any action to implement the changes they announced.

David Limbrick: Treacherous.

Bev McARTHUR: Treacherous, absolutely. In my view the minister was rightly praised not just for his announcement but his interest and engagement at the *Age* schools summit. It is incredibly regrettable now to hear him undermined by the union in this way. In fact while the words were a bit milder, the self-interested disregard for democracy, the threat to hold others to ransom, reminded me of Mr Setka's appalling overreach in attacking former Australian building and construction commissioner Stephen McBurney. It has been gratifying to hear in recent days criticism of Mr Setka, though perhaps not enough from some Labor members.

The AEU is now being attacked even by its own members. AEU member and literacy specialist James Dobson told EducationHQ he was deeply hurt and appalled by the union's knee-jerk opposition to these important teaching methods. He said:

... I've been talking to dozens of other members who were either planning to call up today, or email and voice their concern – and either cancel their membership or question their membership.

He completely rejected the union's nonsensical claim that the change will cause more workload, less autonomy and less respect for the profession, saying the opposite is actually true.

As we introduce systematic synthetic phonics it actually alleviates so much of the workload on teachers by providing the resources that teachers are crying out for. The action I seek from the minister is an update on how he will implement the changes announced in the face of the instruction from this over-mighty, self-interested, regressive education union.

Land tax

Rikkie-Lee TYRRELL (Northern Victoria) (18:03): (970) My adjournment this evening is for the Treasurer. My office is receiving call after call and email after email from mum-and-dad investors who find themselves in dire straits. The government's doubling of the land taxes and the addition to the COVID levy have left small residential property investors in the impossible position of either increasing the rent they charge their tenants or selling their hard-earned investment properties. Many of them have asked: does the Labor government hate small investors? Does the Labor government hate to see people working hard to get themselves ahead? Why do they not want Victorians investing in Victoria? Small mum-and-dad investors are not the super wealthy. They are not big-time investors; they are simply people working hard to try and secure their and their families' futures. If this continues, Victoria will find itself in the position of not having any investors and the rental crisis deepening further. The action I seek is for the Treasurer to re-evaluate the impossibly high rates of land tax charged to small investors and to stop treating them like his own personal bank.

COVID-19 vaccination

David LIMBRICK (South-Eastern Metropolitan) (18:04): (971) My adjournment matter this evening is for the attention of the Minister for Health and is related to vaccine mandates for healthcare workers. The period of COVID vaccine mandates was absolutely dreadful for many Victorians. My office received hundreds or possibly thousands of calls or emails about this. In the Libertarian Party

our view was always, and remains, that whether to get vaccinated or not is a personal decision, possibly involving consultation with the family doctor. Through these many calls the main reasons that people gave for not wanting to be vaccinated were that someone close to them had had a serious adverse reaction; they had complex health conditions, such as being pregnant, and had not been convinced of the safety; or they already had had COVID and did not see the point.

Despite this, Victoria maintained the general worker mandates for months, despite the vaccination rate being over 95 per cent and many people having immunity from a previous infection. Worse, though, for healthcare workers this has persisted for years – all the way into 2024. Western Australia and Queensland dropped the vaccine mandates for healthcare workers last year. New South Wales announced last month that they were scrapping them, and South Australia announced a couple of months ago that they were also scrapping them. In Victoria we have had serious issues with the healthcare workforce while still preventing trained, qualified and experienced people from going back to work. I am even aware of registered nurses travelling interstate just to work. Minister, this has gone on long enough. It is time to scrap the COVID-19 vaccine mandates for healthcare workers and let people get back to work.

Middle East conflict

Renee HEATH (Eastern Victoria) (18:06): (972) Terrorism and the modern left were not a coalition we were expecting to see, yet we are. Just about every day we hear members in this Parliament from the Greens stand up and call for genocide. Make no mistake: when they chant ‘From the river to the sea’ that is exactly what they are calling for. The boundary of Israel is the Jordan River, and it goes to the Mediterranean Sea, therefore they are calling for the annihilation of Israel, a genocide of the Jewish people and a second Holocaust. This is extremism of the worst possible nature. The Greens have not hidden this. After the terrorist attack on 7 October – which was not an attack on disputed territory; it was an attack on Israel proper – by a known terror group called Hamas, they backed it. When this chamber honoured the victims with a minute’s silence, they walked out in protest. How disgraceful!

I watched the 47 minutes of footage from 7 October, and let me tell you, it was absolutely horrific. It showed victims being beheaded with hoes, having their heads cut off with serrated-edge kitchen knives. It showed murderers blowing up children in their own homes. It showed terrorists hacking innocent people to death. I heard a terrorist call up his family and say, ‘Mum, Dad, I’ve just murdered 10 Jews. Your son is a hero!’ and them saying when he goes back he is going to be a hero in his home town.

We have heard for years sanctimonious lectures from the Greens on sexism, oppression, racism and inequality, yet the murder of innocent civilians, the brutal rape of women and hundreds of hostages being taken away were not even worth 1 minute’s silence for them. Why? Because they were Jewish. This is antisemitism on a level I have never seen in my lifetime. This is political support for terrorism that is completely unprecedented in this nation, and this is incitement to violence that I have never seen before. Last night their advocacy led to a targeted attack on the office of a Jewish Labor member of Parliament, Josh Burns. Let me tell you, Islamic extremism and the modern left are an unholy alliance built on deception and violence.

The action that I seek from the Premier is for her to tell us what she is going to do to stamp out this extremist and un-Australian behaviour. The last thing I want to say is to the Greens: isn’t one of your core values peace and nonviolence? Your words and your actions have consequences, and I am sick of seeing the violence that you are inciting.

LGBTIQA+ youth support

Aiv PUGLIELLI (North-Eastern Metropolitan) (18:09): (973) My adjournment matter is for the Minister for Equality, and the action that I seek is for the Victorian Labor government to provide additional government support for queer groups, for LGBTIQA+ people who are still facing attacks

aimed at their queer youth events. Over the weekend Minus18, a key queer organisation, put out a call for help. Their biggest event for queer youth is currently the victim of a coordinated attack from homophobic and transphobic adults who have mass registered for all the tickets at this free event. Minus18 have noted that this incident is something that they can and do plan for and they can handle but that it comes alongside significant threats that are not able to be handled as easily, including abusive messages and threats to block the entrances to this event so that queer people cannot enter.

I find it quite hypocritical that grown adults who claim to want to protect kids are planning to go and actively intimidate kids just for being queer and wanting to go to a formal. Two in three LGBTIQ+ young people still experience abuse just for being who they are. As a result many will not feel safe or supported to attend their school formal. That is why these events are so important. Queer Formal exists to create a safe, supportive and pride-filled space for LGBTIQ+ youth to celebrate their identity, to make friends and to connect with their community. As one of the people who would have greatly benefited from an event like this one growing up, I must ask how anyone can think that providing a safe and supportive space for kids to just exist is wrong.

I am asking the Labor government to provide better assistance to queer events to ensure that they run smoothly and to make sure that not a single one has to be cancelled – whether that be immediate assistance for an event like Queer Formal or ongoing assistance here in the Parliament through anti-violence laws and acting on the recommendations from the report into far-right extremism. There is just too much at stake.

Housing

Ann-Marie HERMANS (South-Eastern Metropolitan) (18:12): (974) My adjournment is addressed to the Minister for Housing. The action I seek is for the minister to intervene to ensure that the property at 42N Ballarto Road, Frankston North, is not sold by the government but rather turned into much-needed short-term social housing. I have met with SHAC, the Seaford Housing Action Coalition, a local community organisation concerned with the need for adequate housing support for the homeless in the Seaford and Frankston area. SHAC has asked for support for their application to consider plans for social housing at 42N Ballarto Road, Frankston North, believing that this land, which is government land, is a great location that can address the current need for crisis social housing in Frankston and Seaford.

The total number of people living in crisis in Frankston has been estimated to be in the thousands now. People are desperate for safe and affordable housing. There are local issues of poverty and unsafe housing which are having a significant impact on the local communities and street culture in Frankston, resulting in frequent calls for the police, ambulance and even by-law officers at the commercial rooming houses. Labor's \$5.3 billion Big Build program and the Suburban Rail Loop and road funding have diverted much-needed funds away from housing. We have had another delay in projects with the current state budget, which expects to see debt hit \$187.8 billion by June 2028.

Labor is not doing enough right now for Victorians at risk of homelessness, and this is even coming from the Productivity Commission. Frankston is doing it tough. Support agencies are doing a great job, but more is needed. The council along with Launch Housing and other NGOs are running a rough sleeper program called Frankston Zero. It is supporting crisis and housing services. I recently met with the Brotherhood of St Laurence, which runs the BSL Thrive Hub in Frankston. The hub is supporting and connecting with people to help them find employment and training, referrals for health and wellbeing and mental health services et cetera and even get their drivers licence permits. But they told me that they have regular meetings with young people and have to get them to go through their phones because there is no accommodation available for the night anywhere. They have to ask them to try to find someone so they can couch surf in order to sleep the night in a home instead of on the streets.

I want to thank the Frankston Brekky Club, which is also doing a great job. I visited them recently. They have a proud 25-year history in our local community of looking after the disadvantaged, the homeless and the marginalised and providing warm cooked breakfasts five mornings a week.

Currently they are having to operate out of the Uniting Church in Frankston. They have over 70 volunteers and only two paid staff.

I come back to the land at 42N Ballarto Road, Frankston, which is the outdated research facility. It is reportedly the largest surplus state government owned site with potential for reuse to help alleviate homelessness in Frankston. They are buildings which could be repurposed for use as crisis accommodation or for other social purposes, such as skills training for unemployed people.

Minister, in light of all the evidence to support this argument, I ask that the Government Land Standing Advisory Committee could (a) undertake an assessment of the site for critically needed social housing and crisis accommodation in Frankston, (b) not sell off the site or stop all plans to sell the site until assessments have been completed, and (c) consider at least part of the site to be made available for suitable organisations to provide facilities to alleviate homelessness.

Edgars Road shops, Thomastown

Evan MULHOLLAND (Northern Metropolitan) (18:15): (975) My adjournment is for the Minister for Police, and it concerns an increasingly dangerous and sensitive issue my constituents face at the Edgars Road shops in Thomastown. I seek the action of the minister to intervene and assist my community with a peaceful way forward. The Edgars Road shops in Thomastown are home to some great businesses that serve locals, like the Supa IGA, a chemist, a fish and chips shop and a bakery. Unfortunately, for the last six months the centre has been plagued by antisocial behaviour. Recently I joined the Shadow Minister for Police Brad Battin there to discuss the matter with businesses and locals.

In March 2024 a homeless man decided to set up camp at the centre. At this stage it was assumed that he was harmless. Centre management and businesses wanted to support him and assumed that government or not-for-profit services might be able to assist him. A week or so later he became violent. Police removed him from the site and issued a ban notice. They thought that was the end of it. On 8 April he came back. An IGA employee was assaulted. The employee did not want to make a statement to police out of fear of retribution, so there was nothing they could do. A week later one of my constituents, Paul, in his 70s, was assaulted by the man while he was coming out of the bakery. He reported it to police, and it was not responded to for three weeks. Between March and April there were five separate calls to 000 regarding incidents involving the man, including one where he was removed from the street and eventually came back seeking retribution. The matter was referred to council to meet with him and refer to an outreach service. Whittlesea council confirmed that they did attend but did nothing because it is private property, and now that he has become violent they will not be attending again. In late April six drug-affected men joined the man and were intimidating customers.

At the start of May both an IGA employee and a bakery employee were assaulted by the man. Police were again contacted, but there was nothing they could do and it was referred to council. There was also a woman who visited the man, who was then running around the centre naked yelling at customers and employees. The man trashed the fish and chips shop when the owner refused to serve him. Police did nothing. There was conflicting advice from no less than eight officers, including senior police, about how to deal with the matter, all very clear that he would get bail and be back on the street the same day.

The shopping strip is right next to St Clare's primary school. Trade was always very good after school on weekdays. Unfortunately, since the man has been camped there businesses have lost all trade as children and parents have been quite rightly told to avoid the area. Business owners are at their wits' end and are talking about shutting up shop, which would be a terrible outcome for our community. I am seeking the action of the minister to please intervene and get a resolution for my constituents in Thomastown.

Central Highlands mineral resources

Melina BATH (Eastern Victoria) (18:18): (976) My adjournment this evening is for the Minister for Environment, and the action I seek from the minister is to instigate a comprehensive assessment of critical minerals and metals in the Central Highlands and the proposed great forest national park footprint. I also ask him to recognise the value of our mining industry for the future prosperity of this state.

Victoria has the highest gold endowment of any state in Australia, and it also is rich in critical minerals of national importance. The Woods Point area in my Eastern Victoria electorate, in that Walhalla gold–mineral belt, is resource-rich not only in gold, and it has been a centre of gold for over a hundred years. This same proposed area has rich deposits and has an opportunity. There are many people with the potential, the scope and the capacity to safely mine that area under all the right regulations and legal entities and laws, but they are very concerned that it is about to be locked up for good. These resources include molybdenum, silver, antimony, tungsten, tin, platinum and cobalt. Many of these are used in new technologies and renewable energy industries. The loss of these resources would be a true sign of madness from the state government. It is known and recognised that these are very low impact industries, and it is actually stated as a low-impact exploration. There is minimal disturbance above ground, which by law, licence and bond has to be remediated and rehabilitated at conclusion of mining. All gold mining in Victoria of course is done underground now – no open cut – with a small footprint.

The government has set up an eminent panel – it has set up a Great Outdoors Taskforce – and the future of that public land is in grave doubt. Many Victorians, and I agree with them, feel that that taskforce lacks independent and technical geological expertise. It lacks accountability. We have seen excursions where the panel has gone out to various places and people were not allowed to take photos and could write sticky notes. Sticky notes were good back in year 9 science but not when we are having a very serious conversation about what to do with the future of our resources and our mining industry. Conservation objectives and modern mineral resource development do not have mutually exclusive outcomes; we can have conservation and resource development. Exploration and underground mining are not a threat to biodiversity – all of those areas are really important. The action I seek from the minister is to make a thorough assessment and include economic geologists in that mix.

Suburban Rail Loop

Richard WELCH (North-Eastern Metropolitan) (18:21): (977) The action I seek is for the Minister for the Suburban Rail Loop (SRL). Last sitting week I was frankly taken aback to see the parliamentary statement by the member for Box Hill openly criticising the lack of open space in his electorate, an issue that I have raised in this chamber several times. Why was I surprised that he had raised this and admitted it was so clearly a problem? Well, after years of supporting overdevelopment, loss of open space to the North East Link and in Box Hill Gardens, cheering on the loss of 2500 mature trees as some kind of sign of progress, donning yellow hi-vis jackets for photo ops in front of diggers and supporting 40-storey towers, this new-found concern that this might be destroying the community's quality of life is hard to swallow – and I do not swallow it. It is his government's population growth policy that demands Whitehorse council build 79,000 new residences, effectively doubling the residences within the same footprint. It is his government's Suburban Rail Loop project that will reduce open space per person in Box Hill by 83 per cent. So the question arises: is he in support of open space or is he against it? Because his statements and his government's actions are in direct contradiction to each other.

The member for Box Hill has made his position clear to the community. He has shifted the blame onto the council from which his government has stripped planning powers – the council upon which his government has imposed building targets that can only destroy the community's quality of life. Community members have informed me that when they have raised concerns with Mr Hamer he has responded that he has no impact on SRL decisions and has referred them to the Suburban Rail Loop

Authority. Yet the next minute the member for Box Hill is asserting that the community need high-quality open space for exercise, for the community to connect and for the kids to play in. Well, that is just lip-service, and the community know it. The range of community organisations now actively raising petitions and asking questions that he and the SRLA do not want to answer confirms it. We now hear the SRLA are planning to put a road through the Box Hill brickworks and develop it for housing – no genuine consultation, misleading diagrams and a lack of information to surrounding streets about what is about to descend on them.

I believe the member for Box Hill and his Labor government should represent their community's interests and stop shifting the blame. If you want to fight for open space, Mr Hamer, then fight for it. I demand that the minister actively engage with the Box Hill residents and directly address their concerns, guarantee no property development in the Box Hill brickworks and take full responsibility for the reduction of open space in our community.

Community safety

David DAVIS (Southern Metropolitan) (18:24): (978) My matter tonight is for the attention of the Premier but could also be of interest to the Minister for Police, and it relates to a matter raised by Dr Heath just before and the trashing of the office of Josh Burns in the last few hours today. What is clear is the rising level of antisemitism and the targeting of offices, and the threatening activity that is occurring is completely and utterly unacceptable. It is very unusual for me to be raising a matter that has affected a Labor federal MP.

Harriet Shing interjected.

David DAVIS: Well, any MP, but I am making the point that I am not doing this in a partisan way. I am doing this because he is somebody that is in the area that Ms Crozier and I represent. We actually see him at local events. He overlaps with our area, and whatever you might say about him, he is sincere in his views about Israel and the need to respond to the rising antisemitism.

Georgie Crozier interjected.

David DAVIS: He is Jewish; that is right. I am just being clear about these points. But the issue here is that the state government and indeed the federal government I think have allowed this to get away from them. They have allowed the rising tide of antisemitism to actually get away from them, and this is because of the early weakness. I know there was a flurry of activity federally in the last few days where the federal government or the federal leaders in the Labor Party, including the Prime Minister, tried to come in and target the Greens – and that may well be justified, I might add; I am not in any moment protecting the Greens on this.

Georgie Crozier: Put them last on the ballot paper.

David DAVIS: That would be the first thing. That would be actually one response that the Prime Minister and the Premier could actually lay out. But the fact is that it is no longer safe in this way and there has to be some response. This will have to be both a police response on one hand but also a response through the Victorian Multicultural Commission and a response through a whole series of other steps. None of this is straightforward, which is why I am raising it for the Premier, because it requires a comprehensive response.

One response, as Ms Crozier has outlined, is that they could make a very clear statement that they are going to put the Greens last on every how-to-vote card across the state. That would be one way. But at least let us hear very clearly protections for Jewish people, a condemnation of Hamas's attack in Israel and a recognition that the shillyshallying around by federal and state Labor has been unsuccessful until now.

Victorian artificial limb program

Georgie CROZIER (Southern Metropolitan) (18:28): (979) My adjournment matter this evening is for the attention of the Minister for Health. Limbs 4 Life is Australia's peak body for people with limb loss and provides resources and supports to Australians pre and post amputation. The CEO Melissa Noonan AM contacted me to raise concerns about the future of the VALP, the Victorian artificial limb program, after she wrote to the Secretary of the Department of Health in April. Unbelievably, she is still to receive a response. So somewhat frustrated, as you can understand, Ms Noonan is seeking confirmation of the status of the VALP, including eligibility to access prosthetic providers and details of its funding.

She noted that up until last year the health department had dedicated staff to oversee the program, yet this is no longer the case. She has particular concerns around people aged over 65 who are ineligible for NDIS support and have problems accessing prosthetic providers, including those regional Victorians who cannot access local services under the VALP. For example, Ms Noonan informed me that while there is a prosthetic provider in the Shepparton and Echuca area, over-65s funded under the VALP are forced to travel to Melbourne or Bendigo to access services. A further concern is that new amputees are being referred to generic rehabilitation centres rather than those dedicated to amputees, which is prolonging the rehabilitation process.

I think the ignoring of the letter from Ms Noonan by the department and the government is a very concerning development by the Allan Labor government. To completely, as I said, ignore this important program is yet another example of the dire state of the Victorian budget – that they are not providing the funding or the support. It is vulnerable Victorians who are paying the price. The Allan Labor government cannot manage money or budgets, and they certainly cannot manage our health system. Importantly, now they are failing to support those very vulnerable Victorians, such as these amputees, that need that support with these really important programs.

The action I seek is for the minister to review Ms Noonan's concerns and provide a response to Limbs 4 Life's inquiry as a matter of urgency. It cannot be delayed any longer. Just get on with it, and at the very least respond to the letter that the department secretary has had on his desk since April.

Responses

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (18:30): This evening, in contradistinction to last night, when I think we almost set a new record, we had 13 adjournment items. They will be referred to the relevant ministers – and indeed a number to the Premier – for response in accordance with standing orders.

I note that there were two matters that were drawn to my attention in portfolios for which I have responsibility – namely, from Mr Puglielli in equality and then from Mrs Hermans in relation to the housing portfolio. I would ordinarily go through the detail of the matters that they have raised in the course of their adjournment matters. However, as they are no longer in the chamber, I suspect it may well be of better use to them if I provide a written response – indeed, President, if you are comfortable with that approach.

The PRESIDENT: The house stands adjourned.

House adjourned 6:31 pm.